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MOBUTU'S TOTALITARIAN POLITICAL SYSTEM: AN AFROCENTRIC  
ANALYSIS

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A Dissertation  
Submitted to  
the Temple University Graduate Board

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in Partial Fulfillment  
of the Requirements for the Degree  
DOCTOR OF PHILOSOPHY

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by  
Peta Ikambana  
January, 2004

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## ABSTRACT

Mobutu's Totalitarian Political System: An Afrocentric Analysis

By Peta Ikambana

Doctor of Philosophy

Temple University, January, 2004

Advisor: Molefi Kete Asante

Mobutu's political system inaugurated in 1965 and which lasted more than three decades meets all characteristics of totalitarianism. This study shows that the failures and misdeeds of Mobutu's system were a clear evidence of the lack of an African-centered vision of the system, which in fact, did not put the interest of the African people of Congo at the center of this political project. Mobutu's political vision was not African-centered because he failed to promote the well-being of the African people of Congo.

Mobutu's political actions in the 90's, mostly as they refer to the National Sovereign Conference are critically analyzed and found to be a deliberate attempt to obstruct the momentum of democracy for the African people of Congo. From an afrocentric standpoint, the obstruction is perceived as evidence of Mobutu's attempt to obstruct the search for harmony and peace of the Zairean people, a rejection of the African-centered truth that without Ma'at there is no understanding, no harmony, and no possible restoration of balance. Mobutu's obstruction became an effort to conserve the status quo of his totalitarian system.

Participatory democracy becomes a necessity for the African people of Zaire, in search of national Ma'at or harmony. Participatory democracy based on consensus is perceived to be more likely to respond to the specific needs of the African people of Zaire.

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## CHAPTER 1

### INTRODUCTION

#### Statement of the Problem

The Democratic Republic of Congo, formerly known as Zaire, is the third largest country of the African continent. Its borders were established arbitrarily at the Berlin Conference between 1885 and 1894. The history of the country is built around the following major events, occurring between the 6<sup>th</sup> century and the country's independence (i.e., June, 1960):

#### 1. 6<sup>th</sup> Century

500a.d. Approximate date of the kingdom of Kuba which was founded by Woot, the Nymi.

520a.d. – 845a.d. Foundation of the Mulopwe's Luba Empire.

#### 2. 13<sup>th</sup> -15<sup>th</sup> Century

1275 Hypothetical founding date of the kingdom of Kongo by Nimi a Lukemie, Aka Ntinu Wene.

1482 Diego Cao, a Portuguese sailor, discovers the mouth of the Congo River. Europeans considered this date to be the official beginning of contacts between the Kongo people and the Europeans.

1491 Arrival of the first catholic missionaries in the kingdom of Kongo. First evangelization of the country symbolized by the baptism of King Mani Kongo Nzingu Nkuwu.

1498 First wave of enslaved Africans arrive in North America

3. 16<sup>th</sup> Century

Foundation of the Kingdom of Luba.

Beginning of slave trade in Central and South Congo.

4. 17<sup>th</sup> Century

Holland people arrive in the Kingdom of Kongo.

Arrival of Italian missionaries in the Kingdom of Kongo.

Beginning of the decline of the Kingdom of Kongo.

Rise of the Kingdoms of Kouba and Lunda.

5. 19<sup>th</sup> Century

1815 Foundation of the Kingdom of Mangbetu by Nabiembali.

1816 The English Tuckey remounts the Congo River and inaugurates the so-called scientific exploration period of Central and West Africa.

1869 Msiri founds the Kingdom of Garengaze (South-West).

1874 - 1878 The Congo is explored by Henri Morton Stanley.

1876, September The King of Belgium, Leopold II, organizes the Geographic International Conference aimed at opening Africa to civilization and abolishing the slave trade.

1878, October 30 King Leopold II, in collaboration with Stanley, creates the first colonial centers (posts).

1880, August 8 First school is created by catholic missionaries in Boma, and twenty students were recruited.

1883 The Congo becomes the International Association of the Congo (IAC) presided over by King Leopold II.

1884, November 15 The IAC becomes the Independent State of Congo with Leopold II as its Personal Sovereign.

The first royal government is established in Boma, and then in Leopoldville.

1885, February 26 Leopold II is successful in gaining official international recognition of his State at the Berlin Conference.

1897 Beginning of the so-called system of government crops, consisting of the enslavement of Congolese in cotton and cocoa fields for the personal wealth of the King.

## 6. 20<sup>th</sup> Century

1903 – 1904 Leopold's mistreatment of native Congolese is denounced in Great Britain by the Congo Reform Association.

1904, July 24 Creation of an international committee to investigate the allegations against King Leopold II.

1906, February 27 - March 2 The King Leopold II scandal reaches the Belgian Congress.

1906, December 13 The Independent State of Congo becomes a Belgian territory.

1908, August 20 The Congo is officially a Belgian colony.

- 1939 - 1945 The Belgian government compels the participation of Congolese citizens in WWI.
- 1950 Creation of the first Congolese political group: ABAKO
- 1954 Opening of the first university in the country as well as all of central Africa.
- 1955 Visit of King Baldwin and announcement of the Bilsen Plan, a 30-year plan aimed at training the Congolese people to gradually take over the direction of their country.
- 1956 ABAKO and other Congolese groups reject the Bilsen Plan and request immediate independence for the Congolese people.  
Creation of the second Congolese university.
- 1958 First locally elected administration in Leopoldville, Elizabethville, and Jadotville.
- 1958, October Patrice Emery Lumumba creates the Congolese National Movement, which represents the country at the Panafrican Conference in Accra.
- 1959, January 11 ABAKO is banned as a political party.
- 1959, January 13 King Baldwin of Belgium promises independence and general elections to the Congolese people.
- 1960, January 29, The Round Table Conference is held to discuss the political and economic future of the country.  
Independence day is scheduled for June 30, 1960.

- 1960, May 10 – 18 General elections are won by the Mouvement National Congolais (MNC), Lumumba's party. He is automatically elected Chief of the Congolese government. Lumumba becomes the first ever elected Prime Minister in the history of the country.
- 1960, June Joseph Kasavubu is appointed President.
- 1960, June 23 Lumumba is officially sworn in as Prime Minister.
- 1960, June 30 The Congo officially accedes to Independence.
- 1960, July 6 - 8, Lumumba's government decides to Africanize the army by appointing Congolese officers to lead it.
- 1960, July 9, Belgium is opposed to the Congolese government decision.
- 1960, July 11, Supported by the Belgian government, the Katanga province proclaims its independence from the rest of the country.
- 1960, July 12, Kasavubu and Lumumba seek United Nations (UN) intervention to end the Belgian aggression in the Congolese territory.
- 1960, July 14, The UN votes on a resolution to intervene, and asks the Belgium government to order its army to leave the Congolese territory.

- 1960, August 14 - 15, Relations between Lumumba and the UN General Secretary deteriorate due to open support by the UN Secretary to the Katangese auto-proclaimed government.
- 1960, August 21 - 22 The UN Security Council decides to rally behind the UN Secretary against Lumumba.
- 1960, August 26 Allen Dulles, Director of the Central Intelligence Agency in the United States, informs his Director in the Congo that Lumumba has become their number one priority and that he must be neutralized.
- 1960, September 5 President Kasavubu fires Lumumba as Prime Minister. The UN and the American government support President Kasavubu.
- 1960, September 7-8 The Congolese parliament rejects President Kasavubu's decision.
- 1960, September 14 President Kasavubu dismisses the parliament. Colonel Mobutu neutralizes the government in the first coup d'etat.
- 1960 October 6 d'Aspremont Lynden , Belgian Minister of African Affairs, declares that Lumumba must be physically eliminated.
- 1960, October 10 Lumumba is arrested.



- 1960, December 2      The UN orders its troops in the Congo not to protect Lumumba.
- 1961, January 17      Prime Minister Patrice Lumumba and three of his government members are transferred to Katanga and executed.
- 1965, November 24    Mobutu executes his second coup d'etat by neutralizing President Kasavubu and proclaiming himself President of Congo.

Originally the personal property of Leopold II, King of Belgium, the Congo became a Belgium colony from 1908 until 1960. On June 30, 1960 the Congo achieved independence from Belgium. Immediately after becoming independent, the country was plunged into 5years of civil war. On November 24, 1965 Mobutu Sese Seko Kuku Ngbendu WazaBanga led a military coup that overthrew the first elected government. He put in place an authoritarian presidential regime that was overwhelmingly supported by Western countries, including Belgium, the United States, and France, for strategic and economic reasons. Between 1970 and 1980, Mobutu will the country as a dictator, strongly supported by an ideological machine orchestrated by his single party. In the early 1970s, the country experienced a brief period of economic stability thanks to its countless mineral resources, including diamond, uranium, gold, and copper.

President Mobutu SeSe Seko Kuku Ngbendu WazaBanga ruled the Republic of Zaire from November, 1965 until May 17, 1997. He was overthrown in May 17, 1997 by

long-time political opponent Laurent Desire Kabila, who also immediately declared himself president. After his thirty-two years as head of state, Mobutu's Zaire was internationally known as one of the poorest country in the world. Political scientists who have studied political systems have classified Mobutu's system as a dictatorship.

People do not tolerate constant political chaos without an immediate revolutionary goal. A nation cannot survive ongoing political and economic instability without perceived benefit. Lacks of rule of law and constant political instability have never led a nation to a democratic system. On the contrary, these two factors can only lead a nation to its destruction.

In 1990, after thirty-two years of a single party, Mobutu was forced to accept the idea of a multiparty system as a result of international turmoil generated by the fall of the communist bloc, and an increase in internal opposition. On April 24, 1990, the Republic of Zaire (renamed Democratic Republic of Congo) engaged in a political process aimed at democratizing its institutions. This process was perceived as fundamentally and urgently necessary, in light of the failures and misdeeds of the political system of the Second Republic inaugurated by Mobutu's coup d'etat in 1965. Mobutu's system led the country to chaos, its institutions to failure, its leaders into discredit, and the majority of its citizens into indescribable social and economic derision. To repair these failures and re-direct its national life, the majority of Zairian citizens requested and obtained from Mobutu's system the organization of a national forum named National Sovereign Conference (NSC), which was intended to lay out a new national social and political structure and ultimately lead the country into the Third Republic and democracy.

However, the process was never completed because President Mobutu decided to disregard all sovereign decisions made by this sovereign forum. He deliberately impeded the outcome of the reform process.

#### Purpose of the Study

This dissertation aims at investigating the possibility of a correlation between Mobutu's political system and his obstruction of the democratic process. I will examine the characteristics of Mobutu's political system to better define it, in an effort to predict its implication in the obstruction. The study will investigate the factors that led Mobutu's system to its misdeeds and failures. Also, the study will try to establish the connection between the misdeeds and failures of the system and the Zairian people's quest for a national forum aimed at inaugurating the country's third republic. In summary, through an in-depth examination of each factor, this study will try to define and explain the main characteristics of Mobutu's system, establish the correlation between the system and the obstruction of the momentum of democracy and, ultimately, propose an African-centered model of democracy.

#### Significance of the Study

This study could be relevant in many ways:

1. This is the first academic study to establish a correlation between the 32 years of Mobutu's political system and the obstruction and failure of the Zaire National Sovereign Conference.

2. Most of the work on Mobutu has defined his regime as a dictatorship. This dissertation intends to demonstrate that Mobutu's system fits the definition of a totalitarian system.
3. The study is one of the first ever in African American Studies that will examine the actions and behaviors of an African political leader from an African-centered paradigm, as it seeks to establish the extent to which Mobutu's 32-year political system has contributed to the well being or the dehumanization of the African people of Zaire.
4. Finally, the study illustrates the success of an interdisciplinary project seeking to examine political science and criminal justice phenomena in the context of Afrocentricity.

#### Limitations of the Study

Literature on political systems is rich, but most of the leading studies have focused on western political systems. To date, there are several studies on African dictatorships and democracies, but none of these studies has looked at these phenomena from an African-centered approach.

Most of the scholars of African political systems draw their theoretical foundations from western literature. According to this view, political systems range from democracies to monarchies to totalitarian dictatorships. To understand a non-western system, scholars tend to do comparative studies in an effort to comprehend it from a European standpoint. Mobutu's system has been classified as a military dictatorship.

However, a close look at the elements of this regime reveals that it is a totalitarian system.

This study will seek to identify and define the main elements that make Mobutu's regime a totalitarian political system. The study will also seek to demonstrate, from an African-centered point of view, how such a regime contributed to the dehumanization of the Zairian people through state crime and the obstruction of democracy. Therefore, this is not a general study of a political system but, rather, an African-centered study of an African political phenomenon.

### Definitions of Major Concepts

A consensus on political concepts has always been a difficult methodological task. Even when the use of a given political concept may a priori seem universal, the scope of its application often varies according to the geographic context. For example, democracy is universally defined as a system that allows citizens to directly participate in the decision-making of public affairs. Nevertheless, new modalities of modern democracies largely accept the concept of representation in lieu of direct participation. Therefore, an African-centered approach to democracy will not only enhance its chance of success, but will also emphasize its relevance to the well-being of the African people of Zaire.

In light of the above-mentioned theoretical and operational difficulty, it appears necessary to offer a conceptual clarification of the macro and micro factors relevant to the present study. The following definitions are simply operational and should not, therefore, bear any preconceived universal value.

## *Democracy*

From the Greek *democracia* (*demos* = people; *cracia* = government), a democracy is a political system that allows governance of the people by the people. Democracy is characterized by the participation of citizens in the decision-making process while guaranteeing individual freedom, respect of minority groups by the majority, and the protection of the rights of minority groups. Most importantly, a democracy allows the citizens of a nation to freely elect government officials who could better serve their interests. An Africa-centered democracy is a political system that allows governance of the people of Africa by the people of Africa, putting their interests and well being at the center of decisions affecting their lives.

Obstruction of the democratic process occurs when any facts or actions are aimed at impeding the normal occurrence of the different stages leading to the creation of a political system that permits government of the people by the people. Thus, the obstruction of an Africa-centered democratic process would be any facts or actions that impede the normal occurrence of the different stages leading to the creation of a system that puts the interest and well-being of the African people at the center of the decision-making process.

### *The Failure of the National Sovereign Conference (NSC)*

The NSC was an extra constitutional forum organized by the central government to serve as a national consultation space in order to establish the foundations of Africa-centered democratic institutions in Zaire. The forum was intended to be a gathering of all

Zairian social classes, public institutions, central government, civilian society, religious groups, and political party representatives.

The failure of the NSC resulted from a lack of application of the major objectives agreed upon by all participants of the extra constitutional forum, and a lack of promoting the interests and well being of the African people of Zaire.

### *Totalitarianism*

Totalitarianism is a philosophical, political, and/or ideological doctrine that confines the totality of national life within a monolithic power style and vision of the world. African totalitarianism is, thus, defined as any political system that does not promote the interests and well being of the African people.

John Friedrich has established the following characteristics of a totalitarian system (Friedrich, 1965):

1. An exclusive ideology;
2. One party system in charge of the ideology, and usually led by a powerful dictator;
3. Well-developed and equipped secret police to track down opponents and assure the execution of the leader's orders and the application of the ideology; and
4. Monopolized control of the mass media, operational arms, as well as all social, cultural, political, and economic organizations.

Mobutu's regime tended towards totalitarianism in that its leaders were observed acting according to methods appropriate to a system that confines the totality of national

life within a monolithic power style and vision of the world, and fails to promote the interests and well being of the African people of Zaire.

#### *Achievements of the NSC*

The major achievements of the forum were aimed at promoting the interests and well being of the African people of Zaire, and were unanimously adopted by all NSC participants. These achievements included:

1. A re-examination of the national historical successes and challenges since the independence from Belgium;
2. A thorough re-examination of all public institutions;
3. An elaboration of a new national constitution;
4. An elaboration of new structures and institutions; and
5. The establishment of a transitional government, parliament, judiciary body, election commission, and college of governors in charge of leading the country to democracy.

#### *The Rising of Zairian People's Consciousness*

The citizens of Zaire became aware of the issues affecting them, the quality of their lives, their interests and well being. This included violations of their fundamental rights and the mishandling of national wealth by government leaders.

#### *Failures and Misdeeds of the Political System*

A political system is any persistent model of human relations that involves, to a significant extent, power, leadership or authority (Dahl, 1982). According to the same



author ( Dahl, 1982), a political system is a set of interdependent roles and/or interactions that allow the legitimate allocation of resources in a society.

Failures and misdeeds of the political systems include the incapacities and pernicious results of a structured set of activities related to the conquest, exercise, and conservation of power in a given society. In Mobutu's system, these failures and misdeeds include actions that did not promote the interest and well-being of the African people of Zaire.

### *State Crime*

Barak (1991) defined a state crime as harm illegally or legally organized and inflicted upon people by their own government or the government of others. Tunnell (1993) defined it as acts committed by the state that, although not defined as criminal, result in underlined harmful social consequences. Also, Kauzlarich (1995) defined it as an illegal act or socially injurious act of omission or commission by an individual or group of individuals in an institution of legitimate governance, which is executed for the consummation of the operational goals of that institution of governance.

Kauzlarich: (1992) further defined Domestic-Domestic Government Crime (DDGC) as criminal acts which occur within the state's geographic jurisdiction in violation of the criminal or regulatory code of that state.

## Review of the Literature

Literature on political systems in general is abundant. Mobutu's political actions have been a subject of numerous books<sup>1</sup>. The present study will look at the following sources. First, borrowing from the general political science literature, I will define democracy in order to better comprehend Mobutu's system. Second, the study will rely heavily on the document of the NSC as it unmasks Mobutu's role in the obstruction of democracy in Zaire. Third, the major books on state criminality will be used to analyze and classify Mobutu's actions from a criminological standpoint.

The main characteristic of political literature remains its capacity to offer scientists the freedom for individual interpretation and, therefore, the individual capacity to take scientific risks. In other words, the major texts selected for the purpose of this study offer freedom for the application of general political theories to the particular case of Zaire of the 1990's.

According to the descriptive model introduced by O'Donnell, Schmitter and Whitehead (O'Donnell & Cie, 1988), there are three logical and analytically distinct phases that allow comprehension of a transitional political process as well as the alternative developments these phases may generate:

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<sup>1</sup> For more research on Mobutu's system, see Michela Wrong (2000) "Living on the brink of disaster in Mobutu's Congo" in *The steps of Mr. Kurtz*. New York: Harper Collins Publishers. In the Bibliography, Wrong offers a comprehensive list of further readings and background materials on Mobutu's political system.

1. After its appearance and consolidation, an authoritarian regime develops certain tendencies and characteristics that allow the regime to reach a certain level of equilibrium.
2. Such level of equilibrium could be stable or unstable, according to the degree of institutionalization reached by the regime.
3. Once the capacity of the regime to face internal and system challenges decreases, there is generally a state of unstable equilibrium that takes place, which may degenerate in situation of crises that could ultimately be the precursors of the transformation of the regime.

Two models of transition are likely to occur according to this model: a discontinued or a continued transition. A discontinued transition may lead a regime to two possible developments: (a) the regime may be capable of resolving its crises through different political actions, including compromises or the use of overwhelming military force; or (b) the beginning of the fall of the regime. In a continued transition, an authoritarian regime tends to build a series of political coalitions, which are generally short-term and contradictory, hence revealing the regime's lack of commitment towards changes and its natural conservatory instinct. Generally, an authoritarian regime confronted with such dilemmas will tend to introduce gradual but very slow changes until its complete transformation. Maurice Duverger's status quo model theory (Duverger, 1964) is consistent with the descriptive model. In fact, Duverger stated that an authoritarian system usually tends to resist changes, reforms, or any other transformations a priori. However, when confronted with an inevitable evolution imperative, such

systems would more likely concede some of its characteristics while still trying to maintain the status quo.

According to O'Donnell et al (1988), the principal causes of transformation from an authoritarian system to a democracy are essentially internal and external crises. Internal causes are those relative to the system's positive or negative response to its internal survival, including its organizational demands (e.g., gradual loss of power of the system's ideology; internal fights for political positions; etc.). External crises often are outcomes of the needs of the global society, including:

1. Growing and diversified social demands related to the quality of life, appearance of new social actors that increase the likelihood of new social and political demands;
2. Gradual loss of support to the political system due to the organizational power of the new social actors and new methods of political demands;
3. Incompatibility between social demands and the ideology of the political system, as well as the system's loss of moral values, inefficiency, and the corruption of its bureaucracy;
4. Beginning of an economic crisis capable of profoundly affecting the system's capacity to control and ensure the economic benefits of its main actors;
5. Creation of alternate political projects capable of mobilizing and gaining popular support with the potential to redefine political coalitions; and
6. External pressures or interventions.

O'Donnell et al (1988) and others offer an explanatory theory they call the *Theory of the Loss of Legitimacy*. This fundamental theory allows us to analyze the transition process from totalitarianism to democracy in two phases:

1. Any political regime must be legitimate, have popular support or, at least, must be accepted in order to survive; and
2. When the regime loses its legitimacy, it must regain it, otherwise it begins a self-destruction process (see Figure 1).

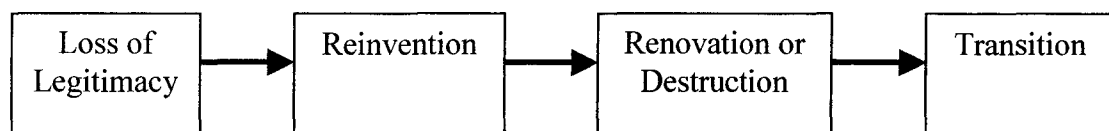


Figure 1. Representation of the Theory of the Loss of Legitimacy

Robert A. Dahl (1971) distinguishes two major stages that explain democratic changes: (a) liberalization, and (b) inclusion. Liberalization is the stage at which a totalitarian political system comes to acknowledge the growing power of the opposition force. Inclusion is the stage at which a growing popular demand for rights to participate, control, and eventually oppose government behaviors appears. Dahl proposes five criteria for the evaluation of an effective democratic process:

1. Effective participation, which is defined as the degree to which citizens are given appropriate and equal opportunities to express their views about decisions affecting them;
2. Enlightened understanding, which is defined as the degree to which citizens are given appropriate and equal opportunities to know and approve/disapprove of decisions made by political leaders that may affect citizens' interests;
3. Equity of vote, which is defined as the degree to which each citizen's vote is given equal chance to be counted;
4. Control over government plan of action, which is defined as the degree to which government decisions reflect the sovereign will of the citizens; and
5. Inclusion, which is defined as the degree to which citizens are included in the decision making process.

For Giovanni Sartori (1991), a transition from authoritarianism to democracy involves both the end of dictatorship or a totalitarian system, and access to democracy. Other authors, including Juan J. Linz (1991) emphasize the participants and political strategies as determinant factors in the understanding of a democratic process. For these authors, democratic processes are products of political actors who choose certain strategies leading to changes, including political systems. Morlino (1988) distinguishes liberalization from democratization. Liberalization refers to a horizontal process by which political and civil rights are "offered" or "given" to the people by the governing elite, but in such a way that still allows the elite to maintain control over the society. Usually, the governing elite uses this strategy to overcome a crisis without any real

intention to allow a full democratization of the society. Democratization, on the other hand, refers to a process that recognizes a complete expression of political and civil rights, and the acceptance of social organizations of interests, including unions. A real democratization process is complete when the major democratic structures are in place, including:

1. Realization and consolidation of democratic compromise by all political and civilian actors involved;
2. Respect of the legal system by the governing elite and its allies;
3. Neutralization of the military forces;
4. Guarantee of the rights of economic groups; and
5. Role of political parties and unions.

The second part of this study is related to the analysis of state crime as a form of obstruction of democracy in Mobutu's political system. Recently, scholars in criminology have been taking the lead to openly denounce a social and political plague as old as the world itself, but which has been covered for a long time under the mantle of political taboo. Clinard and Yeager (1979), and other scholars pointed out that state crime is a sticky issue because of the agents and organizations involved. In the past, scholars who studied the phenomenon presented the state as a victim and not a perpetrator of crime. For Vidal (1916), a state may be victimized by crimes such as felonies and misdemeanors that violate the political order, or the legitimate attributes of a state including government, political parties, and the political and civil rights of citizens. Ingraham (1979) goes further by describing twelve specific categories of what should be considered

crime against the political body or state: (a) acts of betrayal to an enemy; (b) attempts or conspiracies against government leaders; (c) certain economic crimes; (d) sexual crimes against relatives of government officials; (e) crimes of speech; (f) religious crimes; (g) rebellion or resistance to authorities in the performance of official duties; (h) attempts by political leaders against the liberties of people; (i) membership in, or organization of illegal societies; (j) usurpation of official function and authority by unauthorized people; (k) coverage of treasonable plots and conspiracies; (l) miscellaneous offenses.

A close reading of the twelve categories reveal that the state is presented as a victim in 10 categories, but only in two of them does the state appears as a possible offender. In totalitarian systems, the distinction between state power and lack of respect for the law is evident. The authors previously named considered only the good intention of the state as protector of society but largely ignore its harmful behaviors.

Recent waves of scholars have addressed this. Criminologists like Barak (1991), Kauzalarich (1992), and Tunnell (1993), have reanimated the debate on state criminality by advancing the hypothesis that the state is often the perpetrator rather than just a victim of crime. These authors propose that state crime typically involves illegal and harmful behavior committed by state or government agents during the exercise of their official functions, and that these harmful behaviors remain largely unpunished.

According to Ross (1995), state criminal acts may be implicit or explicit, by commission or omission, physical or non physical. State criminal acts are *mala per se* and *mala prohibita*. Most of the ceases of Mobutu's political system will be analyzed based on this definition. In fact, Zairian state crime is more likely explained by Mobutu's



political system maintaining control over every aspect of national life and, therefore, assuring the continuity of the system.

The destruction of Zaire's political and economic systems began with the influence of the King of Belgium on Congo's national life. King Leopold's exploitation of Congolese wealth has been well documented in *King Leopold's Ghost*, by Adam Hochschild (1999). This book gives an unprecedented account of all the actors involved in bringing the knowledge of King Leopold II's misdeeds in the Congo to the general public. Leopold II is portrayed as Congo's first dictator. In fact, the methods used by King Leopold II to plunder Congo's wealth are similar to those Mobutu used to pauperize his own people. It is remarkable to notice that both King Leopold II and Mobutu's systems brought this central African country to the same result: A disaster of a rich country. According to Hochschild (1999), King Leopold II carried out a brutal plundering of the Congo, slashing the country's population by as much as ten million, while presenting himself as a great European humanitarian. The book remains a historical testimony to a European Machiavellian plan. The reading of this horrible and heartless plundering of the Congolese nation puts in perspective the real historical misbehavior of African leaders like Mobutu, who should have done better than colonial rulers in their handling of African destiny. The author has gathered tangible information and data proving the scandalous exploitation and, thus, the destruction of a whole nation by the King of Belgium. This European ruler has manipulated the other European leaders with the ultimate intention of gaining ownership over the rich territory then known as Congo. In a century during which Europe deliberately and unilaterally decided to tear up the

African continent at will, the King of Belgium, realized that his only historical chance to wealth, honor, and power resided in joining forces with his European peers in the conquest of the ‘ uncivilized’ world and its people. The book shows the systematic plundering of the Congolese territory and its inhabitants through the selfish will of an obsessed king trying to get as rich as possible, to the detriment of the inalienable rights of the Congolese people to human dignity. For 80 years, the King of Belgium had transformed a whole nation into a private property. When, in 1905, Leopold II realized the resolve of the Congolese people, the country was unilaterally declared a Belgium territory, going from a private property to a national one. When the Congo finally acceded to its sovereign independence in 1960, Belgium had achieved its economic and social prosperity at the expense of the freedom and human dignity of the Congolese people.

