

UNIVERSITY OF ANTWERP

INSTITUTE OF DEVELOPMENT POLICY AND MANAGEMENT

Dissertation

Decentralization and Power in the DRC

**An analysis of the relations of power between the
DRC's central, provincial and DTE state levels that
drive and are driven by decentralization**

Dries BOEYE

Master of Development Evaluation and Management

Supervisor: Prof. Dr. De Herdt

Academic Year 2014-2015

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Preface

The process towards this dissertation, which started in the academic year of 2012-2013, has been marked by inefficiency and delay. However forbearance prevailed over acquittance for which I am thankful to Prof. De Herdt and Dr. Marivoet. Their patience and advice allowed me to modestly discover the topic of decentralization in the DRC in a rather a-typical way. It was only in the autumn of 2014 that I picked this topic of which I knew rather few. Actually it is better to say “I know”, rather than “I knew,” because I believe that much more is needed than a in Belgium based desk study to get to know a topic as broad as the decentralization reform in the DRC let alone write a paper which can help it’s people in their struggle for a better future.

On another level, I am grateful to many people whom help me along the way towards this final work. First, to all my classmates at IOB whom brought me inspiration and knowledge from all over the world. Second, to all my colleagues and all the youngsters of vzw Habbekrats, whom have learned me more than books can teach. Third, to Leen, Dirk, Joris, Jeroen, Jill, Lisa and the baby to come, whose love has been my engine. To end, this dissertation is dedicated to Andreas De Ruijter, whose enthusiasm and optimism accompanied me along the road.

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List of acronyms

| | |
|----------|--|
| AFDL | Alliance of Democratic Forces of the Liberation of Congo |
| DRC | Democratic Republic of Congo |
| DTE | Decentralized Territorial Entities |
| EU | European Union |
| FNLC | National Liberation Front of Congo |
| FRUONAR | United Front of non-armed opposition |
| IMF | International Monetary Fund |
| MONUSCO | United Nations Organization Stabilization Mission in the DRC |
| MLC | Movement for the Liberation of the Congo |
| RDC-Goma | Rally for the Congolese Democracy of Goma |
| PPRD | People's Party for Reconstruction and Democracy |
| TIC | Tax of Common Interest |
| UN | United Nations |
| UODC | Union of the Opposition of the Democratic Congo |
| USD | United States Dollar |

Executive Summary

In order to analyse how vertical relations of power within the DRC shape decentralization reform and vice versa, this analysis starts with a firm elaboration on the concept of decentralization. A distinction is made between *deconcentration*, *devolution* and *fiscal decentralization* and their benefits, risks and disadvantages are discussed. It is argued that whichever of the latter effects prevails is influenced by the exact content of a decentralization reform and the context in which it takes place. Then, the analysis moves towards the history of recurrent centralization and decentralization in the DRC. It shows how the current decentralization reform is rooted in a long history in which the state's hierarchy has constantly changed as a result of the shifting relations of power. After this historic introduction, the current 2006 decentralization reform of the DRC as well as its merits, risk and disadvantages are discussed. It presents possible benefits such as: decrease of the proximity gap of the administrations, increase of local-decision making and participation, stabilization of national unity, a better vertical distribution of the budgets and an increase of tax revenue. It presents risks and possible disadvantages such as: the lack of capacity, unwillingness within the bureaucratic administration, oppression of minorities, decrease of national unity and horizontal imbalance of fiscal decentralization. Based on the previous, the focus turns towards the analysis of power relations and decentralization reform and their reciprocal relationship. The analysis shows that the central level, where power itself is horizontally centered around Joseph Kabila, has been able to procrastinate large parts of the decentralization. In doing so, the center has remained the predominant power despite the highly decentralized nature of the constitution. However, the analysis also shows that, some, yet far from all, provinces have been able to firmly increase their absolute power and their power vis-à-vis the central level. They have done so on the basis of their advantageous endowments and by capitalizing on the, insufficient but existing, decentralization reforms undertaken. In addition to this, they have increased their power by holding back on the further decentralization towards the DTEs. The latter level, although identified as key in order to harvest many of the possible development benefits, has been deprived of almost all resources. Moreover, their autonomy is negligible as local elections have yet to take place and local leaders are nominated by the center. The analysis ends by discussing the recent installment of the new provinces. It argues that, rather than being the long awaited leap forward in decentralization, it can be viewed as an attempt of the central level to recentralize power by hampering the increased power of the richest provinces and their political elites.