The relevance of this book is inestimable. First, the book contains rich documentation (including photographic evidence) of the misdeeds of the King of Belgium. It also contains evidence of the dehumanization of the African people of Congo in the hands of the leader of a ‘civilized’ country. Second, the book establishes an undeniable truth about the Western of African wealth. Finally, from an Afrocentric standpoint, Leopold II’s political system does not come close to promoting the well being of the African people of Congo.

Ludo De Witte’s book *l’assassinat de Lumumba*’ (2000) puts the nails in the coffin regarding the role of the Western World in the political and physical elimination of the Congolese leader. Overwhelmingly elected as Chief of Government in the first

elections ever in the Congo after its independence, Lumumba was not allowed to govern by European powers who saw their control over that rich country evaporate with Lumumba's vision and leadership. The book retraces the conspiracy that culminated in the assassination of the Congolese leader. Most revealing, this book (which was originally a doctoral thesis) shows both the global responsibility of the European and American governments, as well as the individual responsibilities, including specific names of people who carried on the physical elimination of the Congolese leader. However, if the Western World was highly satisfied with Lumumba's death because it supposedly eliminated the danger of communism hegemony in the region, the Congolese people still wonder what the future of their nation could have looked like if Lumumba had implemented his vision of a unified nation. Economic and political self-determination were some of Lumumba's ideals for an African-centered leadership. Forty-two years after his death, three dictators who have brought the country and its more than 50 million citizens to the brink of disaster have led the Congo. This book is relevant to this study for one main reason: President Mobutu is one of the main actors involved in the assassination of Lumumba. Therefore, the book brings new light to an understanding of Mobutu's political system. It shows how Mobutu slowly constructed his totalitarian system by eliminating his opponents and silencing the people.

In *The Footsteps of Mr. Kurtz*, Michela Wrong (2000) presents an unprecedented account of the misdeeds of Mobutu's political system that led millions of people to live in poverty and lack of human dignity. Michela Wrong goes straight to the point and establishes a comparison between Mobutu's system and the system of his colonial

predecessor King Leopold II of Belgium. This book is an excellent reference because it traces the rise and fall of Mobutu, whom Wrong fairly refers to as the stereotype of an African despot. Of interest to this dissertation is the account of Mobutu's failures and misdeeds, including the pauperization of the Zairian/Congolese citizens through the plundering of the country's copper and diamond resources. This was realized under a totalitarian political system that bought out the opposition and dominated its citizens with a combination of brutality and charm. The Afrocentric paradigm helps us to easily determine the non-Africa-centered finality of such a regime because of its lack of promotion of the well being of the African people of Zaire/Congo.

*The Congo Cables*, by Madeleine Kalb (1982) offers an interesting account of the Congolese political history, including the dramatic events before and after Congo's independence. It also gives us significant insight into the two main political events that changed the destiny of the country: (a) Patrice Lumumba's political assassination; and (b) Mobutu's takeover as the new, auto-proclaimed leader of Congo/Zaire. This book is significant to this research because it offers details that are relevant to the understanding of the elements of Mobutu's totalitarian system.

*Dignity for Africa* (see Sese Seko, 1989) is of particular academic interest because it is the account of the political system by Mobutu himself, as discussed in a conversation with journalist Jean-Louis Remillieux. The book offers a personal account of Mobutu's own version of the system he created, his entry into politics, his account of the reasons for the creation of a 'strong' state, his version of democracy, his philosophy of authenticity, the colonial legacy, Patrice Lumumba, human rights, poverty, etc. More

than an objective account, this book is relevant because it offers insight on most of the elements that constitute Mobutu's totalitarian system, including:

1. The rationale for a strong and brutal regime,
2. the justification of one single party system,
3. the control of the totality of people's lives,
4. the elimination of political opposition, and
5. the control of the mass media

In summary, there are two main sources that will be used for this study: The first is the academic literature on political systems, with emphasis on democracy and totalitarianism, and the recent development on state criminality. The second source will focus on the very important document produced by the National Sovereign Conference (NSC), which contains historical information on Mobutu's obstruction of democracy, crimes, misdeeds, and failures to guarantee the well being of the African people of Zaire.

#### Methodological Considerations

Afrocentricity, or African-centered paradigm, is the best-suited theory to gain insight into African phenomenon. This theory is aimed at uncovering reality by questioning and providing answers to the questions from a system of inquiry that places the phenomenon within the appropriate context. This study will employ Afrocentric analysis concepts to analyze an African political phenomenon. The African-centered theory will be used to investigate Mobutu's political system failures and misdeeds with the purpose of placing them in the context of their relevance for the African people of Zaire. Ultimately, the theory will be used to determine whether Mobutu's political

behaviors and his state crimes were utilized in the best interest of Zairian well-being and human dignity.

According to Asante (1987), Afrocentricity is the placement of Africa in the center of African experiences, using cultural values and viewpoints to analyze the reality in which such reality is submerged. Since Afrocentricity “means, literally, placing African ideals at the center of any analysis that involves African culture and behavior” (Asante, 1987, p. 6), it becomes important to view Mobutu’s political misdeeds and failures from this theoretical perspective. In fact, Asante (1987) suggests three perspectives from which Afrocentricity as a theory can be analytically applied:

1. Human relations,
2. humans’ relations to the supernatural, and
3. humans’ relations to their own being.

The present study proposes to apply the African-centered theory for the following purposes:

1. To analyze the political phenomenon of Zaire of the 1990’s in the light of its relevance to the African people of Zaire, and
2. to analyze and understand the political behavior of an African leader towards his own people.

Mobutu’s philosophy of authenticity will be discussed as a missed opportunity for an African-centered way of governance.

## CHAPTER 2

### CONCEPTS OF POLITICAL GOVERNANCE IN TRADITIONAL AFRICA

Writing to his friend Alioune Diop, Cheik Anta Diop described the characteristics of a good African leader in the following terms, “entirely dedicated to others, nothing for yourself, everything for others, a heart filled with goodness and generosity, a soul steeped in nobility, a spirit always serene simplicity personified” (Diop, 1991, p. v.). Diop’s words would have had the same powerful resonance centuries back in traditional Africa, where the art of social organization (i.e., politics) was solely intended to achieve the well being of the citizens.

This chapter will look at some traditional political models. What is the legacy of the traditional African way of governing for today’s African political systems? Ayittey (1992) quoted the legendary African Nelson Mandela as he described the indigenous political institutions as follows:

Then our people lived peacefully, under the democratic rule of their kings... Then the country was ours, in our name and right... All men were free and equal and this was the foundation of government. The council of elders was so completely democratic that all members of the tribe could participate in its deliberation. Chief and subject, warrior and medicine man, all took part and endeavoured to influence its decision” (Ayittey, 1992, p. 37)

Thus, traditionally, indigenous political leaders had formal mandates to promote social development and integration. They structured the work, delegated political power and authority, and established formal rules of life in society. This African-centered approach to authority promoted social harmony while showing a high level of obedience to established authority. However, obedience to the authority was never seen as

submission because of its finality. In fact, the authority was obeyed, not because of the function, but solely because of its role in promoting the well being of all society members. In a continent dominated by military dictatorships and one-man authoritarian regimes, a look at African traditional political institutions could demystify the alibi often used by African despotic leaders: that African social structures justify dictatorships<sup>2</sup>.

Ayittey (1992) writes that, for centuries most African societies have enjoyed a tradition of participatory democratic system. The organizational structure of traditional societies was based on kinship and ancestry. The primary mission of political power was the survival of the group: economic, spiritual, political, as well as military. The type of system of government was dictated by the nature of each ethnic group. One clear feature of traditional African political institutions was the lack of a written constitution. In lieu, customs and traditions were the primary sources of governmental procedures.<sup>3</sup> Ayittey (1992) suggests that there were two distinct types of traditional political organizations. In the first, tribal groupings are lead by chiefs or chiefdoms. In this system, the chief and his attendants are in charge of the administrative and judiciary institutions. However, it is worth adding that there existed tribes without chiefs that governed themselves peacefully. Theses groupings were known as stateless societies. The second category of political institutions was composed of conquered tribes, as in the case of kingdoms and empires.

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<sup>2</sup> President Mobutu of Zaire, who ruled the country from 1965 to 1997, justified the imposition of a one party-system as being a reflection of “our mentality and ...our culture” (Sese Seko, 1989, p. 82).

<sup>3</sup> Niane (1965) has powerfully illustrated the role of oral traditions in traditional Africa.



According to Ayittey (1992), there were also two distinct political subcultures as consequences of the distinction between kingdoms and empires. First, there was the imperial rule, which allowed a certain autonomy and local independence to the vassal states. The Asante and Zande empires of the 19<sup>th</sup> century are illustrations of this type of political subculture. It is also the most common. Furthermore, Ayittey (1992) added that the second type of imperial rule differed from the first one in that it required conquered tribes or vassal states to assimilate in an allegedly superior foreign culture. Among these vassal states were the 18<sup>th</sup> and 19<sup>th</sup> century's Mandinka, Fulani, Hausa, and most (if not all) of the Islamic empires of West Africa.

There were other elements that entered into consideration of traditional African political organizations, including: lineage, age, maturity, relation to ancestors, and wealth. Lineage was the foundation of most political organization. In fact, lineage was the most powerful and effective force for unity and stability in early Africa. Others have suggested that each lineage has its own head, chosen according to particular lineage rules. Other lineages used age, maturity, and/or relation to ancestors as criteria. In particular, age seemed to be the favorite criteria in most political structures, as it represented wisdom according to African tradition. However, exceptions to the rule existed.

Diop (1991) in particular warns that access to power in traditional Africa was not always a democratic or consensual matter. He noted that in the People's Republic of Benin, members of the royal family were favored and most likely to have access to power. As he pointed out, members of the royal family were weavers by birth. In Rwanda and Burundi the selection of the reigning caste depended mostly on the king himself who

had the freedom to ennoble his subjects. Perhaps the most evident case of restricted or selective access to power is illustrated by the case of the designation of the new Damel in traditional Senegal. In fact, according to Diop (1991), the Council of the Crown, which has the authority to elect or designate the new king after the death of another king, made the decision based on the blood connection of candidates to the royal family. Diop (1991) points out that, in theory, the Council of the Crown made the choice objectively after long and laborious discussions, and careful examination of all candidates to determine their appropriateness for the throne. In general, the Damel had to be chosen from among the three following categories of princes: (a) Diambor, chief of the nobles; (b) Boumi, viceroy; and (c) Bedienne. The following tables (i.e., Tables 1, 2, and 3) illustrate the election criteria of the political elite in traditional Senegal, according to Diop (1991, pp. 176-180).

Table 1. Dignitaries Chosen From the Class of the Princes of the Blood and the Kings' Sons and the Princesses

Diamboor	Prince of the blood, in command of Diadj, Khamenane, Ngagne, and the different villages of Diander. Bedienne was chosen by the Damel from among the princes of the blood who had rights to the throne. He commanded the Mbande, Ndaldagou, Mbedienne, Selko.
Boumi Ngourane	Was chosen by the Damel from among the princes of the blood who had rights to the throne. He commanded Rete country, the Ngouyou, the Bakaya.
Beudj Ndenere	
Beur Get	In order to be appointed Beur Get one had to be the son of a Princess of the blood and a Diambour. He commanded a Part of the Get.

Table 1. (cont.)

Diawerigne Ndjinguene	Was a prince of the blood with full rights to the throne, but who had lost all chances of being elected. He commanded Keur Mandoube Khary country, that of Coki Kaddle, Ndialba, Ndigne, Tiolane, Ndianga Mbakol, Keur Matar, Ndague, Keur Khali Ngone, Ndikne, Gueidj.
Thieme	Was directly appointed by the Damel and commanded Gandiole country.
Diawar	Commanded Guemboul. Begor Commanded the Belgor.
Gantakhe	Was chief of the Niayes around Mboro.
Thialaw Dembagnane	
Dialiguey	
Ndieenguenne	
Mbeudj Toube	Was named by the Damel. He commanded the Toube and the population of the country between Toube and Ker.
Barlaffe	The Gankale had to be the son of a damel or a Beur Guet;
Gankale	His mother could even be a prisoner. He commanded Ouarakh country.
Guemboul	Commanded Guemboul.
Fara Ndoute	Was chosen by the Damel from among the princes of the blood on either their mother's or father's side, meaning that they had no right to the throne. He commanded the Serer country of the Ndoute.
Beudj Solo	
Berine	Notable of the country, commanded the Mberine.
Beur Eum Halle	
Beudj Nar	
Guone	

Table 1. (cont.)

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Dianeka

Beur Khoupaye ( or Beur) Was the chief of the Niayes of Gelkouye.

Diarno Dieng

Lamane Maasar

Bour Andale Commanded the Andal.

Beur Ngaye

Beurlape

Fara Ggnolle

Linguere (woman)

Awa (woman)

Die-Soughere (woman) Princess of the blood (father and mother). Commanded the Niakhen, Amb, Soa, Ndiemel, and Mber (Poular country).

Die-Mekhe (woman)

Die-Khandane (woman)

Die-Khante (woman)

Die-Sen (woman)

Die-Botolo (woman)

Die-Mboursino (woman)

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Table 2. Dignitaries Chosen From the Class of Free Men and Marabouts Casted and Noncasted Men

Diawerigne Mboul Ndiambour	The DiaoudineMboul was one of the greatest chiefs of cayor. He is the one who summoned the free men of the country in order to elect the Damel. He commanded the Sab, Robnane, and Diakoul countries; the Toubhe, Ndat, and Dembagniane lands; and the Ndioulki, Ndabbe, Medheye, Ndande, Ndande, Ndiakher, Ga NDiole, Khoupaye, Kabbe. He is the one who led free men to war.
Lamane Ndande	
Lamane Diamatil	Was appointed by the Damel, on the Diaoudine Mboul's recommendation. He commanded Diamatil country.
Baraloupe Ndiobe	Commanded the Ndiokb.
Batie Gateigne	
Lamane Palele	
Diawarigne Mboul Mekhe	
Diarno Mbaouar	
Dieuleck	
Tibar	
Serigne Gueidj	
Serigne Diob	Commanded the Ndiob.
Serigne Kandji	
Serigne Merina	
Serigne Merina Yocoum Babu	Commanded Merina Yocoum Babu country (between the Guignene and the Guet) where the Babu Moors of Cayor dwelled. He had under his command Serigne

Table 2. (cont.)

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	Diouar, who lived in Merina Yocoum Babou and who replaced him.
Serigne Seck	
Serigne Nguidiane	Commanded the Guiguediane.
Serigne Mbolakhe	
Serigne Ndob	Commanded the Ndob.
Serigne Dambligouye	
Serigne Pire Goureye	
Serigne Walalane	Free Tiedo; commanded the Walalane country.
Serigne Vare	
Serigne Ngagnaka	Commanded Gagnakh country. He was independent from the Diaraf Ndiambour.
Serigne Ndiang	
Diarno Ndiasse	
Lamane Gale	
Lamane Gueye	
Lamane Votoffo	
Lamane Thiothiou	
Lamane Loyene	
Lamane Taby	

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Table 3. Dignitaries Chosen From the Class of the Crown's Prisoners

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Diawerigne Mboul Gallo	There were two Diaoudine Mboul. The Diaoudine Mboul of the free men, and one of the prisoners. The latter led the "Diam Gallo" to war, after Fara Seuf. Within the Crown, he followed the orders of the free men's Diaoudine Mboul.
Fara Seuf	Was a "Diam Gallo". He was the commander-in chief of the "Diam Gallo" of the whole country and, during wartime, had under his command the prisoners' Diaoudine Mboul. He had Djeraf Seuf directly under him.
Djaraff Bountou-Keur	Was directly appointed by the Damel. He commanded the countries of Tabbi, Nianedoul, Pire, Yandounane, Mbaba, Keur Ndiobo Binta, Sin or Damecane, Diari, Sirale, Diokoul.
Diawereigne Khatta	
Djaraff Thiaye	Was a "Diam Gallo" chosen by the Damel; he commanded the Keur Bi Ndao, Mbidjem, Tiaye.
Diawerigne Mekhe	
Djaraff Mdiambour	Was a "Diam Gallo." He resided at Geoul and commanded the Diambour with the exception of some small regions.
Fara Bir Keur	Was chosen by the Damel from among his own prisoners. He was his personal envoy, who carried his orders to all provinces and made sure they were carried out. He collected the taxes and was in charge of listening to the people who brought complaints to the sovereign.
Djaraff Get	"Diam Gallo," appointed by the Damel. Commanded the other part of the Get.
Djaraff Mbaouar	Commanded the Mbaouar and collected taxes for Diambor, who was a prince of the blood with rights to the throne.
Dieguedj	Was chosen by the Damel from among the "Diam Gallo." He commanded the Serer country of Dieguene, Mbao, Dee-y-Dak, Gorom, Bargny, Ber or Tielane, of Rap, Deni Biram Dao, Kounoune.

Table 3. (cont)

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Fara Laobe	Was a “Diam Gallo” who was in command of all of the country’s Laobe.
Fara Nderioune	
Fara Ndiafougne	
Fara Gnakhibe	
Djaraff Mekhe	Commanded the Niayes of Tiendi and of Touffagne.
Ndajaff Bour	
Diawerigne Nguigis	Was the Damel’s cup bearer. He was a “Diam Gallo”.
Diawerigne Khandane	Was directly appointed by the Damel, and commanded the Tialkhean, Ngueygueye, Keur Ndianga-Mbaye, Ndekou, the country of the Diombos.
Diawerigne Mbousine	
Diawerigne Soughere	
Diawerigne Kandie	
Diawerigne Ndiahene	
Djaraff Khandane	
Djaraff Soughere	
Djaraff Kautie	
Djaraff Mboursine	

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The organizational leadership and structure of indigenous African societies were composed of a chief (central authority), the inner or privy council (advisors to the chiefs), the council of elders (made of representatives from all lineages), and the village assembly



of commoners or the meeting (Ayittey, 1992). However, stateless societies had only two of these four units, including the council of elders and the village assembly. One remarkable feature of stateless societies is the absence of a central authority. Instead, leaders and headmen played this role. In addition, no society member was allowed to hold an office. The voice and opinion of the members of the society were heard through their group representatives. During the decision-making process, these representatives were free to support the leader of their choice. When conflicts occurred, the favorite resolution technique was to reach a compromise, as opposed to judgment or sanctions. More than anything else, it was kinship that governed the system of law and order. Ayittey (1992) pointed out a few illustrations of this type of society, including the Igbo of Nigeria, the Mbeere of Kenya, the Fulani of Nigeria, the Nkru of Liberia, the Konkomba of Togo, the Somali, the Tallensi of Ghana, and the Jie of Uganda. Fundamentally, there is a central concept that can explain the true reason behind the preference for no central authority: These societies highly valued their freedom and, consequently, disregarded any autocratic system of government. Because a chief could always be a tyrant, and a central authority a tyrannical instrument, these societies chose to avoid them. Law and order was then achieved through other means. For example, maintaining justice, cultural and territorial integrity was possible through extended family organizations. Furthermore, reference to kinship was always a key element in maintaining unity and social integrity. Among the most prominent African societies that adopted kinship as institutions were the hunting and pastoral peoples, including the Pygmies (Zaire), the Bushmen (South Africa), and the Fulani of Nigeria. Another way of avoiding a centralized government and chiefs

was the adoption of a system of checks and balances (Ayittey, 1992), in which two or more power centers (e.g., judicial, legislative, and military) were balanced against each other. Societies that adopted this type of system included the Nuer of Sudan, the Tiv and Igbo of Nigeria, and the Bedouin Arabs of North Africa (Ayittey, 1992).

As mentioned before, there were four units of government in traditional Africa: (a) a chief, (b) an inner council, (c) a council of elders, and (d) a village assembly. The chief was generally a male and represented the political, social, judicial, and religious head of the tribe. He was, therefore, the central figure. As the political figure, the chief was the administrator and leader of the tribe. He was responsible for maintaining good order, handling all public affairs of the tribe and, of course, the commander in chief and ultimate authority for anything related to the welfare and well being of the tribe. The chief was the ultimate voice in any judicial matter. As such, the chief presided over the Chief's Court, equivalent to the final court of appeal in societies without king. If there was a king above the chief, then the king played that role. As the religious leader, the chief represented the direct link between the group and the ancestral spirits, which were believed to guard the tribe against enemies, natural dangers, or any destructive spirits. The chief was given all necessary material wealth so that he would perform his duties without worries. He received tributes, court fines, and market tolls (Ayittey, 1992). However, the wealth received by the chief was solely to be used to assist needed members of the tribe, treat visitors with respect and dignity according to African tradition, as well as to supply food and drink to those who were at the service of the chief and the tribe, including members of the council and army members on duty. Therefore,

the wealth did not belong to the chief and his family. For example, it was against the will of the tribe to distribute the wealth to the chief's family following his death. The chief or mfumu, mokonzi, (Western Zaire) received the tributes or malambu from all the tribe through his milopwe or subchiefs, who were traditionally in charge of the lineages. As stated earlier, all the wealth received by the chief constituted the tribe treasure. The chief held the treasure in trust for the tribe and could not use it recklessly for his own ends. Sundiata, An Epic of Mali (Niane, 1965) made popular this important characteristic of African kings. In fact, the king of Mali was known for being an honest person whose primary role was not only to protect his people, but also to welcome and look after guests.

The chief could simply be a chief, a king or, sometimes, a headman. However, in traditional African societies where the king was the central authority figure, the chief was the person immediately under the king. In the case where more than one chief were subordinate to the king, there was a head chief. The others were simply chiefs and subchiefs. In general, the leader of the village was called a headman. To govern, the chief was assisted by a small group of advisors identified as the inner or privy council. Even though there were no inclusion/exclusion criteria for becoming a council member, the council was generally comprised of the chief's relatives, personal friends, and influential members of the village. The role of the inner council was to serve as a first step for legislation. Thus, for any decisions related to the administration of the tribe, the chief would first lean on his council to discuss the issues. Then, the chief would consider the opinion of his advisors, before finally taking the issue to all his people. The meetings

were held in private, at the chief's residence or in some secluded spot after dusk (Ayittey, 1992) to avoid any publicity or interruption. In theory, the chief was not obliged to follow the council's advice; but he could not easily ignore their advice because of potential negative implications, including the withdrawal of support and/or the call for the chief's destitution. It appears that the inner council played a big role in preventing despotism by keeping the chief in touch with the reality of the tribe, as well as by keeping a check on the chief's behavior. Consequently, if the chief's ruling on an issue was found detrimental, the people would reproach the inner council for failing to act responsibly. The decision-making process was not limited to the inner council and advisors though. In fact, after consulting with the inner council and his advisors, the chief would also consider taking the issue to the council of elders for further consultation. The council of elders was considered a much wider and more formal body comprising all the hereditary headman of the wards or lineages (Ayittey, 1992). It was considered a wider body because the elders represented the commoners. The village council represented the fountainhead of common life, and its determination found expression in the popular voice. Though the council was primarily comprised of elders, the chief had the discretion to appoint to the council of elders a few young, competent, intelligent men (Ayittey, 1992). For decisions of certain social magnitude, the chief consulted with all the members of the council of elders. This type of decision included additional tributes, market tolls, proposed new laws, declarations of war, and serious interpersonal disputes or conflicts. In this case, the role of the council of elders was to advise and assist the chief in the administration of the tribe, and also to prevent the chief from abusing his power.

The council of elders voiced its dissatisfactions, criticized the chief, and kept him under the necessary control. Depending on the nature and complexity of the issue, decisions were usually resolved by acclamation. First, the chief would inform the council of elders of the issue in question. Those wishing to debate on the issue would be free to do so before a decision was adopted by acclamation. For complex issues, the chief would not acknowledge a final decision until a debate was conducted and the council reached a unanimous decision. In general, the rest of the tribe easily accepted decisions made unanimously because council members were influential members of their communities. During the debate, the role of the chief was to lead the process, not to influence the debate. The chief was generally silent during the debate as he spent his time observing his team. His role was to assemble all views presented by the council members, do an assessment, and lead the team to reach a consensus. At no time was the chief to impose his decisions on the council, since this was contrary to the purpose of the debates. In short, the chief's role was not to rule, but to assess the council of elders' opinions (Ayittey, 1992).

This type of relationship (i.e., chief vs. council of elders) was generally prevalent in most African societies. According to Ayittey (1992), unanimity, more than the majority opinion, was the cornerstone of indigenous, African political systems. Also, the concept of debate, an essential feature of modern democracy, has long been a fundamental element of traditional African political systems. Unanimity was essential to the survival of the society. For example, if a head of lineage was irrevocably opposed to a unanimous decision taken by the council of elders, this could have resulted in a decision

for him and his lineage to leave the village and settle elsewhere. To avoid this type of migratory movement, which could potentially weaken the whole tribe, the chief and his entire political organization usually favored a unity of purpose over the majority opinion. However, it is very important to emphasize that the chief did not impose unity on his people or use coercive power to achieve unity. On the contrary, the chief and his council used their political skills to persuade and win the opinion of dissidents by privately lobbying for their support during visits to their homes. When it was impossible to reach an agreement over an issue even after lobbying efforts, the chief was then obliged to call a village assembly. The issue was then submitted to a public debate to get a final opinion from the people as final authority and ultimate judge on disputed issues (Ayittey, 1992). During the assembly meeting, the chief would thoroughly explain the purpose of the consultation and would lay out the facts of the discussion. However, to avoid influencing the debate, he would not announce the decision reached by his council. After the chief explained the purpose of the meeting and laid out the facts, he would open the debate to his advisors, then to the elders. Then, the meeting was opened to anyone to participate in the debate through arguments or questions. If two individuals stood up at the same time, priority was given to the more elder. Some authors have argued that the Bantu assembly had to ratify all new laws before they were enforced. One advantage of this practice was that the adopted laws were very well known to the people, even in the absence of written records. During the debate, people were allowed to express their views freely and fully. They were occasionally interrupted by a comment or question. All speakers were expected to stand bareheaded and face the chief as a sign of respect. Nevertheless, they

were expected to express their opinions freely. This is very important to know in the light of flagrant abuses against freedom of expression committed by modern African leaders.

At the end, advisors and headmen would sum up and express their opinions after which the chief would announce his decision. If consensus was not reached after a long debate during an assembly meeting, the majority decision was then adopted. This demonstrates that the chief did not call for a village meeting with a pre-made decision. Instead, he approached the assembly meeting with an open-mind and a willingness to accept the vox populi. If the final decision was not congruent with the chief's and/or his supporters' views, the chief had to accept the vox populi graciously. It could not be different when we know that acting contrary to the public opinion could be costly to the chief (e.g., destitution). In theory, the chief was able to override the wishes of his people, but in practice he rarely did so. Their cooperation was essential for the successful government of the tribe and, should any chief act contrary to public opinion the result would be disastrous. As the repository of the ancestral spirits, the chief could not use dictatorship as a way of governing, or else he would offend the ancestors and be a source of shame for his own lineage. A chief who became a despot would lose the respect of the people, who would then refuse to pay tributes. Additionally, if a chief persisted in despotism, his advisors and the council of elders could abandon him. Moreover, the entire tribe could strike or, if necessary, leave the village, abandoning the despot to his own destiny with no power and no relevance. When this happened, the chief did not have any power or means of stopping his people. Therefore, tribe members retained the right to destitute their chief at any time. An African chief was held accountable for his actions at

all times. When it became evident that the tribe was discontent and unlikely to tolerate oppression much longer, the fathers of the tribe would hold a great pitso and, in the presence of the tribe, denounce the chief for his wrong-doings and intimate that some other member of the royal household had been elected in his stead.

In summary, the decision-making process in traditional African political institutions had all the features of a democracy rather than a dictatorship or totalitarianism. The chief was anything but a dictatorial figure, and his governing role was not autocratic. Above all, he acted as the central figure for social justice and peace.

#### Role of Women in Ancient Egypt and Political Rights During the Reign of Queen Hatshepsout

Cheick Anta Diop (1991), the most recognizable scientific authority in the study of Ancient Egypt, has established that Egypt is one of the African countries where matriarchy was most manifest and most lasting. Therefore, the role of women in Ancient Egypt--as personified by Isis, the goddess of fertility and the great and bountiful mother-Goddess whose influence and love ruled everywhere among the living and the dead--was one of the most influential. The woman was pivotal in Egyptian society, conveying all rights, including political rights. She did this because she was the most stable member of the nomadic society, and men were often mobile. Diop (1991) found that during the entire history of the Egyptian pharaohs, women enjoyed complete freedom and were respected. The case of Queen Hathsepsout illustrates the prominent role of women in the political life of Ancient Egypt.

Hatshepsout is known as the first queen in the history of humanity (Diop, 1991, p. 103). At the time she was queen, blood ties to the royal family determined the right to the



throne. Only direct descent from the royal family could result in inheritance of the throne. As pointed out by Diop, "It is the greater or lesser nobility of the mother which supports the right to the throne to the exclusion of the father..." (Diop, 1991, p. 104). The first example reveals one feature of political rights in traditional Africa: Access to political power was limited to very privileged and select people, as opposed to the democratic rule of freely elected officials by a majority of the citizens of a nation. In the Egyptian tradition, it was the woman who ended up being the most powerful element of the political power and she was the one to possess a great deal of political rights. Once in power, the mother figure continued to be very prominent as she continued to keep her influence or guardianship in the case of younger kings. This was particularly the case in the Hatshepsut dynasty as demonstrated by the following fact: "Maspero affirms that, in the eyes of the Egyptian nation, Hatshepsut was the legitimate heiress of the ancient dynasties.... The mother Hatshepsut continued to rule..., while keeping this household of power... [Hatshepsut] assured the uterine continuity of the dynasty" (Diop, 1991, pp. 104-105).

In short, the woman was at the center of power in the Hatshepsut dynasty of Egypt. She exercised unlimited political rights controlled access to political power. She exercised military power and opened the kingdom to economic relationships with foreign countries, as described here:

... Hatshepsut proved her almost masculine energy, in organizing the first expedition to the coast of Somaliland in the land of Punt, from whence she brought back, among other riches, varieties of plants she was later to adapt to Egypt. She developed trade and had built for her the sumptuous tomb of Deir-el-Bahari. (Diop, 1991, p. 105)

During the exercise of their political power, women proved to be as Machiavellian as any politicians, using intrigue and violence to save their throne. Women military and political power was also demonstrated by the figure of the so-called Amazons or women warriors. They are described as follows:

To the West of Lybia at the edge of the earth, lived a people governed by women. The latter remained virgins until their military service had been completed; then they approached the men, became magistrates and fulfilled all other public duties. Men were kept apart from these functions and from the army. (Diop, 1991, p. 109)

Diop does not think that Amazons existed everywhere throughout the world. He rejects the idea of their existence in Dahomey or South Africa. However, he agreed with the idea that certain kings, such as Ghezo of Dahomey (1818-1859), created companies of female cavalry to help him fight against the Yoruba; although he made it clear that they were not amazons because he could not conceive the idea of an African female hating a male. In fact, Diop argued that African warrior woman could not be an Amazon because “Hatred of men is foreign to them and they possess the consciousness of being ‘soldiers’ struggling only for the liberation of their country” (Diop, 1991, p.110).

In conclusion, the role of women in the traditional African political system is demonstrated in these two cases considered by Diop. Their role and influence, as well as their style are remarkable. They are at the center of the government and they proved to possess the skills needed to fulfill their duties as governors.

## Necessity of a State

The State was an organization that emerged as a consequence of a lifestyle heavily dominated by an agricultural, sedentary mode of production. The *raison d'être* of the state as pointed by Diop was:

The obligation to break the too-narrow isolating limits of the primitive family, that is the clan; the necessity of having a strong central power transcending the individual and co-ordinating the work, administrative and cultural unification, all this was implicit in the material conditions of existence. Thus the primitive clans soon merged, became no more than administrative divisions ( the *nomes* ). The state appeared with its apparatus of government perfected to the smallest details, without our being able to trace, except through legend, the anterior existence of a period of nomadic life. And this is valid for Egypt, Ethiopian and the remainder of Black Africa. (Diop, 1991, p. 131)

According to this text, the need for the individual to lean on the collective for his/her survival led to the need for a stronger, organized political body called the state. Therefore, the sense of patriotism was particularly high because it expressed, not a feeling of burden or obligation, but the *raison d'être* of the group. People loved their nation and obeyed their governors because they understood the importance of the organization. They did not belong to a nation that was arbitrarily created without their will. On the contrary, people were deeply committed to the nation because their welfare as group depended on it. Diop argued that the need of collectivism and patriotism was at the core of the creation of the state. He puts it this way: "The feeling of patriotism is, above all, a feeling of national pride. The individual is subordinated to the collectively, since it is on the public welfare that the individual welfare depends: thus private right is subordinated to public right" ( Diop, 1991, p. 131).

Diop warns us that subordination of the individual to the collective has nothing to do with submission. In contrast, subordination should be understood here as the putting of the value of the collective above individualism. Therefore, institutions and authority figures were respected and obeyed not for their power, but for what they represented for the group or collective. We will look further at the implication of this concept for today's African political regimes.

In *Civilization or Barbarism*,” Diop pointed out four major reasons that justify the creation of a state: (a) survival of the collective, (b) resistance to the enemy, (c) domination of one class over another, and (d) genocide. These four reasons correspond to four forms of states.

The first is the African type of state, which is based on collective survival. As pointed out earlier, the value placed on the group's interest is the core of this type of state:

... this type of state...is founded on a collectivism basis, which was accepted and defended by all the citizens of the nation as the only way of survival for the collective... a confederation of tribes molds itself into a nation and creates a state, to the degree that it organizes itself to take up a challenge presented by nature,...to overcome an obstacle, the elimination of which necessitates a collective effort that exceeds the means of a small group. (Diop, 1991, p. 130)

The second form is the state born out of resistance to the enemy. This type of state is needed for security reasons. Here, military leaders take the initiative to organize the defense of the nation against an external enemy. Consequently, military leaders seize political power to the detriment of civilians. According to Diop, this type of state fails to represent the interests of the nation and rapidly becomes a source of abuse: “The

existence of a military aristocracy at the top of the society makes abuses and social and political perversions more frequent...” (Diop, 1991, p. 131).

The third type of state is described by Diop as the legal instrument of domination of one class over another. It is often a consequence of a battle between a class of citizen landowners and external newcomers to whom the rights of citizenship were denied.

Finally, the fourth form is the state founded on genocide and is represented by a “minority of conquerors who subordinate to its law the conquered or proletarian majority by means of coercive state institutions conceived toward this end ”(Diop, 1991, p. 131).

#### The Role of the King in Traditional Africa

As evidenced by the different types of political organizations described above, the role of governor or king depended on the type of political organization he/she represented. In general, the kings, queens, or governors were seen as individuals with skills necessary to preserve, defend, and promote the interest of the collectivity. They were the defenders of the nation against external enemies, protectors of the survival of the collective or, as put by Diop himself, the king was “a supratribal authority, a national authority, accepted by all, invested with the powers necessary to conduct and coordinate irrigation and water distribution, works essential to the general activity” (Diop, 1991, p. 130). In any case, a king was never above the will of the collective that he represented. In some cases being a king was the least exciting job on earth. This was true in some regions in particular, as pointed by Diop:

If the royal function had obvious advantages, it was also regulated by a ritual so exacting that at times, everything considered, the king’s fate was not enviable at all. In fact, the act of physically putting the king to death after he had reigned for a certain number of years (eight, in general),

depending upon the region, was not an exceptional event: it persisted, here and there, throughout time and space, in precolonial Black Africa. (Diop, 1991, p. 165)

In *Sundiata, An Epic of Old Mali*, Niane (1965) pointed out that kings were generally exceptionally skilled hunters expected to live their lives and guide their people according to their ancestors' traditions because kings were only the depositaries of oaths which the ancestors swore (Niane, 1965, p. 1). Kings were loved by all the people for their commitment to the well being of their people, as well as for their fearless courage in protecting their people against enemies. The role of any king of Mali was to rule over the kingdom inherited from his ancestors and, when his time was over, to pass on the realm (intact, if not increased) to his descendants. Therefore, kings were only the keepers of people's ancestors' traditions. Their role was not a self-fulfillment of personal or family ambitions. In fact, all the people of the kingdom were heirs to the ancestors' legacy. A king was expected to be a man of his word in keeping the tradition. At his enthronement, each king received a gift of a griot from his predecessor. The griot's role was one of the most influential in the king of Mali's inner circle of government. In fact, the griot was a very skilled orator, whose role was to teach the king the history of his ancestors, and the art of governing the kingdom according to the principles established by the ancestors. According to Niane (1965), griots filled important roles in traditional African politics, including professional musicians; guitarists; counselors of kings; keepers of the constitutions of kingdoms; guardians of tradition, tutors for young princes; and recorders of customs, traditions and the governmental principles of kings. The kings protected the weak against the strong and the innocent against the wicked, rendering justice for all. As

depositories of the ancestors' traditions, the kings followed the word of God in rendering justice. A good king was not necessarily the one whose power was demonstrated by his military strength, but the one who was powerful and knew how to use it. Good kings were powerful kings who governed their people with justice.

In addition to the griots, the governing body assisting the king was composed of the council of elders (like most traditional African political systems) as well as the queen mother and the assembly of dignitaries. The queen mother could be very influential when it came to choosing the future king from among the king's several children.

In the Asante kingdom, the candidate for king was given specific instruction at the enthronement ceremony. Molefi Kete Asante is living proof of such a practice, as he was enthroned as king in the Asante's culture. For him, as well as any other candidate, a linguist is charged to read the following advice to the king:

We do not wish that he should disclose the origin [ ethnicity] of any person.  
We do not wish that that he should curse us.  
We do not wish him to be greedy.  
We do not wish that he should refuse to listen to advice.  
We do not wish that he should call people " fools ".  
We do not wish that he should act without advice.  
We wish that he would always have time for his advisers.  
We do not want personal violence. (Ayttey, 1992, p. 57)

In contrast to what many have come to believe, traditional African political systems were very systematic in terms of their choice of governors. Rules and requirements were very strict for king candidates and failure to comply with the will of the people was a reason for immediate removal. Furthermore, failure to provide the people with quality services was met with the termination of the king's reign. For

example, the African king was obliged to obey the rules and to save the country from external enemies and calamities (e.g., famine). Ayittey (1992) emphasized two examples from the west coast of Africa:

In most indigenous systems the people brought sanctions against a ruler who did not heed advice or govern according to their will. The Dagomba Na or Asante Obene could find himself isolated by his subjects as a consequence of misrule. They would shun him, withdraw their services, or rebel. (Ayittey, 1992, p. 60)

Therefore kings or governors serving their own will were contrary to traditional African political systems. Those who abused their power were sanctioned and asked to leave the town for the welfare of the community. They were also refused access to the community treasury. No despotism was tolerated in African tradition and people were well informed of their political rights.

#### Philosophy of Authenticity or the Extortion of African Tradition

Authenticity was defined as the “request of our political and cultural identity, request of the spirit of Zaire” (SeSe Seko, 1989, p. 107). Former President Mobutu of Zaire introduced the concept of authenticity a couple of years after seizing power through a military coup d’etat in 1965. In its essence, authenticity was an African-centered policy choice that aimed to reclaim the dignity of the African people of Zaire as subjects of their own destiny. Zairian people had to reclaim their African identity from the heavy European influence that had dominated the African way of being during the years of colonization. Thus, authenticity was also a cultural policy that initially consisted of making each Zairian citizen aware of his own identity. To accept this position means that there was something not African in the way Zairian people lived their lives or conceived



their world-view. In fact, that was the reality resulting from the long history of European domination of Africa. Mobutu's authenticity assumed that Zairian people needed to rebuild their own culture and get rid of the scars left by decades of colonial rule. In Mobutu's view, European rule completely destroyed the dignity of the African people of Zaire by imposing assimilation and alienation. The policy of authenticity was a cultural renaissance: A return to the wisdom of the African ancestors which would have allowed the Zairian people to rediscover themselves without foreign influence. Authenticity also allowed the Zairian people to re-conquer their ancestral pride and cultural heritage. The most significant illustrations of cultural re-conquest were seen in most areas of the Zairian way of life (e.g., returning to African names; renaming of the streets, cities, towns, and even of the country). During the colonial rule, every citizen of Zaire was supposed to be baptized and received a *Christian* name as a consequence of being *born again* in the good European catholic tradition. Each newly baptized person was then renamed, usually after a Catholic Church saint. Therefore, the Christian name became the first name, and the last name still belonged to the person's family. For example, the author of this dissertation who was born before the adoption of the authenticity policy was named Jean-Louis Peta; the first being my *Christian* name, and the latter being my family name. After the adoption of the policy, my parents were required to name me after one of my ancestors. I, therefore, became Peta Ikambana; the latter being my grandfather's name. The most African-centered element of the policy of authenticity is the fact that Zairians went back to bearing names that had cultural meanings or messages rooted in African traditions. In this case, Peta means *wedding ring*, and Ikambana stands

for *the one who shares everything he has with others*. Therefore, the full meaning of the author's name becomes: *a wedding is the beginning of a large family union*.

A name must have a meaning. For example, the names of the parents and grandparents remind us of the exploits of a clan, the history of a tribe and/or the character or personality of an ancestor whom we wish to honor (SeSe Seko, 1989). The name should place its bearer in the line of succession of the tribe the ancestor represents. For example, by renaming the author Ikambana it became obvious that I am an integral member of my grandfather's lineage, with all the rights that membership brings with it. In contrast, Jean-Louis did not give the author any rights to consider himself as member of the saint's family. It denied me any connections to my African roots.

By renaming the streets, cities, and towns, the policy of cultural re-conquest reclaimed the dignity of the Zairian people who were forced to name their streets and cities after European princes, kings, queens, or colons. For example, the capital of the country was named Leopoldville, after the King of Belgium who was the *sole owner* of the country from 1887 until 1906. After the adoption of the policy, all Zairian large cities were renamed after Zairian names (e.g., Coquilatville became Kisangani; Banningville became Bandundu; Jadotville became Mbandaki; Elizabethville became Lubumbashi; etc.). Even physical appearance (i.e., clothing) became a way of realizing the value of Zairian cultural heritage and rejecting the values imposed by European on colonized Africans. Authenticity was, in essence, a very African-centered concept as it primarily placed the interest of the African people of Zaire at the center of all aspects of their national life.

Therefore, authenticity as a policy was fundamentally the rediscovery by the Zairian people of their role as subjects of their own history, as well as their unique place and contribution to the history of the world. Authenticity filled the gap between the past and the present. It allowed the African people of Zaire to borrow from the best of their ancestors to envision a present that marks a harmonic continuity between tradition and modernity. In short, authenticity allowed the African people of Zaire to be themselves.

The meaning of subjectivity according to the African-centered approach has deep philosophical roots. In fact, subjectivity is what makes the essence of human being. Being a subject is being a master of your own destiny, being free from any external environment that may alienate your spirit as a unique member of the universe. Only a subject can dominate his environment and, at the same time, open the person to the universe. Subjectivity confers consciousness and freedom of choice. Subjectivity allows a person to operate in the realm of rationality. People who are subjects of their own history have the capacity to overcome universal determinism. Subjectivity gives meaning to a person's existence in relation to his world. Only a subject can recognize he is unique and, consequently, his contribution to the world also makes the world unique. When the African-centered approach claims that African people should be considered as subjects of the history of the world and not merely as objects, the true meaning of the statement is that afrocentricity gives the African people a place which is absolutely unique to them in the world; a location from which they understand and analyze any given reality to make it their own. We have seen earlier that traditional African political institutions were based on the premise that all members of the tribe were subjects of their own governmental

institutions. Being subjects means living according to principles and values that shape the choices the subjects make. The person lives in a society according to a determined set of values. That is to say that in his actions, the person is guided by values that internally call upon his condition as a conscious being. These values, by calling upon the person's being, are then reflected in his personal and social actions, which aim at doing what is right. According to Scheler (1955), values incite the human being to do what is good. Only a conscious being operates according to values. An object or a thing cannot make choices; choices are made upon them. The idea of value associated with a concrete human subject elevates the latter to a transcendental level, which can confer to consciousness a degree of choice only proper to a human subject. Consciousness allows the human subject to operate an objective choice among a plurality of preferences. Thus, a value is an internal support that enables a human being to detach himself, using his subjectivity, from a myriad of solitudes both useful and useless offered to him by his environment.

According to Scheler (1955), four levels of values are present in the human subject at the time of operating choices. The first is the lower level, which includes values such as the desirable and the undesirable. To this level belong the perceptive-affective function of human senses, with its modes of joy and pain. Also, the state of receptive sensitivity also belongs to this level of values. According to this differentiation, there is an absolute difference between the values of what is pleasant and what is unpleasant, and such difference exists regardless of whether it is known by a respective human subject. The second level is the level of vital values, which includes the values of

what is noble, common, sane, and insane. Scheler (1955) warns us that these values are not to be confused with pleasant and spiritual values. These values constitute a completely new and autonomous modality, which includes values that allow the human subject to establish the difference between what is noble from what is common. Consequently values such as well being and prosperity, are subordinated to the value of noble and vile. Subsequent vital sentiments (e.g., increased or decreased life; health; illness; aging and death; happiness and unhappiness of self; being active; courage and panic; instinct of vengeance; and anger) are all sub-values of the noble and the vile. The third level is the level of spiritual values, which includes aesthetic values, legal values, and intellectual values that usually constitute the foundation of a culture. Spiritual values are comprised but not limited to: (a) values of beauty and ugly, and all aesthetic values; (b) values of just and unjust; and (c) values of pure knowledge of truth. In short, spiritual values have an autonomy and independence that are unique to them, distinguishing them from any other values, as manifested by their unity. The fourth level is the level of religious values, which include the sacred or holy pertaining to God and human beings. As such, spiritual values dominate and are the foundation of all the other values. This modality of values constitutes a non-definable unity of certain axiological qualities. At the same time, these values are limited, due to the fact that they are only applicable to objects predetermined as absolute-objects. It appears that, from Scheler's perspective, all values converge towards the superior principle of religious values.

Though autonomous, there is a link between the different types of values described above: Values influence the human being only because he is himself a value. In

fact, a given society is a set of concrete individual persons, and it is each individual's choice of values that make a society a better one. In Scheler's view, the human being or subject is the *raison d'être* of all values. He classifies all values according to their relevance to the human subject: values of the person; own values; values of others; values of actions, functions, reaction, mental values; values of behavior and success; values of intentional vision; values of state; fundamental values; values of form and relation; individual and collective values; values *per se*; consecutive values; etc. According to Scheler (1955), a human subject has to make constant choices of values to (a) realize self; and (b) realize self in relation to others, objects, institutions; and (c) realize himself as social being. Therefore, human values are above any other values, and any social relation must take into account this inviolable principle. The human subject must be valued for who he integrally is.

It is evident that Scheler's intention is to make us understand that a human being must never be considered as a thing. On the contrary, a human being is a unit of values. The person is a value *per se*, subject of his own destiny, and subject of the universal history. However, being a value *per se* does not imply that the subject is not open to others. In fact, each person is, at the same time, a singular person as well as a social person. He belongs to the world and to his particular world. Therefore, these two dimensions co-exist in the person and are interrelated. In his relation to others, the human subject is a bearer of values that must be respected and taken in account.

Therefore, from an African-centered approach, subjectivity is what confers to the person not only an original metaphysic situation, but also gives him a unique existence

and a particular position in the world. That unique situation makes the African people's contribution to the world as unique as themselves. It is possible that Mobutu's authenticity was not formally envisioned as an African-centered concept, but analysis of it reveals that it is African-centered in its essence. Moreover, authenticity did not fulfill its African-centered purpose because of its political use by Mobutu. As this dissertation will demonstrate, Mobutu used this important African-centered concept to solidify a political system that did not, in the end, promote the well being of the African people of Zaire.

## CHAPTER 3

### THE MOMENTUM OF DEMOCRACY IN ZAIRE: SOVEREIGN NATIONAL CONFERENCE

#### From the Failures and Misdeeds of the Zairian Political System to the Rising of People's Consciousness

To establish a possible link between the failures and misdeeds of the political regime of Zaire's Second Republic and the rising of people's consciousness, we will be guided by the following questions: Is it true that the failures and misdeeds of the regime prompted a popular awareness of the regime's misconduct? What are the links between the incompetent character of the regime, its pernicious results, and the obvious and complete breaking off of the social contract between the regime and the citizens of Zaire? These questions will, we hope, help to establish the incidence, if any, of any political power, in the concrete results of a given society it originally pretends to organize.

Sociologists have pointed out that any political power must be rooted in and justified by a real popular legitimacy. There are three types of legitimacy which correspond to three principles of social obedience: a human being obeys the leaders established by social customs, validated by the reason, and elevated by human enthusiasm above any other human beings. Based on these three principles, we can distinguish three types of legitimacy: (a) traditional, (b) charismatic, and (c) legal. The latter is the most referred to by modern political leaders. In fact, modern political systems are based on the assumption that a written constitution is the source of any exercise of political power.



Zaire's political system of the Second Republic did not rise from a legal framework. It was the product of a military coup d'état. As such, it was a system that, from the onset contained all the germs of a vicious political system. Borrowing from O'Donnell's theoretical model (O'Donnell & Cie, 1988), the following analytical framework is proposed:

1. After its rising and consolidation, an authoritarian regime acquires certain tendencies and well-defined characteristics that allow the regime to achieve a certain level of equilibrium.
2. Such equilibrium can be either stable or unstable, according to the degree of institutionalization achieved by the regime.
3. When the capacity of the regime to deal with internal and systemic difficulties weakens (which leads to an unstable equilibrium), it usually is the beginning of crises, which could very well be the precursors of a regime transformation.

This analytical framework helps us formulate the following hypothesis: The product of a military coup d'état, Zaire's Second Republic Regime tried to establish its legitimacy by brandishing the flag of a search for national unity. In fact, the political, economic and social achievements of the regime's first five years may have misguided its leaders with the illusion of achieved legitimacy. However, given that it was, in essence, a totalitarian regime, its tendency to arbitrary decisions and deceptions did not last long enough to be noticed. Such arbitrary way of political governance led the regime to a gradual instability, visibly manifested by its incapacity to question itself as a system and

face a multidimensional national crisis. This cleared the way out for a popular rise of consciousness.

Zaire's First Republic sprang out of Belgian colonialism in June 1960. Politically, the system that was installed was comprised of inexperienced leaders due to the fact that the country did not have educated people. This lack of experience of the country's elite was evident in their inability to master the subtleties of political power and, worse, to manage the country's economy and finances. With help from Belgian administrators, these leaders did their best to lead the country until a general crisis became a motive for an army mutiny. This was the beginning of several secessions spread across the whole country. The first and only elected government that was put in place at the time of independence did not resist this premature wave of political instability. The military coup d'état of November 24, 1965 sealed the end of the first attempt at democratic control of the country. From November 1965, a hybrid political system was established, totalitarian in its political methods, capitalistic in its economic vision.

Totalitarianism will be defined here as any philosophical, political, or ideological system that pretends to control the totality of national life by exercising a monopoly of power and imposing a unique vision of the world. According to Friedrich (1965), these are the main characteristics of totalitarianism:

1. inclusive ideology,
2. a single political party through which the ideology is injected into the mass,
3. the presence of a powerful dictator who controls the application of the ideology,

4. a very organized and secrete police usually under the strict control of the dictator, and
5. the total control over mass media, operational arms, and every single aspect of social, economic, cultural, and political organization.

Mobutu's political regime of Zaire's Second Republic fits the above definition.

The management of the national wealth was characterized by failures and misdeeds, which led the country to its multidimensional destruction. This ultimately led to a progressive loss of popular trust towards the regime's leaders.

As pointed out earlier, the roots of failures of the Second Republic could be traced back to the system's seizing of power. It was a military coup d'etat that installed the republic at the cost of the first and only democratic experience of the young nation. In fact, due to a political deadlock encountered by the administration of the nation's first president, Joseph Kasavubu, general Joseph Mobutu decided to intervene militarily, and officially entered the national political arena. He unconstitutionally dismissed the legal president on November 24, 1965.

Immediately after, Mobutu proclaimed himself President of Congo. He justified his military action in the name of national order and security in a country wounded and divided by a civil war between regional factions. Mobutu promised to lead the country for 5 years, suspended the national constitution, and dismissed the democratically elected national assembly. Leaning on his military inner circle, he gradually eliminated the political elite, banned all political parties, abolished the right to strike, and eliminated any political character of the nation's provinces (i.e., states), which became mere

administrative entities under the president's authority. In short, Mobutu created a nation state. To this end, he created the so-called Corps de Volontaires de la Republique (Republic's Body of Volunteers), which he transformed a year later into his Mouvement Populaire de la Revolution [(M.P.R.); Popular Movement of the Revolution]. This party quickly became the strongest pillar of Mobutu's political system. In 1967, the 26-year-old President proclaimed the birth of the Second Republic, or the beginning of his totalitarian political system. As correctly pointed out in the final report of the Sovereign National Conference, the system was centered, in cult-like fashion, to the President's personality and the unilateral character of the political structure established by Mobutu's system. In fact, Mobutu's system was characterized by a culture of exhibitionism and deception. The cult-like views of the President's personality eventually lead to a paralysis of people's freedoms and the gradual beginnings of a tendency towards forced political unanimity. The management of national public life became strictly under constitutional control. From a legal, cultural, and economic standpoint, individuals as well as primary and/or secondary groups were entirely dominated by the state political machine. The crime of a tyranny is to incite the spirit to give up and, instead, accommodate itself to injustice and mediocrity while the people are relegated to blind obedience and mental enslavement. Essentially, the Second Republic's totalitarian regime substituted the reign of law with an empire of personal power. The constitution, in which the first and only democratic regime of the First Republic was founded, evaporated to make space for another one consecrating a totalitarian system. From a multiparty system, the country was forced to adopt a one-party system to which every citizen belonged without choice. The system

appeared as a hybrid. In fact, Mobutu drew his political strategies and methods for the control of political power from the communist system, while preferring capitalism in his economic policies. National life was organized around one party which organized national political life, and assured or justified each citizen's individual and social existence. In short, the party took charge of citizens' lives from birth to death. The obligatory character of Mobutu's party was symbolized by a famous slogan of the party which said (in Lingala)<sup>4</sup>: "Olinga olinga te ozali nakati ya M.P.R."; which translates, "Like it or not, you are member of M.P.R, the country's single party." Such a vision meant the negation of any political participation by citizens. Indeed, it was a polarization of the expression of the power and the rights of discourse. Creativity in this system was limited to the expression of unconditional love and devotion towards the supreme guide, the unique party, and the nation's leader. This political strategy allowed the regime to reach a certain degree of national unity, which also allowed it stability that persisted until the first expressions of popular awareness of the failures and misdeeds of the system. Despite a lack of legitimacy, the system was able to stabilize and consolidate itself using totalitarian means to ultimately reach a certain level of equilibrium. Nevertheless a thorough analysis of the system's use of power exposes its failures and misdeeds.

In 1990, Zairian catholic bishops sent a memorandum to Chief of State Mobutu stating that the main reason for the country's paralysis and institutional crisis was the

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<sup>4</sup> Lingala is one of the five national languages spoken in the Republic of Zaire. The other four are: Kikongo, Swahili, Tshiluba and French. During Mobutu's years, Lingala was the most used language by the system leaders in its communication with the masses.

system and its hybrid nature. They reminded Mobutu that, while his system used the tools of liberalism to achieve the economic wealth of a minority group through private property, his political action was guided by totalitarian strategies. From liberalism and totalitarianism, the system inherited its economic weaknesses while simultaneously learning the exercise of absolute power. We randomly selected three sectors of Zaire's national life during Mobutu's regime to illustrate the failures and misdeeds of the system.

### *Failure of the Financial System*

During Mobutu's Second Republic, the national bank, state-led institutions, and entire national treasury department were placed under the exclusive control of political injunctions. What is more, the national treasury department was at the service of the national party, which used the national bank as the source of its revenues. Individuals in charge of these financial institutions were political appointees who had no control over them except the trust placed upon them by party leaders. Therefore, mismanagement was one of the main characteristics of the country's financial institutions. These institutions were poorly managed with no elementary fiscal laws. Consequently, the national budget failed. Quantitatively insignificant--and characterized by underestimated and underreported revenues--the national budget was unequally distributed, and constantly submitted to illegal accesses and arbitrary withdrawals. This comes as no surprise in a country where the only legal obligation was the President's imperatives. To illustrate this monetary weakness, consider the following. In 1970, one Zaire (i.e., the country's national currency) equaled two American dollars. In 1993, one American dollar equaled 2,500 Zaires. Therefore, it appears that it was mainly mismanagement and the

abandonment of the principles of effective fiscal law that resulted in the failures and misdeeds of the totalitarian system of the Second Republic.

### *Economic Failures*

When the Republic of Congo became independent in 1960, its economic picture was promising according to economic analysts (Di-Kuruba, 1992). In fact, the Produit Interieur Brut Commercialise (P.I.B.C.), National Brut Gross expected to observe an annual growth rate of 6% per year for over 40 years. Even though the industrialization was done in the context of the country insertion (periphery economy) into grand capital (economy of the center), the Republic of Congo was, at the time of independence, one of the most industrialized of Africa with a vast range of industries, including: minerals, alimentary, textiles, cement, the most important chemical industry of Black Africa, construction, and electrical materials.

The economy was prosperous and the results were spectacular. The country's alimentation was self-sufficient, and many products were being exported (e.g., coffee, rubber, palm oil, cotton, etc.), contributing 40% to the state budget. The water and road transportation system inherited from colonization was the largest in Africa, with the most sophisticated technological infrastructure. With an economy largely based on the mineral industry, modern agriculture, and a great transportation system, it appeared that the country's economy was prosperous.

During the secession years from 1960 through 1966, economic activity registered a loss, which was visible in the annual growth rate of the national brut gross which went from 6% at the time of independence, to 4% during the recession. Nevertheless, the

national economy resisted the financial and monetary degradation, mainly thanks to the health of the agricultural and mineral sectors, as well as to the European industrial sector, which came to the rescue of the ailing economy.

Thus, it appears that at the onset of the second republic, the country's economy was solid. Politically, the country returned to peace and territorial integrity thanks to the military coup d'état. Moreover, the rebuilding of state institutions, monetary stabilization and, most importantly, the rebound in copper production, created a more favorable climate for economic growth. The new regime slowly started investing in sectors necessary to boost the national economy. However, future mismanagement of national resources revealed a hidden side of the new political system. In fact, most of these investments resulted in bad policies and/or fiscal mismanagement over the long term. Slowly, the results of these investments created an obstruction to industry, an increase in debt, and the deterioration of the national economy.

The policy of nationalization, or *Zairianization* of national enterprises dictated by the Mobutu regime in 1973, as well as the radicalization of the same policy in December of 1974, further deepened the crisis of the young economy. In fact, these two policies--Zairianization, which allowed the regime to take over any enterprise run by a non-national, and radicalization, which allowed the regime to take control over all units of production and distribution--had more negative impact than expected. They resulted in the obstruction of the industrial sector and the beginning of the fall of the country's economy. Therefore, Zairianization and radicalization, though nationally relevant in their



intent, produced disastrous results. Some political analysts argued that it was an extremely speedy evolution for a country with no educated elite.

As a result, the country's current economy is trapped by significant debt, a negative underground economy, an imbalance between currency production and national wealth production and, finally, a complete deterioration of national wealth production. The national bank has illustrated this dramatic turnover of the national economy by comparing the decrease in production of certain key agricultural and mineral products (Bondo, 1992; see Tables 4 and 5).

Table 4. Exportations of Some National Agricultural Products (in Tons)

<u>Products</u>	<u>Year</u>			
	<u>1954</u>	<u>1974</u>	<u>1980</u>	<u>1991</u>
Palm Oil	185.000	62.433	10.007	2.714
Palmist Oil	60.000	33.983	18.737	1.969
Robusta Coffee	46.267	68.658	67.717	74.671
Arabica Coffee	10.300	9.046	6.406	14.818
Rubber	40.152	26.617	19.472	5.512
Cotton Fiber	52.800	1.622	0.000	0.000

Table 5. Exportations of Some National Mineral Products

Products	Year			
	1959	1974	1980	1991
Copper (in tons)	282.320	499.699	459.392	299.782
Electric Zinc	53.438	68.716	43.848	23.318
Cobalt (in tons)	6.501	17.545	14.482	7.953
Fine Gold (in kilo)	10.957	4.064	1.271	7.286
Industrial Diamond	16.004	12.991	8.001	8.895

The fall of the principal national productions is evident from these tables, which leads me to make the following observations. First, the regime neither had nor implemented a sound, external, economic policy. Internally, small producers and lower-class individuals suffered the most intense effects of the fall of the economy. In fact, coffee, palm oil, cotton, and rubber were the principal products that offered a source of income to peasants, providing them with a little economic stability. Therefore, the elimination of the production of these products meant an income cut for the peasants, small producers, and lower class.

Second, the fall of the economy had other effects, including loss of health insurances for many, decreases in alimentary quality, decreases in education possibilities for children of parents without income, and delays in the economic development of certain regions of the country.

Third, the lack of industrial policy was the main explanatory factor in the mineral production situation illustrated by the above tables, with the lack of renewal of industrial materials consequently generating a decrease of mineral production.

In 1960, the Zairian economy was one of the most prosperous in Africa, considering that the Internal Brut Product grew by an average of 7.5% annually from 1949 to 1958. The average annual income was \$680, with an industrialization rate of 41%, and high quality of social, infrastructure, and medical equipments. Despite these prosperous days, the mismanagement of the second republic led to the average annual income decreasing to \$100, one of Africa's lowest. Also, the national industry has been reduced to its lowest level of production since 1974. Another sector that illustrates the mismanagement of the second republic is education.

#### *Education System Failures*

Considering the importance of education in the preparation of the national elite, the political system of the second republic also failed. In Zaire, more than 50,000 students are registered in 37 colleges and 3 state universities. Each university enrolls at least 8,000 students. Certain sources report that, since 1986, 100,000 students have obtained their high school degrees. Since there are not enough colleges and universities to take this number, at least 50,000 Zairian high school students are forced to be jobless because of their lack of professional skills to secure qualified jobs. Those who make it to colleges and universities are faced with unbearable study conditions, including lack of space in the dormitories, auditoriums, and laboratories. In fact, some colleges built for a maximum of 2,000 students receive up to 8,000 students, making it impossible for any

logistic planning. For example, an auditorium built to fit 200 students receives 1,000 or more students. In these conditions, it is not uncommon to see the most fortunate students sharing a desk built for two people among four people, while the less fortunate are obliged to attend classes while standing in the hallways or observing from crowded windows. An alternative was to bring your own chair and pray to find free space in the auditorium. In the laboratories, there is a notorious lack of research equipment, making it impossible to conduct experiments.

Those who are able to make it through the last year of college and earn a degree after extraordinary human and financial sacrifices go back to a society that is itself in crisis. They cannot expect any government help finding employment. Like the whole society, students are equally victimized by a lack of assistance from the government, adding to the number of unemployed citizens of Zaire. As one local newspaper wrote, “Where is the national education?...There are facts that are a shame for a nation, and there are others that are harmful to the nation sovereignty” (La Reference Plus, 1992, p. 10). Unfortunately, this was the state of education during Mobutu’s second republic. In the private sector, 250 post-secondary educational institutions have sprung up during Mobutu’s reign. Of those, only 5 were accredited and only 2 were licensed by the state as valid educational institutions. Of the existing 2,500 schools at the primary and secondary levels, almost 500 were without the required minimum sanitary conditions, and none of them had a gymnasium or a sport field. Of the 950 public schools that exist in the nation’s capital, 355 have insufficient numbers of desks, requiring young elementary school students to attend their classes seated on the floor.

These financial, economic, and educational factors demonstrate the extent of the misdeeds of Mobutu's political system, which has reduced the country from a position of optimal development to total chaos. This has also led to a progressive breach of people's trust of the government and its leaders, as well as a rising of people's consciousness.

### *The Rising of People's Consciousness*

The worldwide broadcasting of the spectacular fall of Eastern European totalitarian regimes in the early 1990's (instigated by the Russian political theory of perestroika) had a snowball effect on African totalitarian regimes. It was received favorably, as reflected by the rising of the African people's consciousness. In fact, African people suddenly realized their own opportunity to be liberated from oppressing regimes. Many compared this phenomenon to a second wave of African independence with the only difference being that, this time, African people were trying to liberate themselves from oppressive regimes led by their own sons. For the purpose of this study, the rising of people's consciousness is operationally defined as the process by which the totality of inhabitants of a country (i.e., Zaire) becomes more aware of the problems and challenges affecting their quality of life (including violations of their rights). The inhabitants become more aware that these problems and challenges are caused by the misdeeds of a political system, which led to the country's economic and social chaos; its institutions to collapse; its authorities to be discredited; and the entire population to unprecedented socio-economic misery. This rising of people's consciousness was evident in ongoing social turmoil and an apparent breach of trust between the citizens of Zaire and their political leaders.

Historically, the Zairian people have been characterized by a critical attitude towards any kind of exploitation. The first rising of national consciousness occurred against the backdrop of the misdeeds and failures of the inhumane colonial system. When the Belgian professor Van Bilsen suggested in 1955 his famous progressive decolonization strategy known as the *Bilsen Plan*, the reaction of the Zairian people was immediate. In fact, the plan suggested a delay of national independence from Belgium for a further 30 years because, according to the Belgian professor, the people of Zaire were immature and not well prepared for self-government.

The tone of the people's rising consciousness was set by the so-called group of African consciousness, led by Joseph Ileo and Joseph-Albert Malula. These two leaders were then followed by other Congolese leaders, such as Joseph Kasavubu of the Abako party (Alliance des Bakongo) and Patrice Emery Lumumba of the National Congolese Movement [Mouvement National Congolais, (MNC)]. All of these leaders rejected the Bilsen Plan and instead demanded immediate political rights and fundamental civil rights for the Congolese people. This rising of the people's consciousness culminated with the January 4, 1959 riots, specifically aimed at sending a political message to the colonial power and denouncing its misdeeds and failures. These riots led the country to its national independence five months later. In summary, the rising of people's consciousness seems to have followed the following pattern: (a) the people of Zaire became aware of the misdeeds and failures of their political system, both colonial and post-colonial; (b) the rising of people's consciousness was expressed in concrete acts of

rejection and refusal to be subjected to the atrocities of the system; and (c) the people demanded a radical change of the national political structure.

### The People's Awareness of the Abuses and Misdeeds of the Political System

This was the first step towards the rising of the Zairian people's consciousness. In fact, the Zairian people felt the abuses and misdeeds of the political system in their daily lives as they became increasingly unable to meet their basic needs. After achieving independence from colonial rule, the rise of the national government led by native Congolese leaders prompted great expectations with respect to equal rights, sharing in the national wealth, fundamental political rights, and the possibility of benefiting from the wealth of a rich country and building a prosperous, modern country. Unfortunately, Zaire's national wealth was utilized according to unfair criteria. In fact, the political regime of the second republic was rooted in the will of a totalitarian leader and his one-party system rather than the sovereign will of the people. This, denied the Zairian people access to the nation's wealth.

Thus, the second republic of Zaire was not a time of social justice. If the 'raison d'être' of a government is the promotion of its people's well being, then the roles of government leaders are to lead the people toward that goal. Political authority draws respect from the accomplishment of its progress in promoting the well being its citizens.

#### *Select Illustrations of the Rising of People's Consciousness*

As pointed out earlier, the instigators of the rising of the people's consciousness were the abuses and misdeeds of the political system of Zaire's second republic, as well as the falls of the totalitarian regimes of East Europe. Due to the continued degradation of

the quality of life of the majority of Zairians and warned by the fate of Eastern European totalitarian leaders, the Zairian president Mobutu Sese Seko initiated a national consultation to assess the national opinion of his management of the country's future. The popular and overwhelming response was a total rejection of his political system and the denunciation of the abuses and misdeeds of his system. The Zairian people demanded a new model of society capable of assuring them a chance to regain their lost freedom. During the consultation, the Zairian people clearly expressed their rejection of the totalitarian system of the second republic. As requested by the president, thousands of written memos were sent to his office from throughout the country, each one expressing the profound misery in which the Zairian people were submerged. These memos came from all social classes, churches, administrations, and unions, and expressed a desire for immediate change of the political system and its institutions because they contributed to the people's misery. All the memos requested the organization and establishment of new, responsible, autonomous, public institutions. Some requested the freezing or reimbursement of national wealth that was illegally invested overseas by dignitaries of the second republic. Still others simply requested the resignation of the president as head of state.

One of the leading political organizations in this rising of the people's consciousness was the first national opposition political party, l'Union pour la Democratie et le Progres Social (UDPS). Founded in 1980, UDPS was the only national opposition party that dared to publicly denounce, both nationally and internationally, the abuses and misdeeds of Mobutu's political system. The expression of the people's



rejection of the system escalated in the early 1990's with student riots on the campuses of colleges and universities of Kinshasa, Kisangani, Bukavu, and Lubumbashi. Further, with the sudden liberalization of the media resulting from Mobutu's speech of April 24, 1990, the Zairian people rediscovered freedom of expression and began publicly denouncing the abuses and misdeeds of Mobutu's second republic.

#### *Analysis of Facts*

The main hypothesis of this section is that the failures and misdeeds of the political system of Zaire's second republic instigated the rising of the people's consciousness. The facts of the arguments have been presented, including the illegitimate seizing of power and its exercise by the regime leaders. A few illustrations of the failures and misdeeds of the system in select areas of Zairian national life (e.g., financial; economic; educational) were then presented. Analysis of these facts requires a few observations. First, Mobutu's totalitarian system has registered a few successes that may have allowed it to reach a certain degree legitimacy de facto and de jure. In fact, during the period between 1965 through 1970, the history of Zaire shows Mobutu's regime played a positive role in securing a certain level of political stability. It is true that Zaire regained its territorial integrity (after a nightmare of secessions) thanks to Mobutu's regime and single-party political system.

From an economic standpoint, Zaire reached a certain degree of prosperity until the adoption of the policies of Zairianization and radicalization. Political stability, along with a few radical economic policies, allowed Mobutu's regime to have a remarkable economic beginning. In fact, Mobutu's rising to power was accompanied by a high global

demand for copper, which Zaire produces in abundance. Also, the adoption of a new national currency in 1967 offered the country a chance to balance its budget, revamp national production, slow down inflation, increase salaries, and attract more foreign investors. Also, contrary to a typical totalitarian system, Mobutu's regime adopted an economically liberal policy. This relative political success could have led to the belief that even an illegitimate regime could generate positive results. Unfortunately for Mobutu's regime, however, most analyses of the country's condition after 1974 reveals that Mobutu's use of power led the country to chaos. Nobody but the regime's leadership is to blame for this situation. In fact, in any given society, the political leadership is in charge of making the decisions that affect that society. Moreover, a political system has the power to enforce its rules by using any means available. Therefore, it is the role of the political leadership to determine which social demands to address, which policies to make in order to secure the well being of the whole society. Fundamentally, any given political decision is often a choice among many alternatives. In politics nothing is random or inevitable. Therefore, the system's leadership determines the decisions that positively or negatively affect the society. It is then the political system that creates either social harmony or accentuates social antagonisms according to the rationality and wisdom of its decisions. It is also the political system that coordinates the interaction and integration of different sub-systems comprising the overall system. In this case, the political system of Zaire's second republic was responsible for the abuses, misdeeds and failures that characterized the system's management of the country. Using a totalitarian system, the proponents of Zaire's second republic were the sole decision makers. Since no system for

the balance of power was in place, all decisions from the leadership whether good or bad, affected the entire society. The principle of separation of power (or, balance of power) is meant to assure productive control of the system's political actions. However, in a totalitarian system, the only limitation to political power is the leader's will. In summary, the political system of the second republic produced failures and misdeeds that generated both social instability and a crisis of the system. This instability gradually decreased the system's capacity to confront and overcome crises, leading to the rise of Zairian people's consciousness, and the beginning of the transformation of the political system. The National Sovereign Conference should have given the system the chance to reorganize itself and eventually gain popular legitimacy.

Incidence of the Rising of People's Consciousness of the Attainments of  
the National Sovereign Conference

*Theoretical Preliminaries*

In this section I propose to analyze the correlation between the rising of people's consciousness and the results of the National Sovereign Conference. Is there a relationship between the fact that Zairian people became more aware of the abuses, failures, and misdeeds of their government; the breach of trust and of the social pact between the government and the Zairian people; and the desire of the people for a new social plan?

Also, is there a correlation between the breach of trust and social pact between the government and the people of Zaire, and their desire for new political institutions and a new transitional government?

In their study of democratic transitions, O'Donnell, Schmitter, and Whitehead (1988) offered a theoretical explanatory model for transitional crisis, which stipulated that internal and external crises are the primary causes of transformation of authoritarian systems. Internal crises are those relative to the resolution or non-resolution of problems linked to the internal economy of a political system. For example, internal crises related to the organization of the system (e.g., the loss of political ideology; internal battles for leadership positions; spiritual and human sclerosis of the intellect of the organization; etc.) are most likely to produce an organizational crisis capable of threatening the integrity of the system. External crises are those events resulting from the overall society, including:

1. the growth and diversification of social demands such as level and quality of life, appearance of new social actors, new strategy or capacity of social groups to claim their political rights;
2. a decrease of popular support to the regime;
3. an incompatibility between social demands and the ideological position of the system, abuses by the government of national wealth, lost of moral values, government incompetence , corruption, etc.;
4. the appearance of an economic crisis capable of weakening the system capacity to control and respond to economic demands of it leadership members;
5. the appearance of alternative political projects capable of mobilizing and gaining popular support for the reorganization of political coalitions, and

6. pressure or external interventions.

The decrease of popular support for Mobutu's regime and political system due to abuses, failures, and misdeeds, seems the most likely explanation for the Zairian people's claim for a new social plan.

*Breach of Social Pact and New Socio-Political Environment*

In 1990, the global environment was characterized by profound socio-political changes. The Russian revolution initiated by Michael Gorbachev led to the spectacular fall of totalitarian regimes in Eastern Europe. In Africa, the emulation instinct was irresistible. Bloody social movements and riots against totalitarian regimes spread throughout the continent. In Zaire, it was a hoped-for opportunity for the oppressed people to raise their voices and denounce the atrocities of a totalitarian system that had excluded them from economic and technological developments enjoyed by countries throughout the world for over 30 years. After the bloody massacre of students on the campus of Lubumbashi National University, and several union and public administrator's streaks, President Mobutu was convinced of the necessity to listen to the people of Zaire through national consultations. As mentioned earlier the will of the people, as written in thousand of memos and sent to the President, was clear. They rejected Mobutu's political system and his entire regime. Zairians did not recognize Mobutu and his regime as legitimate representatives. In short, there was a clear breach of the social pact between the regime, its system, and the people. In the 13<sup>th</sup> century, scholars like Saint Thomas Aquinas advised us that the kingdom was not made for the King, but that the King was made for the kingdom. In other words, kinship was an obligation not a right, and the

king's role was to work for the well being of all citizens. As in traditional Africa, the king who did not accomplish his duties or meet the people's expectations did not deserve to be king and was, eventually, dismissed from his duties. French philosopher Jean Jacques Rousseau defended the theory of social pact as the foundation of any society. Through the pact, the individual subordinates his person and rights to the service of the community, and freely commits himself/herself to abide by the rules of the community. In doing so, the individual denies or renounces his/her particular individuality and self will with the goal of strengthening the larger society. This is a free and rational act to the extent that the person disposes himself/herself to obey rules he/she freely accepts. The Zairian case under study runs contrary to these theoretical frameworks. In fact, the people of Zaire did not feel legally bound by a political system that did not fulfill their legitimate expectations. The president was no longer the single representation of national political life. It was a moment of profound doubt for the African people of Zaire. In fact, Africans are traditionally loyal to social pacts and leadership. Therefore, the lack of deference to a political power created a sense of emptiness similar to what it is referred to as the death of a state. The memos sent to the president's office revealed these people's requirements:

1. The denunciation of the misdeeds of the regime's one-party structure and a demand for its replacement by a multiparty political system;
2. the denunciation of the abuses committed by the participants in the second republic's political system;
3. the rejection of the political constitution of the second republic;
4. the rejection of the institutions of M.P.R., state-party; and

5. the rejection of the economic, financial, cultural, and diplomatic policies of Mobutu's regime.

*The National Sovereign Conference (NSC) and the New Socio-Political Environment*

The rejection of the second republic's political system called for a new social plan capable of creating a new Zairian society according to the will of the people. The NSC was a historical consultation forum required by the majority of the Zairian people with the purpose of discussing the past and creating a path to the future. This majority included all the Zairian citizens who expressed their concerns to the President through memos, civilians, politicians, religious groups, labor unions, peasants, and students. The majority also included all citizens of Zaire, who had experienced the political, economic, cultural, and social failures and misdeeds of Mobutu's political system, and who were requesting a radical change in the political system. All the bishops of the country who stated in a memorandum addressed to President Mobutu, that the national crisis could not be resolved through a new national constitution only, had previously expressed the need for such a national forum. The bishops confirmed that the crisis was multidimensional and included all aspects of national life. These included all public institutions that, in their view, had lost all credibility and legitimacy. In addition, the bishops affirmed that these institutions were responsible for the level of misery felt by the people of Zaire, and for the rejection of the country by international community. Consequently, the politicians of the second republic were unfit and unqualified to create a new social plan because they were part of a former government that was unable to effectively manage the country.

Therefore, the NSC was conceived as an extra-constitutional forum aimed at providing a space for national debate. Among the achievements of the NSC were:

1. A revision of the national history;
2. a thorough evaluation of all national institutions;
3. the elaboration of a new social plan consigned both in the transitional act and the draft of the constitution of the third republic;
4. the creation of new political, economic, and socio-cultural policies;
5. the definition of new political, economic, and socio-cultural orientations;
6. the definition of new political structures and institutions, as well as the profile of the new Zairian leaders; and
7. the establishment of a new transitional government in charge of leading the country toward the third republic. The new transitional institutions were recognized and accepted by President Mobutu (who remained Chief of State during the transition), the High Council of the Republic (HCR), the Supreme Court, the High Commission of Elections, and the Provincial Council.

The Transitional Act established the legal foundation of the transition period, which was aimed at leading the country toward a democratic society. The Act was comprised of ten principles. The three most significant are as follows:

1. The Chief of State did not lead the transition, but remained the symbol of national unity.
2. Equal share of political power between the actors of all political parties.



3. Guarantee of a two-year mandate for the current President until the end of the transition. In addition, the Transitional Act denied the President the power to appoint or dismiss the Chief of Government and its members. This prerogative was given to the High Council of the Republic, which became the new parliament during the transition.

The Transition Act was seen as a balanced document capable of assuring a peaceful transition toward democracy. The draft of the constitution of the third republic envisioned a parliamentary regime within a federalist type of state. The federal state was based on national unity under the guarantee of a central federal power, while allowing constitutional autonomy of federal entities and free cooperation among them in their management.

The NSC also established new political structures and institutions to replace the old ones that were based on a totalitarian model. The new model envisioned the following structure: Head of State and President, Transitional Government, and a High Council of the Republic or Parliament. As previously mentioned, the Chief of State remained the same during the transition, while a political opponent to the President was democratically elected by the HCR as Prime Minister and Chief of Government. The goal of this structure was to establish the foundations of a democratic society desired by all Zairian citizens.

#### Incidence of the Popular Consciousness on the Resolutions of the NSC

O'Donnell's theory of institutional crisis (O'Donnell et al., 1988) offer us an analytical tool to establish a correlation between popular consciousness and attainments

of the NSC. According to O'Donnell et al.'s theoretical model, internal and external crises are the principal instigators of regime changes. The different factors analyzed above have established the correlation or the incidence of popular consciousness on the attainments of the NSC as follows. The will of the Zairian people expressed through the memos sent to the office of the President of Zaire represent a clear indication of their rejection of the regime and its political system, and a request for a change of structures, institutions, and the establishment of a constitution. This demonstrates the direct correlation between both macro-factors. In fact, the popular will requested the national forum known as National Sovereign Conference to explore the possibilities of a new society. According to O'Donnell et al.'s model, the erosion of support for Mobutu's regime as a result of its failures has certainly sharpened the people's consciousness. Once the regime lost popular support, new political visions, democratic in their intentions, were able to mobilize the masses. In fact, the newly created opposition parties faced fertile ground to have their ideas easily accepted by the people. The international environment, already favorable to the democratization of totalitarian regimes, became a major motivator for the political opposition. In particular, the major international allies France, Belgium, and the United States offered a boost to the Zairian people's aspirations for freedom and democracy. All citizens demanded political reforms to the regime they had blindly supported in the past in support of the war against communism. Thus, from a theoretical standpoint, it can be argued that the raising of popular consciousness allowed the people of Zaire to influence a change in the political structure of the country. A political system is a central regulator of the overall society. Demands from the overall

society are multidimensional, and are formulated by the persons or groups that are directly affected, or by political actors motivated by political and social changes. In general, a political system is incapable of processing all demands formulated by the masses without any censures. The actors of the political system will generally process all the demands, select those that are more conducive to the survival of the system, and respond to demands in order of their relevance to the system. In the case under study, the political system of Zaire's second republic was obviously overwhelmed by social demands and unable to organize itself to adequately address them. The intensity of the social and political demands was so high that the system's inadequacy to address them compelled its actors to place themselves in positions where it became politically suicidal to refuse or ignore them.

There are generally three types of political decisions:

1. Decisions relative to the choice of objectives of collective actions or values of reference relatives to social regulation. These are strategic decisions for the overall society.
2. Decisions relative to the means necessary to achieve certain objectives or to preserve non-negotiable values. These are tactical decisions.
3. Routine decisions relative to collective action or application of procedures, based on non-negotiable means. These are pragmatic decisions.

Facing powerful social demands, the political system of the second republic had no other choice but to refer to the first type of solutions. In addition, by denying the possibility of a national debate, the people of Zaire denied the government the possibility

to present itself as a political system; that is, capable of controlling the inputs (e.g., inlets, demands) and outputs (e.g., exits, decisions made).

The analysis reveals correlations between the micro-factors (e.g., raising of the people's consciousness; breach of trust between the regime and the people; demand for a new social plan or constitution; demand for new structures and institutions; demand for a transitional government) and the resolutions of the National Sovereign Conference. The people's demand for a new socio-political environment could be explained by their desire to exercise more control over the functioning of their political institutions and its self-appointed representatives. Moreover, the people's request for a new political system capable of guaranteeing their needs was a logical consequence. The people's desire was to have a democratic system based on the principles of popular representation and legality. In short, the African people of Zaire wanted to turn their backs on totalitarianism forever. Although resolute in their desires for political change, they did not take into account the resolve of the actors of the second republic's system to try to maintain control of the destiny of the Zairian people. This is evident in their obstruction of the resolutions of the National Sovereign Conference.

The Second Republic Political System's Tendency of Return to  
Totalitarianism and Negation of the Resolution of the National Sovereign  
Conference: Theoretical Reference

O'Donnell et al.'s descriptive model warns us that, once initiated, the degeneration process of an authoritarian regime can involve two transitional modes towards democracy: (a) continued transition, and (b) discontinued transition. In a discontinued transition, an authoritarian regime has two possible outcomes: First, the

regime may try to regain control through different transaction forms or through a massive, deployment of coercive force. Second, if it fails to do so, the regime initiates its fall.

Alternatively, the regime can opt for a continued transition. In this case, the regime seeks, through a series of limited political coalitions, successive and sometimes contradictory adjustments to control and dominate the game, showing clear signs of vacillation between change and conservatism. Realistically, the regime usually tends to introduce very slow and gradual systemic changes until it either recovers or reaches a complete transformation. This strategy allows the regime to temporarily remain in control of the situation in a desperate tactic to save its honor and possibly renew the leadership in the future. Continued transition can be compared to Morlino's (1988) liberalization phase. According to Morlino's model, liberalization is a concession process that is initiated from the top (i.e., leadership) and allows more political and civil rights, while also allows the old system organized control of society. In its actions, the old system may allow the substantial establishment of a hybrid institutional order aimed at increasing its chances to overcome the crisis. Moreover, the system tends to broaden its social support, without any intention of relinquishing power.

In summary, a continued transition is an ambiguous phase during which the old system gives up certain characteristics of the old institutional order without acquiring the characteristics of the new system. According to Morlino (1988), a successful democratic transition must have the following characteristics:

1. The realization and maintenance of the democratic compromise. All process stakeholders must commit to the democratic ideal, and to the display of a strong conviction about the necessity of collaboration among them.
2. Respect of the law; that is, the capacity of the system's elite and its allies to offer a guarantee for the respect of adopted laws and decisions made. In so doing, these actors will create the needed trust among the people with regards to the future functioning of the democratic compromise.
3. Neutrality or neutralization of the military. In fact, the consolidation of a new democracy cannot be possible without a permanent or, at least, long-term solutions to military problems. It is imperative for the civilian elite to create and adopt strategies that persuade the military to accept the new political system first and, after that, to persuade them to permanently remain in their barracks.
4. Reassure private economic groups by guaranteeing their interests or protecting them from any uncertainties that may result from the new political environment.
5. Consolidation of the role of the political parties and unions because of their crucial contribution to the maintenance of democratic systems.

Based on this theoretical premise, the following section will intend to expose then analyze the possible correlation between the resolutions of the NSC and the tendency towards a return to totalitarianism displayed by the actors of Zaire's second republic. More specifically, the underlying hypothesis of this section is to find out if the

elaboration and adoption of a new social plan had any incidence in the inclination or tendency of the actors of the old system to adopt totalitarian strategies, including the tendency to lack tolerance vis-à-vis the opposition.

Logically, it makes sense to refresh our memories about the resolutions of the NSC. In fact, the final report of the NSC established that the national forum was a victory for the African people of Zaire in their fight for dignity, truth, and freedom. The four fundamental stages of the NSC were:

1. Review of the country's history. The different delegations to the forum presented a thorough review and analysis of the nation's history from political, economic, and social standpoints before proposing fundamental options to be included in the new social plan.
2. The second phase consisted of committee work, which analyzed the reports from the different delegations, then summarized them in the form of Acts presented to the large committee.
3. The third phase consisted of establishing a legal platform for the transitional period toward democracy. A transitional democratic government was also elected and given specific objectives to be accomplished during the transition, including the planning of the first free election in Zaire since independence.
4. The fourth stage was dedicated to the elaboration of a draft of the third republic constitution. In addition to the constitution draft, the NSC adopted an electoral Code and Calendar.

The main accomplishments or resolutions of the National Sovereign Conference were as follows.

1. The elaboration of a new social plan that included a Transition Act, and a draft of the third republic Constitution. The Transition Act was designed to serve as the legal platform of the country during the transition toward democracy. This new legal reference was the result of the observations of the entire country that the second republic's constitution was no longer valid. What is more, the people came to the conclusion that the totalitarian political system which brought the country to chaos was legally justified by the old constitution and meticulously elaborated by the partisans to the regime to fit their political ambitions, rather than promoting the welfare and well-being of the nation. Therefore, with the rejection of the old constitution, the country needed a temporary legal platform that responded to the principle of state continuity. The essence of the Transition Act was to lay out a few transitional principles aimed at establishing a harmonious collaboration between the different, newly created institutions. These included the Presidency of the Republic of Zaire, with Mobutu remaining the President during the two years transition; the High Council of the Republic, which replaced the one party parliament; and an elected, independent Government led by a Prime Minister from the opposition party. Thus the Transition Act stated that the institutions would function under a parliamentary democratic model, initiating a long learning process for the African people of Zaire about the democratic



principles of separation of powers, and mutual control between the state institutions. In addition, the Transition Act predicted a federal type of state based on parliamentary regime. Federalism was a response to the aspirations of the African people of Zaire for more autonomy within each province while strengthening their overall unity. On the other hand, the parliamentary regime was chosen by the majority as a strong alternative to the centralization of power that characterized the second republic. Other national symbols including the flag, the national anthem, the national motto and the armorial were subjected to debate and change because they were viewed as symbols of Mobutu's totalitarian system. Instead, the majority of participants voted for a return to the symbols of the first republic as consecrated by the first national constitution of 1964, which were illegally dismissed and replaced after Mobutu's military coup d'état of November 24, 1965.

2. New political structures and institutions were established. The twenty three committees set out to conduct a thorough analysis of each aspect of Zairian national life. Eventually, they adopted a legal platform, as well as fundamental principles aimed at organizing: the type of state, political regime, human rights and fundamental freedoms; economic, social, and cultural reforms; functional aspects of different judicial branches; public administration and homeland structure; national education; scientific research and technology; culture, sports, and entertainment; youth employment and social security; art and sanitary policies; industry, trade, finances, banks, credit, currency, and the

national treasury; strategic sectors, such as water, energy, forests and lands, hydrocarbons, minerals, agriculture development, and the conservation of nature; population statistics, identification, and documentation; etc. Although these national efforts were wide in scope, the different committees worked to submit proposals for new and democratic structures for the third republic.

3. A transitional government was installed, and democratic elections were held. The transitional government was placed under the leadership of a Chief of Government, or Prime Minister, who was democratically elected by an overwhelming majority of 71% of the votes of participants in the NSC. The choices made by these representatives were widely approved by the entire nation. Furthermore, the choice of Mr. Etienne Tshisekedi Wa Mulumba as Prime Minister was seen as a symbol of the resolve of the African people of Zaire to work for the well-being of all the people under democratic rule. In fact, Mr. Tshisekedi was seen as a national symbol of resistance against Mobutu's totalitarian system. Former senator, Mr. Tshisekedi was dismissed from his seat in 1980 after he and twelve other senators wrote an open letter to President Mobutu denouncing the failures of his regime and political system. Reacting to the letter, the totalitarian government put the senator under house arrest for over ten years. While under arrest, Mr. Tshisekedi founded an oppositional political party known as l'Union pour la Democratie et le Progress Social, (UDPS); which translates to the Union for Democracy and

Social Progress]. The party established itself to become the largest political party of Zaire.

Mr. Tshisekedi's popularity is undeniable and has been demonstrated several times through public appearances throughout the nation. He has been compared to Patrice Emery Lumumba, the legendary first-elected Chief of Government, assassinated in 1961. Like Lumumba, Tshisekedi became a symbol of national hope. The transitional government's main task was to tackle all the objectives established by the NSC aimed at helping the country make a peaceful transition to democracy. Consequently, the government was expected to demonstrate an open policy towards all political opinions from all political groups, as well as other components of the nation's administrative entities. The NSC, therefore, had established an agenda which included a set of orientations, recommendations, and short-term decisions intended to revive the national economic and social environment, reestablish public morale, and lead the country towards democracy. In addition to the government, the NSC established the presidency of the republic to which Mobutu was re-appointed as interim transitional president for a two years period, after which the first national democratic elections would be held. Before he was appointed as interim president in 1990, Mobutu had ruled the country for over twenty-eight years in a totalitarian regime. The third political structure was the High Council of the Republic, which replaced the single-party parliament. This Council was made of select members of the NSC, under the leadership of

Catholic Bishop, Mgr. Laurent Monsengwo, who was also the President of the NSC. The choice of this political figure is seen by certain political analysts (Burdeau, 1970) as the popular aspiration for hope and a symbol of a power exercised by the people and for the people. Compared to the political leaders of the former regime who were seen as corrupt, the bishop was synonymous with honesty, integrity, transparency, fairness, and credibility. It is important to clarify that the choice of the bishop did not constitute a desire for a theocratic state. Instead, the choice is understood by analysts as an political strategy aimed at effectively and productively controlling the scope and exercise of national power. Also, a survey of eight African nations (i.e., Benin, Gabon, Congo, Togo, and Zaire) that organized national conferences revealed that five of them selected catholic bishops to lead the process.

The three institutions were, therefore, empowered with the role of leading the country towards democracy. Their political collaboration or cohabitation was seen as a prelude to universal, democratic power sharing and accountability. The effectiveness of the NSC was, therefore, dependant upon the functioning of these three institutions and, ultimately, upon the success of the democratic process.

4. The following section will clarify a possible correlation between the achievements of the NSC and the reaction of the old regime to these achievements. In fact, it appears necessary to identify possible relationships between the new social plan, the establishment of new structures and national

political institutions, the establishment of a new transitional government, and the attitudes of the leaders of the old political system.

As previously demonstrated, the analysis of the memos sent to the office of the president confirmed a universal rejection of the regime and the political system of the second republic. Reacting to these memos, the president of Zaire created executive order 91-070, which authorized the creation of a *constitutional* conference whose role was limited to writing a draft of a new constitution and establishing an electoral calendar. However, the president's decision was unanimously rejected by the majority of the African people of Zaire who, through nation-wide strikes, forced the establishment of a *national* conference with sovereign authority to make decisions on behalf the people. These decisions would then be applicable to all citizens without exception, including the president of the republic. Facing both national and international pressure, president Mobutu signed executive order number 91-097, which established a non-sovereign national conference.

During the first session of the national conference on August 7, 1991 all 2,760 delegates immediately requested a motion to make the national forum a sovereign and immune assembly. The members argued that the sovereign nature of the conference was inevitable given that its members represented the nation's entire constituency, including: political parties; profit and not-for-profit professional associations (i.e., Civil Society); public institutions and administrations; armies, judges, homeland officials, unions,

and traditional chiefs; etc. After some brief resistance from the regime, president Mobutu signed executive orders 91-020 and 91-021 giving immunity to all members of the NSC and recognizing the forum as a sovereign assembly.

During the conference, several challenges interfered with its effectiveness. First, the outgoing government appointed by president Mobutu attempted to intimidate certain influential members of the NSC. Others were physically assaulted denouncing the failures and misdeeds of the second republic. Moreover, the same government suspended the budget allocated to the NSC, especially for the housing of delegates, prompting their sudden return to their respective provinces before the end of the conference.

Second, the old government, led by Prime Minister Nguz-a-Karli Bond, suspended the conference on January 19, 1992, alleging a financial shortage. However, strong popular opposition went on the streets nationwide denouncing the regime's maneuvers. On January 16, 1992, catholic Christians organized a historicalal march throughout the nation's capital of Kinshasa to protest against the government's decision. Unfortunately, the totalitarian regime brutally repressed the marchers, killing large numbers of peaceful citizens. In addition to the NSC delegates, several national and international voices (e.g., France, Belgium, the US) denounced the illegal nature of the government's decision and expressed their solidarity with the African people of Zaire, demanding a prompt re-opening of the conference. The president decided to allow the resumption of the conference on April 6, 1992. During the conference, the review and analysis of the country's history during the reign of the second republic proved to be

highly tense. Among the delegates, two diametrically opposed camps emerged. On one side was the majority who wanted radical and integral changes to the political system and its governmental methods. On the other side was the minority, predominantly comprised of the regime's elite, who also wanted change, but insisted that the current president remain as leader sole Chief Executive. With the majority leading towards a radical change of the political system, the NSC clearly became a prelude to a transition towards a democratic society. But there was much debate, as several reports directly pointed out president Mobutu's personal responsibility for the failures of his political system and regime. Some of his close collaborators and friends (including members of one party and highly-ranked officers of the army) left the conference alleging a lack of respect towards Mobutu. Nevertheless, they remained theoretically committed to respecting the recommendations of the conference and the country's will to establish a democratic society.

However, Mobutu's totalitarian instincts soon became manifest. Four months after its adoption, the Transition Act was unilaterally violated by president Mobutu who, citing "incompatibility with his personality," dismissed the elected Prime Minister. This was followed by members of Mobutu's personal guard illegally denying the members of the legal government the opportunity to fulfill their duties. In place of the legal government, another government was appointed by Mobutu, structured according to the old constitution. This was unanimously rejected by the NSC, which established a new parliament. This new, legally-appointed parliament was dismissed by president Mobutu and replaced by the former single party assembly. In April 1994, president Mobutu

enacted a new Constitutional Act which ignored all sovereign decisions made by the NSC and violated the Supreme Court's ruling of January 8, 1993 which recognized the Transition Act enacted by the NSC as the nation's sole legal foundation, and the High Council of the Republic as the sole parliamentary body during the transition.

Thus, Mobutu's resistance inaugurated a period of legal and political confusion. Political opposition was reduced to its pre-NSC state; that is, illegal in the eyes of the totalitarian system. The regime renewed the use of its two most effective weapons [i.e., (a) consciousness corruption of political opponents, and (b) prebends, destabilizing the political opposition on its way), which allowed it to solidify its totalitarian system. In fact, two prominent, political, "radical" opponents were appointed prime ministers by Mobutu during the transition. The two accepted Mobutu's offer, ignoring their commitment to the resolutions of the NSC.

Another weapon of the totalitarian system involved the use of the armed forces to terrorize civilian populations and intimidate political opponents. For example, Mobutu's armed forces opened fire on peaceful catholic Christians during a march supporting the re-opening of the NSC, after it was suspended by Mobutu's Prime Minister Nguz. On October 3, 1992 president Mobutu deployed armored military cars from his special guard unit in front of the national central bank building, after a decision by the NSC to dismiss the central bank governor who had been appointed by Mobutu. On December 3, 1992 armored military cars of Mobutu's special guard unit circled the office of the elected prime minister and his ministers, preventing them from working. Moreover, the same military unit attacked the private residences of the elected prime minister and some of his



cabinet members, most of who were from the opposition parties. From February 24, 1993 to February 26, 1993 members of the High Council of the Republic, which was the transitional parliament elected by the NSC, were held hostage by these same elements of Mobutu's special guard unit. Meanwhile, Mobutu organized a summit with members of political parties close to him, at the end of which a new government was appointed. From that moment, the country was ruled by two opposing governments, the NSC-elected government, and a government appointed illegally by Mobutu. Finally in January 1994, Mobutu dictated the fusion of the High Council of the Republic with his old parliament.

#### Tendency of Return to Totalitarianism: Possible Explanations

The tendency to return to totalitarianism should be understood here as the inclination of members of Mobutu's regime to use political methods to control the totality of national life under a monopolized power style and inflexible worldview. It appears necessary here to recall the main elements of a totalitarian political system:

1. a globalizing ideology;
2. a single party in charge of the ideology, typically under the control of one dictator;
3. a developed secret police; and
4. monopolized control of mass media, weapons, and all social and economic organizations.

It is evident that, during and after the NSC, the African people of Zaire gained political maturity making any totalitarian tendency highly unlikely. Moreover, the post-NSC political climate opened doors to new political parties, making the concept of a

single-party government unacceptable. Despite this, the old regime maintained a strong hold on the armed forces, mass media, operational weapons, and economic and financial institutions. This allowed the old regime a certain persuasive power, as well as the hope of regaining control over the space lost during the NSC.

At this point, then it is clear that the new social plan involving the establishment of a new transitional government did not have an immediate impact on the tendency of the old regime to use totalitarian methods (e.g., intimidation of political opponents). But what caused the tendency of this *return* to totalitarianism? Two tentative factors will be explored in the following lines: (a) the personal power of president Mobutu, and (b) the political strategy used by the NSC.

#### *Personal Power of the Zairian President*

Personal power is a phenomenon in which the personality of a chief is the only foundation of institutions, and the chief attributes the legitimacy of his power to himself. Personal power is also the power of a statesman who, without legitimacy, but because of his personal ascendancy or exceptional circumstances, is capable of demonstrating superior power than any other existing authority in the country. Personal power is characterized by the concentration of power in the hands of one individual and the personification of power in that individual. Personal power often becomes political power when the state is confronted with seemingly overwhelming challenges. The concentration of power in one individual often leads to his becoming the personification of power. Individualization allows the person to substitute himself for the primary sovereign (i.e., the people). Generally, the individual initiates his ascent to powerful through a coup

d'etat, which often negates his legitimacy in the eyes of the populace. However, the person/chief becomes the basis of institutions and their leaders and they receive their legitimacy and *raison d'être* from him. Moreover, given that there will always be a *Busiris* for any dictator, the exercise of personal power can easily create a legal framework to justify it. This is compared to Machiavelli's provident man sent by destiny to establish enduring institutions. In fact, without endurance, instability, the worst political enemy, could destroy the institutions. The Machiavellian vision endows this unique, lonely, and genius individual with a mission to provide the state with institutions and laws intended to survive through his drive and life, even after the individual's death.

The consolidation of power is necessary to enforce order and maintain the peace of a state. People need unity and, therefore, one person must have all the power: No sovereignty without unity. Only singular decision-making can guarantee the harmony among the parts of the political body. From an ideological standpoint, scholars of 18<sup>th</sup> century enlightened absolutism justified this type of power, arguing that it was necessary to achieve much needed social reforms. However, in practice the individual that incarnates personal power does not act alone. On the contrary, he governs with the support of numerous, faithful followers who make sure that his orders are respected, reinforced, and executed. This group of people can neither disagree with the chief nor survive without him. All orders come from the chief who is made to believe he is the incarnation of national interest. Loyalty to the chief is reinforced through punishment (e.g., and threat of exclusion) and financial payment. Mobutu's power had all the characteristics described above; it was concentrated, arbitrary, and very personal. Having

justified his rise to power as necessary to free the country from total chaos, Mobutu touted the flag of national unity as justification for his authoritarian and centralized regime. He legitimized his own regime through a constitutional revision, which offered him leeway to shape all political institutions of the second republic according to his totalitarian vision. The revised constitution consecrated the single party as the country's political system. According to this vision, the party was the state and the sole source of legitimacy. This way of thinking was the origin of the nation's totalitarianism. Moreover, the constitution did not consider any forms of control over the three branches of government. In fact, all of them depended on the personal power of the president. All national political institutions were branches of the party, and their leaders were appointed by the president who was simultaneously the president and founder of the party as well as the president of the republic. All these elements lead to the socio-political environment of Zaire's second republic being rigidly built around the personal power of the president of the republic who was, incidentally, nicknamed by his loyal collaborators: "Father of the nation," "Savior," "Supreme Guide", etc. This could explain Mobutu's tendency to identify himself with the institutions he came to believe were built almost magically by his power. Furthermore, his personal power could also explain his resistance to the radical changes envisioned by the NSC. In fact, the rejection of the social plan of the second republic and the creation of a new one not conceived by him, could have been perceived by Mobutu as a personal rejection. It is logical to think that president Mobutu was not prepared to accept radical changes to his regime. Furthermore, a political process he could not control would have presented a real threat to his political survival. Not being

a potential part of the political framework of the country's third republic could have constituted an act beyond his totalitarian worldview. Decisions made by the High Council of the Republic seemed to aim at strategically shifting the country's political leadership away from the totalitarian president. But that move also constituted a risky political strategy because it disregarded the scope of the president's personal power. In politics, decisions should always consider the effects or consequences on the targeted audience. As pointed out by Burdeau (1970), a political decision must at all cost seek to assure equilibrium and preserve the structure of social order. The person of the totalitarian president could not have been swept away without a well thought out political strategy that would have made the acceptance easier.

#### *Political Strategy of the NSC*

Decisions affecting political change must always considerer their respective impacts on the political actors involved in the process. In the case under study (i.e., the process of a radical political change from a totalitarian system to a democracy), the pro-democracy actors were committed to change, while those interested in maintaining totalitarianism were not invested in change and were willing to sabotage it. In other words, the decisions makers in the NSC demonstrated political unrealism by not taking this factor into account. Linz (1991) reminds us that politicians who face each other on the ground of political reality often come with several options which may either increase or decrease the probabilities of success of democratic transition, or the probability of the persistent status quo of the former order. The key to the success or failure of democratic transition resides in the strategic choices made by different politicians aimed at

eliminating their political adversaries. The NSC was clearly comprised of actors with differing strategic visions. The majority aspired to a radical change of Zaire's political system because of the failure and misdeeds of the second republic, while a powerful minority of loyalists to the second republic's regime political change as a loss of political and economic privileges. In light of Linz's thesis, it appears that the main factor contributing to the apparent failure of arguments in favor of a democratic system could have been the lack of a persuasive strategy with political opponents. In fact, the defenders of the democratic system were the majority and had widespread, unconditional, popular support, which could have allowed an easy political (even moral) victory because the loyalist minority was automatically associated with the regime and its failures. Building on that popular support, the majority mistakenly spent energy in violent personal attacks against the second republic leaders, staining their own dignity. Politically, the strategy of the defenders of democracy decreased their willingness for objective debate, making them less receptive to their opponents' arguments. Consequently, loyalists to the second republic regime were less receptive to the arguments for system change. However, it is important to note that the loyalists' resistance was not based solely a reaction to the resistance of the reformists. On the contrary, their argument was primarily motivated by their loyalty to the totalitarian president, to whom they owed their political existence. The systematic destruction of the loyalists' ideological, institutional and, perhaps, emotional foundations (e.g., the NSC opted for the renaming of the country's name and national emblems) was deep, and it became evident to them that their survival depended on an difficult choice: Unconditionally accept the new structure and betray the president; or,

remain loyal to the president and strongly resist any political system changes that excluded them.

Juan Linz (1991) pointed out that resentments caused by changes of symbols and the emotional costs of a resentful politic are rarely forgotten in politics. Therefore, while the members of the majority defending the changes to the system were celebrating the apparent success of their arguments, the loyalists were forced to assist in the death of their political system. I argue that the majority should have adopted a strategy of consensual, rather than humiliating, public debate. For example, the renaming of the country, its flag, its national anthem, its currency, and its national river, could have been resolved through consensus. This might have preserved the principle of stabilization given that these national symbols were not specifically pointed out by the delegates to the NSC as aspects of failure and misdeed by the second republic. I would further argue that a consensus around national symbols might have constituted a guarantee of the principle of the continuity of the nation. Therefore, in addition to the political and economic costs the decisions of the NSC could have caused the loyalists, it appears that the psychological costs were also a determining factor of resistance.

In summary, several factors mentioned above demonstrate the tendency towards a return to a totalitarian political system. Neither the detailing of a new social plan, the establishment of new political structures, nor the establishment of a transitional government impeded this tendency. I argued that the adoption of certain political strategies for the actors of the majority group was risky as it neglected the principle of

consensus. In the following section, I will explore the possibility of a correlation between the tendency towards a return to totalitarianism and the obstruction of democracy.

#### Obstruction of Zaire's Democratic Process: Possible Causes and Probable Effects

##### *Juan Linz's Theory of Actors*

There exist several theorized reasons for the failures of democracies. For example, democracies may fail because they: (a) are based on social inequities; (b) concentrate economic power in a minority group; (c) are poor countries financially dependent on superpowers; (d) are threatened by popular movements; or (e) do not defend the holding of privileges by governing elites. This latter theory has been defended mostly by Marxist sociologists. They argue that the failure of a democracy is strictly linked to characteristics inherent to socio-economic structures which influence the conduct of political actors. The Marxist theory predicts that social conflicts will be triggered by structural inequalities and, specifically, by class conflicts which make the stability of democratic institutions difficult, if not impossible.

Morlino (1988) has argued that the success or failure of a democracy process depends on the respect and accomplishment of five elements:

1. the realization or commitment to democratic compromise;
2. respect of the law;
3. neutrality or neutralization of the military;
4. secure economic groups; and
5. the roles of political parties.



Morlino (1988) also provides an explanatory model of democratic crisis, which he defines as a set of phenomena that cause an alteration in the functioning of mechanisms typical of political regimes defined as democratic. The crisis is initiated when there are limits and restrictions expressions of political and civil rights, or when there are limitations to political competence and potential participation which break down the democratic compromise at its roots. The main observable signs of a democratic crisis are as follows:

1. When there is an obstruction or bad functioning of certain structures and mechanisms of the democratic process, including government crisis; or when there is obstruction in the relationship between the legislative and executive branches, or any other system structures; or
2. when there is a distance or bad functioning in the relationship between the larger society and the political parties, or between groups and democratic structures.

The immediate consequences of a democratic crisis are radicalization, polarization or fractionalization of political parties, and governmental instability. Polarization is evidenced by the tendency towards polarized social regrouping based on the political positions of the main political actors. Radicalization is often correlated with polarization, and implies an increase of distance between polarized groups or between different political forces on fundamental issues. In general, the parliament and streets are the favorite space of expression of radicalization.

Juan Linz' theory of political actors appears to be more relevant to the case under study. According to Linz, political actors and their strategies are the primary factors explaining the success or failure of a democratic process, as these strategies shape the fundamental and qualitative space in which democratizations can occur. It is precisely the combination of political strategies which define the type of transition that takes place. For Linz, no one should ignore the attitudes of political actors committed to a democratic system, or those not committed and willing to sabotage it. Actors and their strategies are ultimately more likely to influence the outcome of democratic process. In addition, the leaders and certain individual actors with given political skills can also be decisive in shaping the process since their personalities can transform political conflicts or confrontations. The power and influence each actor has becomes the measure of his likelihood to influence the process. Theoretically, the more actors committed to a political system, the higher the chance of survival of a system when facing a crisis. This makes legitimacy the most measurable indicator of the success of a political system. The more legitimate the system is, the greater its chances of surviving a crisis. Moreover, Linz thinks that the chances of success or failure of a democratic process can be measured through what he calls an *initial agenda*; that is, an original program established by a new democracy, which is aimed at surviving the inevitable resistance. Aspects of this agenda include:

1. Proving the capacity of a democracy to confront resistance vis-à-vis its popular support.

2. Avoiding the surrender of the democratic process to the centrifugal demands of political parties, (mostly without a real electoral base); and
3. Incorporating, when necessary, a substantial fraction of the personnel and partisans of the old regime into the new democratic system.

In the light of this initial agenda, we can affirm that there is a democratic failure when:

1. The government fails to manage the initial agenda;
2. the opposition takes advantage of the mismanagement and deepens the political crisis; and/or
3. the government proves itself incapable of resolving a solution, while the opposition offers a viable alternative.

Based on these preliminary theoretical elements, we will now try to establish a possible explanation for the causes of the obstructions to Zaire's democratic process. The term *obstruction* is chosen to reflect Zaire's democratic process did not, ultimately fail. On the contrary, all the evidence indicates that we are faced with an obstruction of the democratic process--that is, a hindrance of the different phases leading the country to the attainment of a political system allowing government of the people by the people, and which is characterized by the people's participation in the country's administration while being guaranteed basic human rights, respect of the law for minorities, and gives to the people the choice to freely elect and control their governors.

### *Possible Causes of Obstructions to the Democratic Process*

Earlier, we mentioned that the personal power of the president of Zaire and the strategies of the CNS were two potential causes of the tendency towards the return to totalitarianism observed in Mobutu's regime. This section will now establish correlations between the tendency of return to totalitarianism and the obstruction of the democratic process. Specifically, I will verify the tendency of Mobutu's regime to act according to a centric vision of power which influenced the regime's rejection of the achievements of the CNS, and its refusal of the new institutional order. In particular, I will look closely at two factors which potentially influenced the obstruction: (a) the lack of commitment to the democratic compromise, and (b) the lack of respect for legality.

President Mobutu's tendency to act according to a centric vision of power and totalitarianism has already been established. We looked at the violation of the Transition Act, (i.e., the legal framework of transition) involving the unilateral dismissal of the elected prime minister and his replacement by another person based on the old constitution of the second republic. This decision by president Mobutu was a clear violation of the democratic compromise as it showed one institution of transition (i.e., the presidency) disregarding another one (i.e., the elected prime minister and his government). In addition, the president's decision to reinstall the old parliament, and a rejection of one transitional institution (i.e., the High Council of the Republic) by another one (i.e., the presidency) were also illegal. Further, the adoption by president Mobutu of a new Constitutional Act in lieu of the Transition Act was also illegal. In addition, the ban on political rights, the monopolization of mass media, and the intimidation of political

opponents by the military, all demonstrate a clear tendency of the totalitarian system to regain control of nation's politics. The tendency towards a return to totalitarianism seems to be the logical primary cause of obstruction of the democratic process. In fact, the unilateral decisions made by president Mobutu and his political and military loyalists constitute limitations and restrictions to the expressions of political and civil rights, which represents a breach of democratic compromise as envisioned by the NSC. Because of the non- application of its decisions by the Mobutu's regime, the NSC was transformed into an irrelevant body with its sovereignty meaningless. The imposition of one transitional structure (i.e., the presidency) over two others (i.e., the government, and the High Council of the Republic) appears to be a unilateral and totalitarian procedure that automatically obstructed the normal functioning of the established democratic institutions as described in the Transition Act. The Chief of State of the transitional period did not manage the State in concordance with the first article of the Transition Act. On the other hand, the third principle established a guaranteed two-year mandate for the term of the president of the republic. To avoid any tendency of return to totalitarianism, the NSC also established the fact that the president and Chief of State did not have the authority to appoint and/or dismiss the prime minister and chief of government (including his cabinet). By ignoring the legal framework established by the NSC, the president of Zaire was acting under a totalitarian framework which stipulated that the Sovereign Leader can do anything, and the destiny of everybody else depends solely on his good will. While the goal of the NSC was to create a new national political environment, the president was obviously the major obstacle to the democratic compromise. Modern

political power is legal, institutional, and constitutional. It is the same to say that modern political power favors a collegial model based on shared control. This model of political organization was present in traditional Africa, as seen in this Akan (i.e., the ethnic and linguistic group of Ghana and Ivory Coast) proverb: “Tum te se kosua; nsakoro nkura; nsakoro kura a, ofiri bo fam”, which translates, “Power is like an egg: You cannot handle it with only one hand, otherwise there is a risk it can fall and break.” This African proverb suggests that power is not the responsibility of one individual only. On the contrary, power is to be shared for better societal outcomes, and limited to prevent abuses. Such was the original intention of the Zairian NSC as expressed in the Transition Act.

*The Lack of Commitment to the Democratic Compromise and the Rule of Law*

We have previously exposed the main characteristics of a democratic transition, according to Morlino ( 1988):

1. the realization or commitment to democratic compromise;
2. respect of the law;
3. neutrality or neutralization of the military;
4. secure economic groups; and
5. the roles of political parties.

To better understand the specifics of the possible causes of obstructions of Zaire’s democratic process, I propose to analyze the first two elements of Morlino’s model. Using Aristotelian reasoning, the following syllogism can be applied to the case under study: (a) after the CNS, all Zairian political actors were expected to refer to the

Transition Act as unique source of legality; (b) now, the presidency of the republic has made decisions affecting national life based on a legal text other than the Transition Act; therefore, (c) the presidency of the republic violated the law.

What appears as a simplistic abstraction finds a concrete application in the Zairian case. In fact, the Zairian president and his political allies violated the laws put in place by the NSC to regulate the national life during the transition into democracy. Such a lack of respect towards legality was demonstrated by certain facts previously exposed, including:

1. The dismissal/firing of the prime minister of transition by the president of the republic;
2. the appointment of another prime minister by president Mobutu;
3. the dissolution of the High Council of the Republic ( HCR) by president Mobutu and its replacement by the old parliament of the totalitarian political system; and
4. the imposition a new transition Constitutional Act as the only legal source of the transitional period by president Mobutu.

All these acts were in flagrant violation of the Transition Act which stipulated that the president of the republic could neither manage the transition, nor dismiss the prime minister of transition. They were also violations of the law because president Mobutu based his decisions on the constitution of the second republic, which was previously dismissed by the people's assembly. By reinstating the old parliament, the president of also acted illegally, and demonstrated his totalitarian desire to act as the only source of law and legitimacy of Zairian institutions. The president should have been aware of the

consequences of his decisions as they related to the outcomes of the NSC. In fact, a political decision is always a choice made in relation to the effect that the decision maker expects the decision to have on the equilibrium and structure of the social order (Burdeau, 1970). Given that the goal of a political decision is to shape the future of a group, Mobutu's actions appear premeditated and aimed at a certain political result. In this case, that result seems to be the obstruction of the democratic process and the return to a totalitarian system. There is solid evidence that this was Mobutu's political strategy, including his position against the proposed change of the national political environment as contemplated by the NSC. As previously demonstrated, the NSC substantially weakened the presidential power relative to the totalitarian system. The political uncertainty generated by the outcomes of the NSC did not fit Mobutu's political ambitions. Motivated by his personal power, Mobutu believed that he could maintain control of the situation by using his totalitarian tools. In fact, while still commanding the leaders of the army, a military imposition of his will seemed a viable means of preserving his power. Therefore, the violations of the law and non-commitment to the democratic process seemed like politically cost-effective alternatives to the loss of power. Like a skilled and rational politician, his strategy was to convince his allies to pursue this favorable alternative. This could explain Mobutu's calmness and lucidity while making illegal decisions during the transition. The political opposition was weak from the outset on this matter. When Mobutu's allies left the NSC, they declared they did so as act of loyalty to the president. It was the same with the higher ranking military dignitaries, who swore to remain loyal to Mobutu rather than the transitional government. Mobutu's



strategy consisted of gaining popular opinion by scaring the political opposition. In fact, the African people of Zaire were very well aware of the level of violence and brutality Mobutu's regime was capable of. Therefore, despite their numerical superiority, the African people of Zaire were powerless in the face of the brutal regime.

Mobutu and his allies may also have contemplated other political advantages of the obstruction of the democratic process, including the following two. First, the obstruction of the democratic process could have allowed the president and his allies to gain time and regroup their political forces in view of a favorable political future, including the elections. This possibility was real given the intellectual and political ability of Mobutu's inner circle. Effectively, the president was able to convince certain political opponents to create political parties favorable to the president. He skillfully managed to attract a significant number of political opposition leaders with national clout. This could have allowed president Mobutu a certain national success during the elections, not by winning the presidency, but by becoming a powerful opposition any elected government. In politics, the search for a compromise is intended to prevent the opposite camp from gaining any advantages.

Second, in case equilibrium was not reached by the old regime, the strategy of obstructing the democratic process would simply have constituted a decisive step toward a return to totalitarianism.

As pointed out by William Lapierre (1973), there are five types of possible solutions in case of conflict between two homogeneous and antagonist forces with incompatible demands:

1. One of the two forces destroys the other;
2. one of the two forces destroys the other by using coercive force in a manner that keeps the other force's demands unmet or unsatisfied;
3. both forces weaken and mutually disintegrate through concessions and compromise which, by allowing certain demands to be met to the detriment of others, transforms each one into a heterogeneous force dislocating its components with unmet demands;
4. both forces reach their equilibrium, transforming each one into an independent entity; or
5. both forces are mutually transformed through an innovative solution that modifies their demands, increases their resources, or decreases their obstacles, in such a way that their original demands are no longer incompatible.

Research on democratic transitions worldwide demonstrates that they can culminate into the implementation of democratic system, or return to totalitarian or military dictatorship. The Zairian illustrates a greater possibility of a short term return to totalitarianism rather than democracy, given president Mobutu's and his allies' armed forces and enormous economic means.

*Probable Effects: Uncertainties of Transition*

To comprehend the outcomes of a democratization process is often difficult both in theory and in practice because the main factors involved are, by nature, unstable. In other words, the game is never over until the last second, and uncertainty seems to be the golden rule of the democratization process. As Claude Lefort (1981) pointed out,

transition to democracy could be compared to an institutionalization, always reversible, of uncertainty. The rationality of choices and strategies of the participants is often subject to a certain degree of uncertainty due to the difficulty of clearly identifying their allies and their allies' volatility, as well as the instability of the participants' interests.

According to certain political analysts (O'Donnell et al., 1988), uncertainty increases when the process involves a transition from an authoritarian regime to democracy. In this case, the democratization process is characterized by the unpredictability of forces and intentions of the participants involved. It could be that for certain a politician, democracy is their least desirable wish. Therefore, a slow or partial transition may seem more attractive to them, giving them a chance for last minute economic and political gains. In general, studies on democratic transitions have favored the hypothesis that transitions which do not represent a risk for existing alliances with external world, and which strengthen or preserve the political and economic links with superpowers, have more chance of success than those that do not. Indeed, transitions which threaten established interests or create more insecurity and uncertainty are less likely to receive international support, therefore having less chance of success. In the case under study, the transition to democracy appeared as an ideological defeat and a rejection of a totalitarian worldview for Mobutu's system. Therefore, democracy was the least attractive alternative for Mobutu and his allies. This could explain the use of his personal power to resist the process. The only acceptable democratic process for Mobutu would have been one in which he remained sole leader or, at least, one which guaranteed him a leadership role. A politically uncertain future did not fit Mobutu's personal ambitions.

Also, only a democratization process under his control would have convinced the military to accept the new legal and political order. Therefore, the democratization process as understood by president Mobutu was nothing but controlled liberalization.

## CHAPTER 4

### STATE CRIME IN MOBUTU'S POLITICAL SYSTEM

This chapter is intended to offer further description and evidence of the totalitarian character of Mobutu's political system by exploring a selected number of state crimes. After a theoretical analysis of the concept of state crime, this chapter will analyze nine significant historical political crimes that occurred during Mobutu's regime. A critical analysis of each case will reveal that they all fit the criminological definition of state crime. Ultimately, these crimes illustrate the totalitarian character of Mobutu's political system, and confirm the need for an African-centered approach.

Only recently have scholars in criminology begun to take the lead in openly denouncing governments found to have committed criminal acts. For a long time, this was considered a king of political taboo. Even if most modern societies knew of horrendous crimes committed by their governments, it has been unthinkable for scholars to denounce a government or state as being criminal.

Some criminologists have argued that state crime is a sticky issue because of the nature of the agents and organizations involved. They explained that, like the study of corporate crime, the study of state crime is problematic because it involves examining behaviors engaged in by agents and organizations which are both socially and politically acceptable. That is to say, the state is rarely identified as being capable of criminality. Indeed, the state has always portrayed itself as a victim rather than the offender. This pattern becomes even more evident in the case of authoritarian or totalitarian political systems.

Chapters 1 through 3 have demonstrated the totalitarian character of Mobutu's political system. The purpose of this chapter is to examine whether some events which occurred in Zaire's history fit within the definition of state criminality.

#### What is a State Crime?

Defining state criminality appears to be a very recent academic venture. In the past, scholars who worked on the phenomena presented the state as a victim and not a perpetrator of crime. Authors like Ingraham (1979), and Vidal (1916), fall under that school of thinking. They all consider the state a political body whose first and unique purpose is to protect the society and its members against enemies. Therefore, harm to society is considered harm to the state. As illustrated by Vidal (1916), a state may be victimized by crimes such as felonies and misdemeanors which violate the political order. Such crimes against the state are committed both by external and internal enemies. Even though Vidal uses the term political crime, the truth is that he is trying to define only what he considers as criminality against the state. As he pointed out, political crimes are those felonies and misdemeanors which violate the political order of a state. These can be committed from the outside the state (as in attacking the independence of the nation, the integrity of its territory, or the relation of the state to other states), or from within the state (as in attacking the form of government, the organization and/or functioning of the political powers, and/or the political rights of citizens.

State crime is here defined in terms of violation against what Vidal considers legitimate attributes of a state. These include government, political power, and the political rights of citizens. Ingraham (1979) goes further by describing twelve specific

categories of what should be, in his view, considered crime against the political body or state. These include: (a) acts of betrayal to an enemy; (b) attempts or conspiracies against government leaders; (c) certain economic crimes; (d) sexual crimes against government leaders; (e) religious crimes; (f) crimes of speech; (g) rebellion, riot, and resistance to authorities in the performance of their official duties; (h) attempts by political leaders against the liberties of people; (i) membership in, or the organization of illegal societies; (j) usurpation of official function and authority by unauthorized persons; (k) non denunciation of treasonable plots and conspiracies; and (l) miscellaneous offenses. A close reading of the twelve categories reveals that the state is presented as a victim in 10 categories, but only in two of them does it appear as a possible perpetrator.

Chambliss (1989) confirms the perception of state as victim when he declares that because crime is political, many dangerous and harmful acts of commission or omission are not considered or addressed as crimes, while many less dangerous and less harmful acts are defined and treated accordingly. An African case confirmed this perception: in the early 90's when the Rwandese Hutu government obliged thousand of its citizens to flee their countries and become unwanted refugees in Zaire, such behavior was not condemned by the Rwandese government as criminal because of the political veil of the perpetrator. But when some Rwandese intellectuals decided to raise their voices about the situation, they were immediately targeted as national enemies, and accused of conspiracy against the Rwandese national security. In another historical example, Ingraham (1979) reported the case of Louis Napoleon Bonaparte, president of the second French republic

who executed a military and unconstitutional coup d'état by dissolving the French congress.

A recent wave of scholars seemed to have begun correcting the idea of the state as victim only and not perpetrator. In fact, criminologists such as, Barak (1990), Kauzalrich (1992), Tunnell (1993), and others have reanimated the debate on state criminality by affirming that the state is often the instigator rather than just victim. Furthermore, these scholars asserted that state crime has existed since the existence of the first human group. Since many definitions of state crime have been advanced, there is no consensus on a unique definition of the concept. Nevertheless, most authors agree on common elements of state crime, including, (a) illegal, harmful behavior; (b) committed by state or government agents during the exercise of their official functions; (c) these harmful behaviors remain unpunished most of the time.

In fact, the perspective changes when it is assumed that the state may be a perpetrator of crime. From a philosophical standpoint, the state becomes an active subject capable of bearing responsibilities for its acts. This perspective opens the door to the very criminological outcome of retribution for state criminals. In other words, state crime is brought back to the same level of consideration as any criminal behavior committed by any citizen. I argue that state criminality deserves even more severe punishment because of the cloak of honorability, respectability, and public trust invested in the offenders. Barak (1990) defines state crime as a harm illegally or legally organized and inflicted upon people by their own governments or the governments of others. Because these acts inflict damage to the body of society, Barak argues that state crime is also a violation of



universal human rights. In fact, state crime is harmful to society because its victims are often defenseless compared to the powerful authorities and political agents. Barak's definition includes not only national governments, but also international governments and agents. His definition has the advantage of considering three level of analysis: (a) individual, (b) institutional, and (c) structural. Harm to an individual is perceived as harm to the institution to which the person belongs (e.g., family, community), and it is a harmful act originated by the global structure in which the person is submerged. Tunnell (1993) points out that these acts committed by the state result in significant, harmful social consequences. State crime may be (a) implicit or explicit, (b) by commission or omission, and/or (c) physical or non physical. Ross (1995) uses the terms of *mala per se*, and *mala prohibita* to describe the same conceptualization. As pointed out by Chambliss (1989), state crime can also affect the environment. He gives the following description of state environmental crime:

1. Failure to act in such a way to protect the populace from social harms;
2. the state's failure to remedy various social problems (i.e., poverty, unemployment, etc.) when it is in the state power to do so;
3. social problems that, although abhorrent, are left unresolved by a state that posses the means to alleviate them; and
4. acts, not defined as criminal, conducted by corporations that cause physical, economic, and environmental harm to countless individuals.

This definition has the advantage of considering the state explicitly responsible for crime. As mentioned earlier, local as well as international agents could be involved in interstate

criminality. That was the case when the U.S. government helped the Nicaraguan Contra rebels through an illegal operation of arms sales to Iran. According to Kaulzarich's (1992) typology, this type of crime falls under the category of International-Domestic Government Crime. He affirms that in violation of U.S. laws, members of the National Security Council, the Department of Defense, and the CIA carried out a plan to sell millions of dollars worth of weapons to Iran and then use the profits from those sales to support the Contras in Nicaragua (Kaulzarich, 1992). Like any organized crime, state crimes like this one appears to be an act planned and executed by rational people with a clearly-defined goal. In 1970 the CIA repeated the practice of overthrowing democratically elected governments that were not completely favorable to U.S. investments. For example, when Salvador Allende was elected President of Chile, the CIA organized a coup that overthrew Allende, during which he was murdered, along with the head of military, general Rene Scheider.

Kaulzarich's (1995) definition of state crime seems to be more inclusive, as he defines it as an illegal act or socially injurious act of omission or commission by an individual or group of individuals in an institution of legitimate governance which is executed for the consummation of the operational goals of that institution of governance. Kaulzarich proposes four types of state criminality: (a) Domestic-International Government Crime (DIGC); (b) Domestic-Domestic Government Crime (DDGC); (c) International-Domestic Government Crime (IDGC); and (d) International-International Government Crime (IIGC). Mobutu's political crimes fall under the DDGC, defined as criminal acts which occur within the state's geographical jurisdiction in violation of the

criminal or regulatory code of that state (Kauzlarich, 1992). Most cases that will be further discussed were in fact violations of the Zairian constitution, and police violations of Zaire's procedural and civil laws. I have chosen to define state crime as an illegal act by omission or commission by government officials in the course of their official function. It is a crime committed with the intention to terrorize people by slaughtering them, and/or assassinating individuals or group in order to compel them to accept the government order.

### Theoretical Foundation of State Criminality

Despite recent efforts by criminologists to identify, denounce, and define state criminality, there is little literature to create a theoretical framework capable of explaining state crime. In other words, efforts from scholars to define state crime have not resulted yet in abundant theories or models that systematically and comprehensively explain why state crime occurs and how it can be controlled. Unlike traditional street crime, which has a rich theoretical literature, state crime theories are still in an embryonic stage. This section will try to explore the existing theories. In an attempt to explain state-corporate crime in the U.S. nuclear weapon production complex, Kauzlarich and Kramer (1993) have identified three theoretical perspectives to explain organizational crime: (a) differential association theory, (b) organizational approach, and (c) political economy theory.

For both authors, there is little difference between state crime and organizational crime. They propose the idea of calling it organizational state-corporate crime, which is an illegal or socially injurious action that occurs when one or more institutions of

political governance pursue a goal in direct cooperation with one or more institutions of economic production and distribution. However, if we accept the hypothesis that state criminality is an outcome of an organization which is the state, then the organizational approach may be appropriate in the case under study. According to the organizational theory, a close look should be given to the organization itself when it comes to the analysis of what causes and explains organizational crime. Some argue that organizations seem by nature to be highly committed to some goal and highly concerned with performance. Therefore, any means, legitimate or illegitimate, that may help to increase the chances of achieving such goals and performance are more likely to be used by the organizations. Kauzlarich and Kramer (1993) theory is a better fit for the Zairian case when he asserts that organizational crime is more likely to occur when various social control mechanisms fail to stop the tendency toward using illegitimate means to resolve strain. The Zairian government led by Mobutu appears like an organizational institution which used a totalitarian political system to conserve power and benefits by using military force to overcome any opposition. Interpreting Kauzlarich and Kramer's proposition, Mobutu's regime was capable of conserving power because of the very nature of the system, which eliminated any possibility of social opposition. The assassination of Zaire's political opposition members and students was strong evidence of Mobutu's totalitarian system, and characteristic of his 32-year destructive reign. It appears, then, that the choice of the organizational theory is more appropriate to the case under study. In fact, Zaire's state crime is more likely to be explained by the desire of Mobutu's regime to maintain control over every aspect of Zaire's national life and,

therefore, guarantee the continuity of his regime. Assassinations and slaughters committed by Mobutu's government benefited his regime and his allies only. Indeed, the price paid by the country was a painful 32-year journey led by Mobutu that drove a prosperous nation into abject and dishonorable poverty. Under his system, corruption became the rule. He and all his government officials served his unique interests and collected taxes on just about everything. They extorted bribes from anyone who needed government service. None of the money was put in the treasury. Instead, it went into the personal accounts of Mobutu and his ruling class, while the whole of the Zairian people were left to their destruction. Those who had the courage to denounce the totalitarian system fell at the hands of brutal armed forces. In other words, Zairian state criminality confirms its motivation for total control. We know that Mobutu's system exercised an overwhelming control over every single aspect of Zairian life. The concept of control should be understood here as that form of power which *A* has authority to direct or command *B* to do something. To exercise control, *A* must have authority in the sense of having access to the inducements, rewards, and sanctions necessary to back up command.

To control state crime, Grabosky (1990) proposes seven methods. He asserts that participatory democracy is one of the seven methods that can be used to control state crimes. The six others are: (a) internal oversight, (b) organizational redesign, (c) external oversight, (d) whistle-blowing, (e) criminal prosecution, and (f) civil litigation. I argue that the greater the quality of participatory democracy in Zaire, the greater the possibility of control over the opportunity of the government to engage in state crime. I believe that the lack of participatory democracy has a greater incidence in the lack of control over the

government's actions. Given that the very nature of a totalitarian system is to eliminate any internal or external control over itself, only a legal means of control could limit the chaos. As pointed out by Ross (1995), at the core of each state are a number of powerful individuals and organizations capable of crime against their own citizens and external adversaries, sometimes as part of their policies and other times as consequences of their political ambitions. Participatory democracy, defined here as a political system that respects the will of the people from which it originates, is, therefore more likely to exercise efficient control over the Zairian government and decrease state criminality in Zaire.

The following section will expose some facts and events that demonstrate the totalitarian nature of Mobutu's system. As a reminder, in November 25, 1965 Army General Joseph Mobutu seized the power after a coup d'etat which overthrew the first elected government in the aftermath of the country's independence. General Mobutu justified his military coup by claiming he wanted to restore peace and national unity. This was followed by open political conflict between President Joseph Kasavubu and Prime Minister Patrice Emery Lumumba. In 1967, Mobutu abolished the national Constitution and established a new *Loi Fondamentale*, which inaugurated the single-party system, and made him the only strong man of the country. In 1973, the constitution was revised again to adjust it to Mobutu's personal greed and ambitions. Slowly, he took control of every aspect of Zairian life. As pointed out by Dungia (1993), he became the only person to whom every aspect of Zairian life should be referred to. He never kept his solemn promise to relinquish power to civilians after five years, and started ruling the country

towards total anarchy. He installed a totalitarian political system which systematically eliminated political opponents. A totalitarian system is a philosophical, political, or ideological system that controls the totality of the national life by exercising a monopoly of power and imposing a unique vision of the world. According to Friedrichs (1965), the system is characterized by the following elements:

1. an inclusive ideology;
2. a single party through which the ideology is inoculated in the masses;
3. the presence of a powerful leader who controls the application of the ideology;
4. a very organized secret police under the leader's control; and
5. the control of mass media, operational arms, and every single social, economic, cultural, political organization.

Mobutu's system, which fits the definition, has committed numerous illegal and harmful acts (i.e., state crimes). In this section, our purpose is to expose some of the most relevant crimes committed during the period between 1965 and 1992.

#### Selective Cases of Political Assassinations From 1965 Through 1992

First of all, we want to emphasize that all assassinations committed by Mobutu's regime were political. They were calculated acts by rational government agents intended to strengthen Mobutu's political system by eliminating any real or potential opposition to the system. The cases selected involve both individuals and group victims. During the first five years of Mobutu's regime, the main opposition to the regime came from university students and workers; that is, the intellectual elite capable of distinguishing a democratic system from a totalitarian system. After a long time of oppression and lack of

dignity under the colonizing system, the intellectual elite welcomed the first elected government with enthusiasm, hoping that a government led by autochthonous would have led the country towards freedom, prosperity, and, above all, dignity. On the contrary, Mobutu's system was as horrendous as the colonial rule in terms of human dignity. The ten cases selected have three characteristics in common: (a) they are politically motivated, (b) they violated the Zairian constitution, (c) the corpses of the victims were never identified.

To recall the definition previously adopted, state crime is any illegal act of omission or commission by government officials perpetrated in the course of their official functions. Slaughter and assassinations were common in Mobutu's regime. He committed these crimes in clear violation of the constitution, and universal human rights. What is more, these harmful and illegal acts took place with impunity within the state's geographical jurisdiction.

#### *The Pentecost Hanging*

On June 2, 1966 Emmanuel Bamba (Finance Minister), Alexandre Mahamba (Foreign Minister), Evariste Kimba (former Senator, Foreign Minister and Prime Minister), and Jerome Anany (Defense Minister) were hung in Kinshasa, Capital of Zaire. They were found guilty of high treason by governmental decree 66-338 of May 30, 1966, which was established by a martial court led by five high ranked military close to Mobutu's regime. Charges against them included: (a) planning to overthrow Mobutu's government, and (b) attempting to assassinate President Mobutu and General Mulamba. Before the trial, the government spokesman announced on national television that the



four politicians were likely to receive capital punishment and could face public hanging. In short, the sentence was known before the trial, which was public and lasted only an hour and a half. The jury, comprised of people selected by the government, took five minutes to deliberate and decided on capital punishment by hanging. The government confirmed the jury's decision and the four politicians were publicly hung two days later, on June 2, 1966. No legal defense was allowed to the defendants. In addition, no single piece of evidence was offered that substantiated the charges against the defendants. The four were arrested while in a meeting with some high ranked military close to the regime. The military persons were left free while the four politicians were taken to a military camp where they were tortured. During a political speech on April 7, 1966, President Mobutu declared that respect for the chief was sacred and, therefore, a strong warning was necessary to discourage any attempt to repeat the four politicians' error.

The bodies were never returned to the families of the victims. This was an obvious violation of the law. According to the Zairian Penal Code (Section 194), even if it was demonstrated that the four politicians were planning a coup d'etat, capital punishment should not have been applied to this case. Therefore, the victims of the so called Pentecost Hanging were assassinated in violation of the universal legal principle *nulla poena sine lege*.

#### *Assassination of Andre Lubaya*

Mr. Andre Guillaume was a former governor, Health Minister, Senator, and founder of U.D.A. political party. During an official visit to Luluabourg, Lubaya's native city, President Mobutu revealed the existence of a political plot against him and his

regime, orchestrated in his view, by some senators from Kasai. Mobutu's government started an investigation to identify the authors of the conspiracy. President Mobutu personally instructed his secret police to bring in Mr. Lubaya dead or alive (SNC, 1992). A reward of five hundred zaires was offered to any individual who satisfied Mobutu's desire. On May 2, 1968 senator Lubaya was arrested with some others and immediately transferred to a military camp from where he never came back alive. The person who delivered Lubaya to the regime was offered a cabinet position in Mobutu's government. President Mobutu personally organized the arrest with his justice minister and his chief of security. Mr. Lubaya did not appear in any court and was executed without trial. His family never gave him a burial. His assassination was politically motivated because he belonged to the opposition to Mobutu's system. He was one of those who condemned Mobutu's 1965 coup d'etat, and he refused to be enrolled into the single party. His death achieved the goal of systematic elimination of any opposition to Mobutu's regime.

#### *Pierre Mulele Assassination*

Pierre Mulele was a member and founder of a political party *Parti Solidaire Africain* (PSA), former Minister of Education, and Zaire's Ambassador to Egypt. He resigned as Zairian official in 1962 to organize an armed insurrection. He fled to Congo-Brazzaville seeking political asylum. In October 1968, he was caught by Mobutu's secret service, transferred to Kinshasa where he was secretly assassinated at camp Kokolo military prison after a very short trial by a military court. Mulele's transfer from Brazzaville to Kinshasa was negotiated by Zaire Foreign Minister Justin-Marie Bomboko, with President Mobutu's approval. In fact, before the transfer Mobutu

officially declared to the national media that he would not pardon Mulele for his participation in the insurrection and that the only fate Mulele deserved was severe punishment. One day after Mobutu's declaration, the national radio announced that Mulele was convicted by a martial court, with no defense, no prosecution, and executed.

*Slaughter of Students in June, 1969*

More than fifty students were slaughtered by armed forces on June 4, 1969. The official list released by the government reported 13 deaths, including Muamba Symphorien, Mwamba Jean-Marie, Konde Albert, Bayenekene Jean-Oscar, Mukundi Mathias, Kazadi Raphael, Epembe Martin, Kakumbala Irene, Kabulu Alidor, Moyembe Jean-Marie, Baendafe Albert, Lukongo Marcel, and Bukamba Jean-Marie. Many others were wounded, put in jail, and tortured. Students organized a peaceful march on June 4, 1969 to protest this violation by the government of the *Charte of Goma*, an agreement between the government and students to improve the quality of education and student life across the country. Armed forces confronted the students with deadly force. Their corpses were never released to their families and nobody knows where they are buried (NSC, 1992). President Mobutu violated the agreement he personally signed, and it was proven that armed forces obeyed the orders of high ranked military person to open fire on the students. They accused students of attempting to threaten state security, were sentenced with no right to appeal and no defense allowed. Most of them were sentenced to 20 years of jail time. Obeying Mobutu's orders, they were released from jail on Mobutu's birthday, October 14, 1969. Use of force by the military was disproportionate. Some witnesses affirmed they saw Mika, Mobutu's security chief, among the armed forces

(NSC, 1992). The Police Department could have properly and safely assured the security of the march without using excessive force against unarmed students. According to an official source (NSC, 1992), students had refused a few months prior to the march to be enrolled into the single party created by Mobutu. Therefore they automatically became political targets and were labeled as branches of the opposition.

#### *Idiofa Slaughter*

In January 1978, armed forces were sent to rural cities of Idiofa and Mulembe to *punish* the population for trying to rebuild a new political movement close to former rebel Pierre Mulele. That part of Zaire was considered a red zone since the beginning of Mulele movement. In January 1978, soldiers from Kinshasa punished with inhuman brutality civilians in the cities of Idiofa and Mulembe. Several people were hung after a short trial. The mother of former rebel Pierre Mulele was cut into pieces and both cities were erased from the national map as political entities (NSC, 1992). The so-called new political movement was in fact a religious movement with no political ambitions. It is true that some people among the members wanted to take advantage of their affiliation to keep the memory of Mulele alive, but they represented no public or political danger to the country. The government reacted solely in revenge to Pierre Mulele, who was originally from Idiofa. Therefore, the totalitarian regime committed a crime against humanity (i.e., genocide) by slaughtering defenseless civilians.

#### *Assassination of the So-called Terrorists*

In February 1978, 91 people, among them soldiers and civilians, were accused of attempting urban terrorism and were arrested by officials of Mobutu's regime. They were

charged with making terrorist threats and attempting to cause chaos in the capital city Kinshasa to force the resignation of President Mobutu. Not a single piece of evidence was presented to sustain the accusation, and after a quick trial with no defense and no possibility of appeal, 78 out of 90 were convicted and sentenced to capital punishment on March 18, 1978. Seventeen of them were executed. Ten days later, President Mobutu signed an executive order authorizing the confiscation of any property belonging to all the convicted, dead or alive (NSC, 1992). Among the victims were politicians of the opposition and high ranked military officials opposed to Mobutu regime. Here again, the regime is the sole beneficiary of the crime. In fact, hours after the victims were executed, President Mobutu declared on national television that the executions were a warning to those who were trying to oppose his regime. He added that their death was the only price imaginable in order to protect national peace and unity of the country.

*Mobutu's Totalitarian System and the Fate of the Thirteen Opposition Leaders*

In 1980, 13 Zairian senators wrote a letter to President Mobutu in which they analyzed the country's general situation. They concluded that the situation was worsening and the country was in a state of collapse. Therefore they suggested a national forum gathering representatives of every Zairian social class to discuss national issues, including freedom and democracy in Zaire, as necessary foundation for the nation rebirth. However, before the letter even got to the President's office, his secret services became aware of it and discovered the letter in one of the senator's home, Mr. Ngalula. He was arrested and put in jail and 12 other senators turned themselves in to the powerful presidential security services. They were arrested and put on trial before the Supreme

Court on January 17, 1981. Convicted, they lost their political and civil rights for 5 years. However, under international pressure, the regime authorized the creation of political opposition party. The 13 senators created on February 15, 1982 the first Zairian opposition political party. A month later, they were re-arrested and put in jail. On July 1, 1982 they were convicted to 15 years in jail and tortured. One of them, Makanda Mpinga was put to death.

#### *The Kasa-Vubu Bridge Massacre*

On January 17, 1988 the party of opposition UDPS (Union pour la Democratie et le Progres Social) gathered its members for a political meeting at the Kasavubu bridge in Kinshasa. Before the leader addressed the members of his party, they were brutally scattered and beaten by armed forces who opened fire on them, killing and injuring several participants. Fifteen hundred people were arrested and then freed without any trial. They were tortured inside the military camp (NSC, 1992). The opposition demonstrated later that the meeting was legal as a result of an agreement between President Mobutu and the opposition. In fact, since June 27, 1987 UDPS was legally recognized as the only opposition party in Zaire, making it legal for the party to organize public political gathering. Moreover, the party leader requested a written and official authorization from the Mayor of Kinshasa, days before the event. In response, the leader was arrested after the meeting and declared mentally ill in a clear political maneuver to discredit him. Repression of public meeting is illegal according to section 18 of the Zairian Constitution.

### *Massacre of Civilians in December, 1990*

On Monday December 3, 1990 thousand of Kinshasa residents gathered on the streets for a march to protest against the deterioration of the quality of life. The government's reaction was to send its armed forces to punish the crowd, which in the government's view, was threatening the regime. They opened fire on defenseless civilians causing hundred of deaths and injuries. A list of reported deaths was released to the general public by human rights activists (NSC, 1992).

A manifestation for a better quality of life was seen by the government as a manifestation against the system. Barak (1991) referred to this type of state as negligent because it fails to prevent loss of human life, suffering, and deprivation that is in its power to prevent. A negligent state may lead to repressive state as suggested by Friedrichs (1995), because it has a tendency to systematically deprive its citizens of fundamental human rights. An analysis of this case suggests that we are facing a double crime: on one hand, the Zairian state caused social injury to its people by destroying the economy, and on the other hand, it committed a state crime by killing defenseless civilians. No charges were ever pressed against the government.

### *February and March, 1992 Massacre*

On February 16, 1992 and March 1, 1992 Christians of Kinshasa organized a historical march to protest the interruption or shut down by the government of the NSC, the national forum organized to discuss the situation of the country and design the structure for a new nation. The shut down came after the totalitarian system became convinced of the determination of the majority of participants to the forum to end the

repressive system in power for more than 30 years. The Zairian people refused to play the government game and decided to stand up for their rights by organizing the march. As expected of a totalitarian regime, the government answered with a bloody and deadly repression of defenseless participants. The same occurred on March 1, 1992 when Christians tried to repeat the march. Thirty six people were reported dead, among them children and elderly people with bibles on their hands. When asked by the NSC why armed forces were ordered to open fire on defenseless civilians, government officials answered they obeyed an order from the high power, which could simply be translated as an order from President Mobutu. All branches of the Zairian armed forces were ordered to participate in the repression, from the navy to the special presidential security unit. Curiously, Prime Minister Nguz-A-Karlibond and his cabinet never condemned the massacre, nor did President Mobutu.

In total, twenty seven cases of assassination, slaughter and violation of human rights were brought against the Zairian government during the NSC. The cases above are only a random sample of some of the most relevant state crimes that occurred in Zaire since the beginning of President Mobutu's political system. These crimes fall under the definition of state crime we adopted for this study, that is, an illegal act by omission or commission by government officials in the course of their official functions. What is more, these cases prove the hidden intention of Mobutu's regime to terrorize the Zairian citizens in order to oblige them to be subjected to his totalitarian system. It is a clear case of Domestic-Domestic Government Crime, according to Kauzlarich's typology (Kauzlarich, 1995), because these crimes occurred within Zaire's geographical



jurisdiction and were in violation of the existing national law. Also, these cases demonstrate generated by a rational offender, the Zairian state, in view of a clear objective. Following the organizational theory, Zaire state criminality responds to a clear goal, that is, the defense of Mobutu's regime and political system. Assassinations and slaughters are mere means to achieve such a goal. The harm caused to the Zairian society is immense. Mobutu and his allies used their public and official functions to commit crimes against Zairian citizens. Individuals and groups have fallen under the Machiavellian project of Mobutu's political system. Like in other authoritarian political systems, including Germany of Adolf Hitler, Uganda of Idi Amin, Haiti of Claude Duvalier, Spain of Franco, Cuba of Castro, and others, the perpetrators were never prosecuted.

#### Democracy as Way of Controlling State Crime in Zaire

My main argument is that the greater the quality of participatory democracy in Zaire, the greater the possibility of control over the opportunity of the government and its agents to engage in state crime. This argument is a summary of the 5 more detailed propositions of Grabosky (1990)'s international institutional controls theory (IIC).

Proposition PIIC 1: The greater the representation of various segments of society in state criminogenic institutions, the greater the control over the organization's state crime.

Proposition PIIC 2: The greater the training in human rights and civil liberties that members of state criminogenic institutions receive, the greater the control over their ability to engage in state crimes.

Proposition PIIC 3: The greater the independence of internal oversight to line management, the greater the tendency to report directly to the chief executive, and the greater the control over state crime.

Proposition PIIC 4: The stronger the supervision and leadership of state criminogenic organizations, the greater the control over their opportunity to engage in state crimes.

Proposition 4 a: The greater the internal supervision of state criminogenic organization, the greater the control over their proclivity to engage in state crimes.

It is our position that only a democratic system will increase the condition of possibility of the five propositions in the case under study. Democracy generates the condition without which these propositions can be justified when applied to the Zairian case. In fact, most of the cases of assassination considered in this chapter are in violation of the Zairian constitution, police violation of civil and penal law, and above all, violation of human rights committed against defenseless citizens. We also have underlined the fact that the perpetrators of these harmful behaviors were never punished for the simple reason they are those who create the laws and control its application. World political history has made it plausible that the greater the totalitarian nature of a political system, the greater the chance of getting the law created and its application controlled by the rulers of the system. The very nature of that type of political system is to eliminate any control over its leaders and their actions. The three traditional branches of a democratic system are systematically eliminated by the leader who generally is the measure of the law, or simply the law itself. Normally, the executive, legislative, and judicial branches exercise a mutual control over each other in order to impede the excess of power in one

branch. The legislative branch or parliament creates and votes national laws, the executive branch or government executes the laws from the parliament, and the judicial branch controls the application of the laws, the legality of the government and parliament actions. That is the core of the so called democratic system. On the contrary, a totalitarian system is characterized by a very strong and overwhelming concentration of the three traditional powers in only one person, the dictator who creates his own laws which help him protect himself against any outside control. The parliament of a totalitarian system is made of individuals who only possess one ideal: loyalty to the leader. Consequently, the parliament's role is limited to the ratification of the leader's will, which generally becomes the law. The members of the judicial branch are exclusively appointed by the powerful leader, and its role reduced to the interpretation of the constitution, generally built to fit the leader's political greed. There is no interpretation of the constitution contrary to the dictator's will. Napoleon Bonaparte of France, Adolf Hitler of Germany, Mussolini of Italy, Bedel Bokassa of Central Africa, Idi Amin Dada of Uganda, Augusto Pinochet of Chile, Fidel Castro of Cuba, Mobutu of Zaire, Ceausescu of Romania, Claude Duvalier of Haiti, are among the authoritarian, totalitarian or dictators who illustrate this type of political system. No control of the leader's actions means no control of its possible criminogenic excess. This is what historically explained the policy of mass killing directed at some human groups such as the holocaust perpetrated by the Nazis during World War II, Saddam Hussein of Iraq slaughter of Kurdian civilians, massacre of hundreds of thousands of Armenians by the Turkish government in 1915, massacre of millions of members of various Russian ethnic groups by the Stalin regime between 1922

and 1953, or more recently the massacre of millions of Hutus by Tutsis in Rwanda in 1992. These state crimes have been committed mostly under non democratic political systems. In this chapter we have demonstrated how Zaire leader has been ruling this African country with the same characteristic of a totalitarian state. Zaire parliament has consisted of loyalists to Mobutu's single party. The judiciary branch was set to interpret the law according to Mobutu's will as contained in the country constitution made up according to his political vision. In one word, it appears that the lack of democracy is the core of the criminogenic nature of Mobutu's regime. State crime in Zaire is an outcome of a repressive political system which uses crime as tool or means to retain power and extend power. Therefore, the greater the quality of participatory democracy in Zaire, the greater the possibility of control over the opportunity of the government and its agents to engage in state criminality. We define democracy here is a political system that privileges government freely elected by the majority of the citizens and which main features are the participation of competent citizens in the state administration, protection of individual rights, respect of the law, protection of minorities, and mutual control of those in power not only through the three traditional branches, but also by allowing citizens to criticize the government actions through the freedom of speech. Participatory democracy bale to create a favorable environment to less or no state crime must comply, in our view, with the following elements:

1. Effective participation of citizens in fundamental decisions involving the national community. Zairian citizens should feel they are listened to and taken in account when it comes to important national decisions. Representation and

referendum are the most likely to generate such environment. The goal is to avoid the monopole of decision by a centralized source.

2. Choice of African-centered leaders, that is, leaders who are committed to promoting the well being of the African people of Zaire according to their own vision of the world, culture and national aspiration.
3. Respect of democratic compromise: it must a national compromise on behalf of all the stakeholders to respect the principles and rules of democracy. Everybody, from the President to the less powerful citizen must become deeply committed to the ideal of democracy and its values. This way, the nation would more likely establish transparent mechanism of mutual control which would more likely prevent the hegemony of one group over others.
4. Respect of legality: may be more important than the first two elements, the respect of legality must become the core or foundation of any national structure. Nobody should consider himself above the law. Respect of the national constitution and other laws must become the unique way of living in Zaire. Functions and roles of the government must be clearly determined within the mark of the constitution, and mechanisms of control through the parliament, opposition parties should be emphasized.
5. Neutrality of military group: the armed forces must be educated in such a way they abide to the rules of democracy. To make a successful transition from a totalitarian system in which they only obeyed Mobutu's orders, Zairian armed

forces should be persuaded to accept the new system, and even more they should be educated to defend and protect democracy and its values.

We consider point 4 and 5 as fundamental pillars of the control of state criminality in Zaire, because all the cases analyzed in this chapter are violation of the law by armed forces loyal to President Mobutu. In addition, democracy in Zaire should take in account the very concept of mutual control of the three branches over each other to avoid the personalization of power deplored in Mobutu's system. The essence of democracy in Zaire should reside on legality, and constitutionality. Zaire should become a horizontal society where all citizens have equal voice and do not rely on the arbitrary power of one person. The vertical model has failed and allowed a totalitarian system to develop and ruin the country.

## CHAPTER 5

### CONCLUSION: THE AFRICAN-CENTERED RATIONALE FOR THE NECESSITY OF ZAIRE DEMOCRACY

#### The Quest for Humanity, or the Meaning of the Historical Struggle of the African People

##### *Africans in the Diaspora*

The quest for humanity has been the 'Raison d'Etre' of the African people struggle since the experience of enslavement. This quest is legitimate because like any other human beings, Africans aspire to be recognized as fully humans, invested with the same rights and dignity. Enslavement has been for anyone of African descent an experience that took away and denied their humanity. George Jackson (1994) pointed out that Africans were raped and its people denigrated and dehumanized as slaves. Africans have been completely divorced from their own and alienated from their sources, isolated, and remolded to fit in certain forms, to fill a specific purpose. He adds that no consideration was or has been given to our being anything other than what we were originally intended to be. To dehumanize Africans therefore was to reduce them to the level of things where they lost their values as humans. Dehumanized Africans became properties, literally speaking, for the whites. The same Jackson (1994) argued that dehumanized people are like the broken men, so damaged that they will never again be suitable members of any sort of social unit. The dehumanization of African people was a process that gradually transformed them into things, properties for economic reasons. This gradual process was rationally justified by prominent Western philosophers who elaborated theories that reduced African humanity to mere level of 'matiere premiere'.

German philosophers Hume and Hegel seem to be the most recognizable and outspoken voices among these Europeans. Hegel has simply denied any possibility of history to Africans. He argued that Africa is the land of childhood, which lying beyond the day of self-conscious history, is enveloped in the dark mantle of night. As for the people of Africa, Hegel has no problem affirming that the Negro exhibits the natural man in his completely mild and untamed state. Therefore, Hegel hardly conceives beings like these to possess any level of humanity. He did not even imagine the condition of possibility of counting Africans among rational and historical beings. Hegel was German and an authority figure in the European intellectual world. His influence was and still is beyond the boundaries of his native Germany. History has taught us that people like Hitler were deeply influenced by Hegel's worldview. The result of that influence was a disaster in the history of humanity still felt today. Cheick Anta Diop (1991) puts it correctly when he compares any imperialistic projects to the prehistoric hunters. According to this prominent African scientist who dedicated his intellectual life to proving the anteriority of African humanity (i.e., homo sapiens) in relation to the homo sapiens in other continents, prehistoric hunters first killed the being spiritually and culturally, before achieving it physically. That is what we understand by dehumanization of black people. As Jackson (1994) added, they (the Europeans) do it because they suffer under the mistaken belief that a man can secure himself in this insecure world best by ownership of great personal, private wealth. They attempt to impose their theories on the world for obvious reasons of self-gain.



However, dehumanization is not a human destiny, for a person can choose and will always choose to be human. No matter how far the process of dehumanization went, as I will demonstrate in this section, African people consciously raised from the valley of darkness to reclaim their destiny and began the struggle for the restoration of their dignity. Only after African people understood that the process was not initiated by themselves that they perceived the imperative necessity to make the necessary alterations aimed at bringing some purpose and value to their lives.

Struggle for humanity is understood here as the process by which African people demonstrated their determination to be fully humans, rejected the physical, moral, emotional, spiritual and political limitations imposed on them by the enslavement. A human struggle begins from inside, as soon as people's consciousness rises and perceives elements of their history they did not choose but which limit their possibility of individual or social development. Frank Fanon (1967) warns us by affirming that it would be good if certain things were said, not shout for it is a long time since shouting has gone out of his life. For Fanon, consciousness is a transcendence process. It is dynamic, for it consists of moving from one location or perceived situation to another. The imperative duty to move things around, to reclaim to the world who they are, to shape in their own terms their place in the world or their destiny, is therefore the 'raison d'etre' of the African people quest for humanity. There exist historical and empirical evidences that support the European myth that Africans are inferior beings. Fanon (1967) stated that white men consider themselves superior to black men. The latter became 'inferiors' by the process of dehumanization. Richard Wright (1993) has demonstrated how the

dehumanization of Americans of African descent during slavery has produced a new type of black in the American society. Bigger Thomas' portrait is the best illustration of the African in America, with profound sequels of centuries of dehumanization through enslavement and segregation. Bigger Thomas is what the white society wanted African to be in America, that is inferior beings with no cultural references to lean on, no original worldview to interpret reality, no personal identity but the one given to him. "To me, a nigger is a nigger". A consequence of that dehumanization is, according to Wright, the dilemma of being a native son of America but being allowed to live as an American. W.E.B. DuBois (1989) speaks of double consciousness, "this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One feels this two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder". Toni Morrison (1973) has put it nicely in the analogy of the bottom of heaven. Unfortunately, that haven was made possible by the blood and work of the African in America. Why then deny the African the right to equally enjoy the fruits of heaven like any other Americans? Bigger Thomas (Wright, 1993) was quoted saying to himself "Goddammit, look! We live here and they live there. We black and they white. They got things and we ain't. They do things and we can't. It's just like living in jail. Half the time I feel like I'm on the outside of the world peeping in through a knot hole in the fence". This 'fixed concept of the Negro', in Fanon's words (Fanon, 1967), has been at the source of the fundamental question of injustice suffered by the Africans in America. Before Diop, Fanon, Morrison

or DuBois reacted to the dehumanization of black people, it was the Western philosopher's task to provide rational arguments for slavery. Hegel and Kant have provided solid metaphysics and anthropological arguments about white superiority. As demonstrated earlier, Hegel even denied that African people could have a history. Kant in his 'Critique de la Raison Pure' argued that rationalization did not belong to people unable to perceive any reality beyond their emotion! Africans are less-than-human, uncivilized and savages. Therefore, when the first African people were sold and landed in Jamestown in 1619, it was then clear in the mind of the European people that their act was morally and legally justified because they were dealing with 'matiere premiere', things, but definitively not human beings like themselves. Based on scientific evidence, it was established that the so-called less-than human or savages were racially inferior to members of civilized society. In the United States of America, Baker (1998) reports that a prominent Philadelphia physician, called Samuel Morton, conducted a scientific research in 1851 which concluded that Negro was an inferior race. Other authors argue that Negroes and whites were separate species and that Negroes were like children who needed direction, discipline and the parent like care of a master. These so-called scientific findings were echoed by the U.S. legal system, continues Baker (1998), who went further to illustrate his affirmation with a statement from Chief Justice Roger B. Taney who said that "far below 'Negroes were from Whites' in the scale of created being, in effect constitutionalizing the racial ideology articulated by the scientific discourse and the opinion of proslavery interests". Only a year after Chief Taney's statement, the Louisiana code of 1852 confirmed the legal transformation of African people into property. In all

U.S. Code of slavery, there is an overwhelming evidence of a complete ownership of African people's lives in the hands of their owners. For example, consider articles 1, 2, and 14 of the Louisiana's Slave Code:

Article 1: The condition of a slave being merely a passive one, his subordination to his master, and all who represent him, is not susceptible of any modification...in such a manner that he owes to his master, and to all his family, respect without bounds, and absolute obedience; and he is, consequently to execute all the orders he receives from him, his said master, or from them.

Article 2: As the person of a slave belongs to his master, no slave can possess anything on his own right, or dispose in any way of the produce of his industry, without the consent of his master.

Article 14: Slaves shall always be reputed and considered real estate, and shall be, as such, subject to be mortgaged, according to the rules prescribed by law; and they shall be seized and sold as real estate.

These texts speak for themselves. The level of dehumanization is evident in the code, which denied any human value to the African people. Consequently, a possibility of social cohabitation between whites and the African people in America was problematic on the above premises. In fact, a social contract is only possible between two parties that recognize to be mutually equals. Therefore, in this case, we cannot conceive a social contract between 'human beings' and 'property'. A property is treated like a thing without soul, spirit, and it does not have any values but the one fixed by the owner and the law. More historical evidence of dehumanization of the African people in America is

found in the cases of lynching. Lynching demonstrated there were no limitations to the ownership concept. Masters could dispose of African people like they could dispose of a pen, toilet paper or any items to be used and thrown away after usage or when it bothers. The lynching of an African person in America was considered an act of community reconciliation, healing, or libation, as illustrated by Douglass when he affirms that there is no doubt that the late nineteenth and early twentieth centuries were a heyday of Negro murder. He added that contemporaries justified 'lynching bees', as they called them, for every violation of the Southern etiquette of racial inferiority. "The lynching bee...became a social institution, a community gathering spontaneously mobilized to expiate a sin; and its perpetrator was considered beyond the pale of normal judicial process. When the accused was hung, castrated, shot, tortured, or burned " in a business-like manner", a neighborhood returned to its normal state assured that true justice had been done. Lynching acted as a community catharsis".

Earlier, I referred to Fanon (1967) as saying that white men consider themselves superior to black men. I also mentioned European philosophers who provided the rationale for the institutionalization of racism and slavery. The so-called superior human beings have found ways to justify their superiority, and even make it self-evident in the face of the world. The concept of whiteness found later in the nineteenth century in America was another rationale of institutionalized dehumanization of the African people. Harding (1981) captured better the letter and spirit of what we mean by the 'raison d'etre' of the African people quest for humanity when he wrote:

the river of black struggle held all these speaking, acting, and enlivening words, all these bold, challenging heroic lives, and it was always moving,

rising in the midst of the slave community...Always, under the surface of slavery, the river of black struggle flowed with, and was created by, a black community that moved actively in search of freedom, integrity, and home- a community that could not be dehumanized. (p. 74.)

It appears then that the logical aspiration of the African people all over the planet was to reclaim their humanity. The struggle for dignity, freedom, civil rights or political independence was other names of the same struggle for humanity. As Nat Turner (Harding, 1981) pointed out, the promise of the promised land of freedom could not have been predicted by the masters. What they forgot is the self-evident truth that the destiny of a human being is to be fully human. "I shall arise and prepare myself, and slay my enemies with their own weapons" (p. 78).

The necessity of the struggle for humanity is dictated by the horror, indignity, dehumanization, denial of identity the African people have endured in the world. Nat Turner did not stand up for his own freedom only. He stood up for the freedom of all black people. From Nat Turner to Malcom X, Martin Luther King, Patrice Emery Lumumba, Nelson Mandela, Nkwame Nkrumah, or even academic warriors such as Molefi Asante, Cheick Anta Diop, we see the same rage in their faces, the same message spreads out in different styles, from different perspectives, to different audience, but one common message, the humanization of African people in the world. Dr. King (1964) warned us that freedom is never voluntarily given by the oppressor. On the contrary, it must be demanded by the oppressed. Nat Turner was speaking in the nineteenth century, while Dr. King is a contemporary figure. One wonders why the message remained the same. The answer is simple: the condition of the oppressed has remained the same. Prejudices, racism, and other forms of dehumanization have persisted across black

history around the world. Recently in America, the Ishmael Reed's Konch Magazine (September 21, 2000) reported how the outstanding performance of tennis star Venus Williams was portrayed after a convincing victory over her white counterpart Martina Hingis:

...the often biased reporting of some tennis commentators on both television and in newspapers have created an atmosphere where the Williams sisters are subjected to such traditional racist mythology as the powerful black athlete who survives merely on raw talent and intimidation, never on strategic thought, finesse, or general intelligence. On the other hand, the same commentators have praises for the Williams' sisters opponent, Martina Hingis, of European descent, with endless references to the superior intellectual abilities and analytical prowess of Martina over that of the natural physical strength and intuitive power of Venus and Serena. (p. 11)

There are a couple of points that struck my intellectual curiosity. First, the Williams' sisters are Americans of African descent, and Hingis is European. Second, the Williams' sisters and Hingis are all athletes, in the same field of competition that requires the same skills. However, prowess of athletes of African descent are described as outcomes of 'raw talent', while prowess of the European are logical result of 'superior intellectual abilities and analytical prowess'. I have difficulties to honestly differentiate this type of rationale from Kant's, Hegel's or others. Furthermore, there is but one step to conclude that the Williams, though living in this century, are not better off than their counterpart racial brothers and sisters since the sunset of enslavement. The struggle has changed names over its long journey but the cause is still the same. 'Civil Rights Movement', 'Black Panthers', 'U.S. Organization', 'Million Men, Woman, Family March', 'NAACP', all are names of the same struggle for more humanity. Apparently, the African people in America have not won the 'war' yet, despite winning important and

decisive battles. The road to complete victory is long and painful. The ‘enemy’ is strong and skilled. Therefore, the ‘war’ requires more sophisticated skills on behalf of the African people in America to detect the ‘enemy’s’ strategies. The African people in America have demonstrated to have those skills it takes to continue the quest for their true humanity. From a conceptual or philosophical standpoint, Asante (1987) has proposed afrocentricity he defines as:

the most complete philosophical totalization of the African being-at-the center of his or her existence...Not only is it an individual or collective quest for authenticity, but it is above all the total use of method to effect psychological, political, social, cultural, and economic change. (p. 125.)

Asante’s message seems to be that humanization is multidimensional. It requires a holistic approach that helps people to reclaim all dimensions that shape a human identity. For example, it was not enough to recognize African people in America their citizenship without giving them equal access to the wealth of their country, education, health care, social security, etc. In Asante’s view, an authentic afrocentric paradigm is aimed at the propagation of a “more humanistic vision of the world”. His argument is pertinent in a sense that it conceptualizes the same idea of humanization the leitmotiv of the African people around the world. What is more, it rejoins our personal view that any debate involving the definition of humanity in the world must never belong to a hegemonic group to the exclusion of others. The real merit of the quest for humanity by the African people in America will then be that it allowed a systematic destruction of the major arguments that have shaped the monolithic debate of white supremacy.

A quest for humanity is a search for freedom, justice, dignity, and humaneness, or more simply, a search for a better and more humane world. Frantz Fanon (1967) argued



that only a human world is the world of reciprocal recognition. The quest for humanity by the African people in America is then the search for a world of universal justice.

Consequently, the struggle of the African people in America is an African struggle, too.

Lynch (1999) put it this way:

The bottom line of our plight is that it is the fate we deserve... at least some of us think so...after the betrayals and assassinations of Patrice Lumumba, El Hajj Malik El Shabazz (AKA Malcom X), Dr. Martin Luther King, Walter Rodney, Maurice Bishop, Amilcar Cabral, Samora Machel, Thomas Sankara, Steve Biko, Chris Hani, Li'l Bobby Hutton, George and Jonathan Jackson, Fred Hampton, Ralph Featherstone, Frantz Fanon, Dedan Kamathi, Henri Dumas, Peter Tosh, the Attica Brothers, and many, many more...At the dawn of the new millennium, we seem like silent shadows imitating and regurgitating our master's voice...echoing the illusions which made us into sound bites and ideograms of powerlessness and self negation...We deny our reality. (p. 14)

I strongly urge that the African people all around the world do not deny their reality, for the price our ancestors and elders have paid to reclaim our humanity has been extremely high. To deny our reality will be to deny ourselves. Other people have denied our right to be ourselves, therefore African people cannot afford to repeat the same mistake. Because the price to pay for the never-ending quest for humanity is high, we suggest that education be one of the keys, if not the master key to achieve such goal. We define education here as a process by which a person is provided, formally or informally with the elements he/she needs to critically interpret the reality in which he/she lives. Several thinkers, including Lynch (1999), DuBois (1973), Woodson (1933), Asante (1987), or others have raised their voices to lay out the meaning of true education that will serve the interest of African people. We strongly defend the idea that only well informed/educated African people in America will escape being swallowed by new forms

of dehumanization overwhelmingly present in today's America. As a continental African, I have developed a particular interest in observing how today's African Americans fight against new forms of dehumanization. I choose to illustrate my argument with the depiction of Africa the Hollywood industry. In fact, from that 'Holly'wood has constantly emerged an image of Africa as eternally savage, uncivilized jungle with naked human beings who cohabit with wild animals. Three observations cross my intellectual curiosity:

1. From an environmental standpoint, I am flattered to see filmmakers portray Africans as pacifically sharing the planet with nature. To some extent, I deeply wish them to continue with that myth, even if it is precisely just a myth. In my entire existence in Africa, there is only one place where I could see a living lion or giraffe: the Zoo. Wild animal and human beings do not live together for the same reason they don't live together in America or any other societies. Only a racist viewpoint could justify the opposite argument, because only people who are not considered as humans could be imagined and portrayed that way. Therefore, we are only a step closer to a Hegelian argument and its historical dehumanization consequences suffered by blacks in the world.
2. Americans of African descent who buy into and accept the idea of Africa and Africans' lack of civilization are not doing better than Hegel, Hume, Kant or Hollywood. This lack of critical thinking vis-à-vis consumerism is against the ideal of African struggle for humanity. While I could make an effort to

understand a young African American who asks me if I used to live with poisonous snakes in my room back in the continent, I intellectually refuse to apprehend with my educated American brother or sister who asks me if I used to drive a leopard before I drove a Honda in America. I will not accept the argument even as a joke, because jokes are usually derived from myths, and usually are the socially accepted 'civilized' way to state certain unpleasant realities. What is true about the jungle could also be applied to other African misfortunes, including poverty, alimentation, health, politics, etc. Consider the following: during a class discussion about the role of America in African civil wars, a professor asked the class to discuss the rationale of the American involvement in the African continent. One American of African descent argued that the American involvement in Africa was made necessary by the lack of political maturity or readiness of African countries. Therefore, he added, as leaders of the free world and defenders of democracy in the world, Americans have the obligation or the 'manifest destiny' to intervene in those countries without democracy and civilization. The argument has logic but does not stand an epistemological critique. What is democracy and what is civilization? How does this argument escape the danger of racial superiority? What is the scope of this student understanding of the American role in the proliferation of civil wars in Africa and the world? What is the true meaning of 'manifest destiny' and what gives America the 'universal mission' to be the leader and defender of world democracy? Why not India, the largest

democracy, and how the rationale of my brother American of African descent could be differentiated from Hegel's? I am not sure that rationale responses to these questions could have generated an objective discussion in the class!

Often, the art of rationale argument is obstructed by subjective, rhetoric and ad hominen arguments. However, for the sake of a mere objective intellectual debate, let me continue the destruction of the argument. From an afrocentric paradigm, this student should have asked to himself if his argument in favor of American intervention in the world was based on his true understanding of the reality he was talking about. Again, let's illustrate the argument with fact.

When in 1962 the United Nations strongly backed by the United States government to intervene in the Congolese political crisis, two things happened, from our analytical viewpoint. First, the U.S. government helped overthrow a legitimate government, elected by the sovereign will of the Congolese people, in an effort to establish democracy for the first time to a country occupied and destroyed by 85 years of King Leopold II's despotism. What the U.S. backed coup did was to destroy the foundation of a young democracy. Second, the U.S. government and its U.N. allies posed an act which showed a lack of consideration for the profound aspiration of the African people of the Congo. From an African-centered perspective, they disregarded the legitimate aspiration of the African people of Congo for human emancipation and search for self-well being. What is more, the U.S. government and its allies' actions were an underlined manifestation of their

prefixed conception of black inferiority to think and organize themselves. In other words, they acted with the same instinct of dehumanization that has always characterized the European vision of black people. This fellow student could have objected with the same ad hominen rhetoric that the U.S. government was just doing the correct thing as world leader and defender of democracy. However, could he had said the same if he knew the true motives for such intervention? A true leader with a genuine vision of humanization of his people was assassinated, better said killed, stopping with his death a democratic process that has never been recovered since. What this student did was to merely perpetrate, with a deplorable sense of innocence, an ideological rhetoric of imperialism. But, what he terribly missed in his analysis was a critical understanding and interpretation of reality. He did not go beyond the robotization of mind in which he has been submerged as American. He did not interrogate reality from an African-centered perspective, letting himself be just an American and not an African American with historical perspective. He simply failed to deconstruct this new form of dehumanization, as Malcom X, DuBois, and other leaders warned us.

3. It is true that Africans in America are Americans first, as pointed out by authors like James Baldwin, however, it is equally true that we all are Africans trapped in the same struggle for humanity. With Malcom X and Dr. King, we should re-affirm the relationships between the struggle that is going on on the African continent and the struggle that is going on among the Afro-

Americans. Let's not give arguments to the dehumanization theoreticians to get stronger. The 'to me a nigger is a nigger' stereotype must be stopped, not perpetrated. What is said about Africans in America is equally applicable to Africans on the continent. Having preconceived ideas about people will certainly not help the cause of humanization of African people. We need to be more educated in that sense. I agree with Woodson (1993) and DuBois (1973) that the education must help African Americans and all Africans to become constructive force in the development of their race. According to Paulo Freire (1997), a good education must be a dialogue that leads to true humanization. If the recipient of an education does not get what it takes to become more human, then his/her education has not served a purpose. Education is the master key for African people in America because the society is sophisticated to the extent that its members are robotized, reduced to a mere consumer role. For people who have been constantly denied the possibility to define themselves in their own terms, this is a serious matter of human survival. There is a real danger for them to be submerged in a world they do not control, therefore a world that has complete control of them and their reality. Paulo Freire (1997) warns us against the danger when he argues that when people lack a critical understanding of their reality, apprehending it in fragments which they do not perceive as interacting constituent elements of the whole, they cannot truly know that reality. To truly know it, they would have to reverse their starting point. They would need to have a total vision of

the context in order subsequently to separate and isolate its constituent elements and by means of this analysis achieve a clearer perception of the whole. We must recognize with Patterson (1998) that the Afro-Americans lies at the heart of Euro-America's conception of itself as "race", as a culture, as a people, as a nation... We should be very careful never confuse interaction with mutuality. Each group may have influenced the other, but the terms of trade were brutally asymmetric and amounted in most respects to outright social, economic, and cultural parasitism. Or, to draw on Ellison..., the Afro-American came to be "recognized as the human factor placed outside the democratic master plan, a human natural resource who, so that white men could become more human, was elected to undergo a process of institutional dehumanization.

Americans of African descent have the responsibility to detect new forms of dehumanization and avoid therefore repeating mistakes of the past. Historical consciousness should be the guide in the interpretation of today's reality. Michael Jordan should not be worshiped as a superhuman while at the same time O.J. Simpson and Mike Tyson are just niggers like Bigger Thomas. They should all be recognized as fully humans, with all it takes to be human, that is capable of great achievements but also of horrible weaknesses. To consider the African in America only from the achievements of a Jordan and Wood should not limit themselves to be only recognized as extraordinary athletes. There is more that would make them real heroes. If the American society could in them defenders of their people, and the society in general, they will be more than

heroes. As it stands now, I see Michael Jordan and Tiger Woods as excellent black achievers in a capitalist society. The next step should be for them to embrace the cause of their people and become what Woodson (1993) called factor of social, cultural, and political development for the African American community to which they belong first, and if possible, for any dehumanized community of color in the world. Jordan would be an uncontested role model in his native community for all young black Americans who dream of becoming leaders in their community. He could promote an education that shape needed values in those youths, be a voice for those who are denied their rights and human dignity. I believe Jordan fails short in what he can achieve as member of a dehumanized community when he limits himself to declaring that he is only an athlete and that his only job is to play basketball. Tiger Woods would be a respected voice for Americans and Thailand youths. When teenagers from Thailand are being exploited as less-than human beings in factories making commercial items promoted by black stars including Tiger Himself, the Williams' sisters, or Michael Jordan and other big money making people of African descent, there is a wrong message sent to the world as far as their commitment to the promotion of humanity dignity is concerned. If thirty-five cents an hour is not a salary that can help a human being to live a decent life, then there is a case of dehumanization. If there is a person of African descent who is the beneficiary of this exploitation, then we are facing a new form of dehumanization of black people in the hand of people. What is said of Woods, Jordan, the Williams and other African American athletes applies to Mutombo Dikembe of the Democratic Republic of Congo, Hakim Olajuwon of Nigeria, El Duque Hernandez of Cuba, Poncho Renteria of Colombia, Lewis



Lenon of the United Kingdom, and other athletes of color. They should become factors of development, promoters of humanization of their people. When Venus Williams received a telephone call from the President of the United States to congratulate her on her victory at the U.S. Open, Venus asked the most powerful leader on earth if he could do something to lower the burden of her taxes. And the President went further to invite U.S. Open champion to a diner at the White House. It could have been politically incorrect for Venus to add at her request on the telephone for lower taxes for million of poor people, including African Americans. But imagine Venus at diner table with the President and making the same request for her all poor people, far from curious microphones. I cannot predict what the President's response would have been, but I can certainly imagine that Venus would have learned about certain policies that dehumanize people.

People who do not control the reality in which they live are controlled. Controlled people are not fully humans. A logical deduction of the syllogism suggests that there is a direct correlation between education and humanization, and vice versa, between mis-education and dehumanization. To be complete, the quest for humanity by the African people must embrace all dimensions of their lives in America, including but not limited to culture, psychology, spirituality, economics, social, religion, etc.

In agreement with Malcom X, DuBois, Asante and others, I strongly argue that the cause of humanization of African Americans is also the cause of Africans in the continent and all over the world. Lumumba's assassination in the hands of his Congolese brothers with the blessing of European and American forces was not only a set back in the development of one African country, but also and another form of dehumanization of

black people. As pointed out by Dr. King (1964), we believe that African Americans and other Africans humanization will never be voluntarily given to them. It must be demanded by the dehumanized people. As pointed out by DuBois (1973), the best way to full humanization is certainly through education, because it will help black people to acquire more universal training in a way that enable them to apply general principles of knowledge to the particular circumstances of their condition.

### *The Zairian Experience*

Patrice Emery Lumumba, the only democratically elected Prime Minister in the history of Zaire, summarized better than anyone the necessity for an African-centered and democratic political system, as the best way to humanize the African people, in general, and the African people of Zaire in particular. In fact, Lumumba's speech on independence day (Van Lierde, 1963) has become his political legacy to his country and the world. While President Kasavubu used his historical speech to praise the Belgian government and King Baldwin for their support of the Congolese people, King Baldwin emphasized that independence was generously given to the Congolese people by his government. Instead, Prime Minister Patrice Emery Lumumba went into national history with a speech which put in perspective the African-centered and historical meaning of the independence for the Congolese people. Here is the French and original version of part of his speech (De Witte, 2000):

Nul Congolais digne de ce nom ne pourra jamais oublier que c'est par la lutte que l'indépendance a été conquise, une lutte de tous les jours, une lutte ardente et idéaliste, une lutte dans laquelle nous n'avons ménagé nos forces, ni nos privations, ni nos souffrances, ni notre sang... Nous avons connu les ironies, les insultes, les coups que nous devons subir matin, midi et soir, parce que nous étions des noirs. Qui oubliera qu'à un Noir

on disait “tu”, non certes comme a un ami, mais parce que le “vous” honorable etait reserve aux seuls blancs? Nous avons connu que nos terres furent spoliees au nom de textes pretendument legaux qui ne faisaient reconnaitre que le droit du plus fort. Nous avons connu que la loi n’etait jamais la meme selon qu’il s’agissait d’un Blanc ou d’un Noir: accomodante pour les uns, cruelle et inhumaine pour les autres. Nous avons connu les souffrances atroces des relegues pour opinions politiques ou croyances religieuses; exiles dans leur proper patrie, leur sort etait vraiment pire que la mort elle-meme... Qui oubliera enfin les fusillades ou perirent tant de nos freres, les cachots ou furent brutalement jetes ceux qui ne voulaient plus se soumettre au regime d’une justice d’oppression et d’exploitation. (p. 33)

Lumumba’s speech was obviously referring to the legacy of Belgian colonialism in Congo. The destruction of Zaire political and economic tissues began with the appearance of the king of Belgium in the country’s national life. In fact, it has now well been documented (Hoschschild, 1999) how King Leopold II exploited the Congolese territory for personal wealth. Leopold II has been described as Congo’s first dictator who plundered the country’s wealth. His methods are similar to those used by Mobutu to pauperize his own people. In fact, both King Leopold II and Mobutu’s systems brought this central African country to the same result: the decline of a rich country. According to Adam Hoschschild (1999), King Leopold II of Belgium carried out a brutal plundering of the Congo, slashing the country population by as much as ten millions, while presenting himself to the rest of the world as a great European humanitarian. The fact is that this European ruler was bale to manipulate other European leaders with the ultimate intention to gain sole ownership over the rich territory then known as Congo. In a century were Europe deliberately and unilaterally decided to tear up at its will the African continent, the King of Belgium, a country 80 times smaller than the Congo, realized that his only opportunity for personal wealth, honor and power resided in joining forces with his

European peers in the conquest of ‘ uncivilized’ world and people. King Leopold II systematically plundered the Congolese territory and its inhabitants, showing by so doing the selfishness will of an obsessed King to get as rich as possible, in detriment of the very inalienable rights of the Congolese people to human dignity. For over 80 years, the King of Belgium transformed a whole nation into a private property. When in 1905 the Belgium government realized the resolve of the Congolese people for self determination, the country was unilaterally declared a Belgium territory, going from a personal property to a national property status. When the Congo finally acceded to its sovereign independence in 1960, Belgium has for by then achieved its economic and social prosperity to the expenses of the freedom and human dignity of the Congolese people. More than in any other of the European colonial powers, King Leopold II extracted the wealth that built Belgium from a cruel exploitation of his colony. He outfoxed his European competitors by pretending to set up an international society to supervise the Congo basin, before taking over as his own private property a territory 80 times the size of his kingdom. Hoschschild pointed out that Leopold II told his advisors that Belgium needed an empire, which he got by 1885. The Congolese territory and its raw materials, as well as its people became the exploitative objects of the Belgian king. Eventually, the Belgian Government became aware of the fact that the King’s agents had been using forced labour to harvest rubber, by punishing Congolese people who resisted paying the rubber-tax. By the time the Congo became a Belgium colony, Leopold II personal fortune was enormous, while his rule destroyed thousands of villages and left an estimated three million people dead. Leopold II’s years of terror created a long-lasting pattern of plunder.

Therefore, Lumumba's reference to colonialism was a just reminder of what freedom, and self determination meant to his people. His fight for democratic system was rooted in a genuine African-centered need for humanization and well being of the African people of Zaire.

The horrendous memory of Leopold II's totalitarian regime and dehumanization of the African people of Congo was unfortunately revived and matched by own Zaire's Mobutu Sese Seko Kuku Ngbendu WazaBanga. In fact, Mobutu's over 30 years of African leadership of the country matched the same level of dehumanization, as we have demonstrated in this dissertation. Therefore, the need for a democratic system has been established, both historically and theoretically. The next step will consist of proposing an African-centered model of participatory democracy, capable of promoting the well-being of the African people of Zaire.

#### Participatory Democracy as an African-Centered Necessity

Former Russian leader Mijael Gorbachev (1987) defended the necessity of democracy as political system by affirming that in all human societies, any individual has the desire to be an integral part of all decisions affecting the functioning of his global society. Therefore, any individual will prefer to live in a society where his opinion is solicited and taken in account. Therefore, a society based on collective contract and democracy is more likely to promote the individual well-being, while providing him also with a real sense of citizenship and patriotism. However, Alexis de Tocqueville (1978) warns us against a certain naïve perception of democracy. In fact, he pointed out that to be successful, democracy must be a progressive development of equality first, to allow all

and every one to reach full common well-being, including beyond hereditary differences and inequalities of fortune. Participatory democracy offers the opportunity to all citizens of a given society to actively participate in the political life, promotes individual independence and interest for public cause. In other words, political participation democracy stimulates individual and social qualities of citizens. However, such participation can only be guaranteed in a democratic system, which by essence offers the citizens a wide range of rights, freedom and sufficient resources which allow their participation with an equal chance in the decision making process. According to Robert Dhal (1991), participatory democracy is a political system in which members of the society consider themselves mutually equals, collectively sovereign and possess all capacities, resources and necessary institutions for self-government. It is certain that democracy, like any other system, has its defects, but it is also certain that compared to other systems, democracy is more likely to promote individual and collective well-being than any other system.

Given the failures and misdeeds of Mobutu's totalitarian system, we propose that Zaire's road to justice and well-being resides in an African-centered participatory democracy based on consensus. This democratic model will more likely, in our view, respond well to a Zairian society divided by more than three decades of internal conflicts as consequences of Mobutu's totalitarian system, in addition to almost a century of Belgian de-humanization. Participatory democracy offers a viable alternative to majority democracy mostly because it provides minorities with legitimate aspiration and chances to be integral part of the decision making process. In the Zairian society, majority

democracy would eventually perpetuate a majority dictatorship controlled by a wealthy minority, and thus potentially be the source of more civil conflicts. Participatory democracy for the Zairian society should include the following modalities (Lijpart, 1987):

1. Participation of all at the executive level thanks to large coalitions.
2. Formal and informal separation of powers.
3. Balanced House of Representatives model assuring minority representation.
4. Multiparty political system.
5. Multidimensional political party system.
6. Proportional representation or share of parliament seats based on the number of votes obtained in the polls.
7. Decentralization, and territorial and non-territorial federalism.
8. Written constitution and minority veto right.

Participation of all society members in the decision making process is an African tradition captured in so many proverbs. According to the Yaka tradition of Zaire, a central government is like a river which cannot pretend to have enough water to satisfy the thirst of the whole village if it does not itself receive more water from small rivers. *Ndzadi kabaasila bana ba n-koko* (that is: An ocean gets bigger with the water it receives from small rivers. Yaka Proverb).

Directly or indirectly, an African-centered democracy should promote the participation of all levels of social groups in making the decisions that affects the whole

society. It is believed that one person cannot judge a matter affecting the whole society with full justice.

“ *Luluungu lumosi lutwa ko matongo* ” ( One single pepper can not season a whole cooking pot of meat. Yaka Proverb).

“ *Kiindzu ki meta kibaasila baatu khama* ” ( It takes the saliva of hundred people to fill up a cup. Yaka Proverb).

These three Yaka proverbs show an important dimension of traditional African political system. Democracy as a concept or rationalized ideal may probably not be African, but the practices of self-government, self-determination, are present in traditional Africa. The three proverbs underline the important role of consensus as determinant factor in traditional African political process. If we define a political decision as a deliberate set of statements aimed at affecting the organization of a whole social community, it becomes clear then that the more participation of the community members in the decision making process, the more likely the decision will be effective, and accepted by the majority of community members. This is to suggest that the ideal participatory democratic model for Africa, in general, and Zaire in particular, will be the one based on consensus and not simple majority like in most modern democratic systems. Therefore, the success of Zairian democracy will be judged on the ability of its political actors to create procedures and institutions on consensus rather than merely simple majority. This model is justified given the social and human fabric of the Zairian nation, made of more than 250 different ethnic groups, arbitrary melted into one territorial limit by the European colonization in search of European interest, rather than African self-



determination. After more than 80 years of King Leopold II and Belgium's control of the territory, the first and only elected national government that came after the nation independence quickly realized the need for national consensus through territorial self-autonomy led by a central government. Lumumba's led government adequately realized the need to create laws, constitution, political institutions, and political techniques capable to support a central government, while at the same time providing large autonomy to local political entities. Lumumba wanted a unified nation in a democratic state. Above all, his vision was to empower Congolese themselves to re-organize their government for the best interest of the Congolese people. His famous independence day speech (Van Lierde, 1963) confirms this vision when he declared in front of the King of Belgium that his government was taking seriously the right of the Congolese people to independence. He also added that the end of colonialism did not mean the end of the struggle for self-determination. In fact, Lumumba made it clear that his government wanted a new way of life for the Congolese people, aimed at their well-being and human dignity. This new way of life required a radical change of territorial ownership, and laws. In one words, Lumumba intended to build a new African-centered nation, using national consensus as *modus vivendi* of political decision making. This shift in the discourse constituted a demystification of Belgian hegemony. As pointed out by Molefi Asante (1987, p. 27), by "defining not only the terms of discussion but also the grounds upon which the discussion will be waged, the established order concentrates power in its own hands". In Lumumba's view, the new Congolese political discourse was obliged to relocate the center of priorities from European-centered to African-centered in order to

respond to the real needs of the Congolese people. He re-evaluated the global history of the Congolese people from a Congolese perspective, as opposed to the imposed Belgian perspective and determined that the symbolic gesture of independence was not enough to satisfy the aspiration of his people for autonomy, freedom, dignity, and social prosperity. Therefore, any perspective to define the new project of the Congolese society must have been decided from a Congolese standpoint, taking in consideration their proper history and human aspirations. Lumumba simply redefined the new Congolese space by placing the Congolese interest at the center of any negotiations with the Belgian government. He went against the speech of the King of Belgium, Baldwin II wanted to affirm that independence was a gift to a relatively mature people still in need of Belgian assistance. In fact, King Baldwin II went on to warn the Congolese people not to compromise their future with hasty reforms (Van Lierde, 1963). Instead, he “kindly” warn the Congolese people not to replace the institutions left by his country as long as the Congolese people were not sure of their capacity to do better than the Belgians. What is more, the Belgian King reminded the Congolese people that Belgians were still there at their rescue, whenever they were needed. An African-centered critique will quickly determine that we are facing a hierarchical discourse here with its three characteristics, including control over the rhetorical territory, establishment of a self-perpetuating initiation or rite de passage, and the stifling of opposing discourse (Asante, 1987). Lumumba’s African-centered reinterpretation of the Congolese history reset the clock according to his people’s new vision of time, the time for self-determination and human dignity.

The Sovereign National Conference of Zaire in the 1990's was a moment of search for justice, harmony, or Ma'at (Asante, 1987) for the Congolese people as it allowed them to re-evaluate their sense of unity, through an understanding of the causes of social conflicts, the aspiration to peace and ultimately, the re-creation of the original harmony and balance lost because of the negative actions of European colonialism first, and then more than three decades of Congolese own Mobutu's totalitarianism system. This national forum has confirmed the African traditional value of consensus as privileged decision making method.

We have tried to analyze an African phenomenon using the African-centered paradigm. We tried to demonstrate that Mobutu's political system inaugurated in 1965 and which lasted more than three decades meets all characteristics of totalitarianism. We demonstrated that the failures and misdeeds of Mobutu's system were a clear evidence of the lack of an African-centered vision of the system, which in fact, did not put the interests of the African people of Congo at the center of this political project. What is more, Mobutu's political vision was not African-centered because he failed to promote the well-being of the African people of Congo. On the contrary, we have established that Mobutu's misdeeds and failures only equaled those of King Leopold II of Belgium who used the Congolese territory as a personal property to gain personal profit, at the expense of dehumanizing the Congolese people. His totalitarian system has no precedent in African political tradition. Mobutu's authenticity was perceived as an attempt to humanize his political project, but a thorough analysis revealed that this policy was a missed opportunity for an African-centered way of governance.

Mobutu's political actions of the 1990's, mostly as they refer to the National Sovereign Conference were critically analyzed and found to be a deliberate attempt to obstruct the momentum of democracy for the African people of Congo. Moreover, his obstruction was perceived as evidence of his attempt to obstruct the search for harmony and peace of the Zairian people, a rejection of the African-centered truth that without Ma'at "there is no understanding, no harmony, and no possible restoration of balance" (Asante, 1987, p. 95). Politically speaking, Mobutu's obstruction became an effort to conserve the status quo of his totalitarian system.

From an African-centered standpoint, participatory democracy becomes a necessity for the African people of Zaire, in search of that national Ma'at or harmony. Participatory democracy based on consensus was found to be more likely to respond to the specific needs of the African people of Zaire, because of the long history of disregard of the will of the people, injustice, lack of dignity, and dehumanization, under King Leopold II of Belgium and Zaire's own Mobutu Sese Seko Kuku Ngbendu Wazabanga.

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