Introduction

Abstract

This dissertation is an analysis of the vertical relations of power within the DRC state that shape decentralization reform and vice versa. It is argued that the central level of the DRC, where power is in itself centred around Kabila, has been able to maintain dominant vis-à-vis the provincial and DTE levels. However, some provinces have been able to firmly increase their absolute power and their power vis-à-vis the center. They have done so on the basis of their advantageous endowments and by capitalizing on the, insufficient but existing, decentralization reforms undertaken. In addition to this, they have increased their power by holding back on further decentralization towards the DTEs. The latter level, although identified as key in order to harvest many of the possible development benefits, has been deprived of almost all resources and autonomy. The analysis ends with a discussion on the recent decentralization reform. It is argued that they show how the central state is using a partial implementation of decentralization in an attempt to reaffirm its dominance.

Introduction

In 2006, after a decade of civil war and state disintegration, the 3th Democratic Republic of Congo (DRC) was installed with the adoption of a new constitution. The constitution provided the legal basis for a highly decentralized Republic. The DRC would consist of 26 provinces instead of the existing 11 provinces. These provinces would possess legal personality, enjoy administrative freedom and managerial autonomy with regard to their economic, human, financial and technical resources. On a lower level, the decentralized territorial entities (DTE) (city, commune, sector and chiefdom) enjoyed a similar status. With their large degree of autonomy, the provinces would govern over a broad range of competences: education, health, non-nuclear energy, planning of mining, agriculture and forests, access to water, public finance, small border trade, etc. Governing these competences would be the responsibility of a provincial government led by a governor and balanced by a provincial assembly. In order to execute their responsibilities, the provincial governments would be allocated 40% of national revenue. This revenue would be retained at the basis preventing the provinces from being dependent on the will of the central government under retrocession of taxes. Also, a National Trust for Equal Development would anchor provincial solidarity.

Two main reasons are given for this high degree of decentralization provided by the constitution. The first concerns national and regional stability. A legal basis for a reallocation of powers within the Congolese state had been essential in order to find a compromise between Joseph Kabila and the armed groups opposing his rule. For the former,

decentralization offered the possibility to legitimize his rule and reintegrate large uncontrolled areas of the country. For the latter, decentralization offered the prospect of attaining larger degrees of state-legitimate regional power (N Gaynor, 2014). The second concerns human development. For the international development agencies, who played a vital role in the transition period, decentralization had been a widely supported reform in many developing countries to increase state building and good governance (Crawford & Hartmann, 2008). The primordial theoretical argument was that decentralization would increase citizens voice and local accountability and subsequently the responsiveness of government.

Nearing the 10th anniversary of the DRC, it is clear that decentralization has not been able to bring about both of these promises. The first one has been achieved partially. The scale and intensity of violent conflict is drastically lower in the decade after the inauguration of the new constitution, in comparison to the decade before it. However, armed rebel groups and defections remain a threat to national unity. Also, political oppression has remained omnipresent in the DRC (Human Rights Watch, 2008). Moreover, the importance of the MONUSCO peace-keeping mission should not be underestimated (Neethling, 2011). However, general agreement exists that in the first decade, decentralization reform in the DRC has failed to deliver an increase in human development through a betterment of governance (Bouvier & Omasombo Tshonda, 2012; Bouvier & Tshonda, 2014; Pierre Englebort, 2012; N Gaynor, 2014; World Bank, 2010).

In this dissertation I aim at contributing to the understanding of this failure by drawing on the notion that governance is the result of a negotiation process between different centres of authority (Titeca & De Herdt, 2011). In this light, I look at the implementation of the decentralization reform as an act of governance itself. Analysing it as such, gains insight into the relations of power and political struggles that drive decentralization reform and are driven by it. In this case, I focus on the negotiation process within the Congolese state. Of particular importance in this analysis is the vertical division between the national, provincial and local levels of the decentralized territorial entities. My main research question is: what does the implementation of the decentralization reform in the DRC teach us about the relations of power between the central, provincial and DTE levels?

In order to answer this main question, the following chapters treat a number of more specific questions. In chapter one, I start with an elaboration on the concept of decentralization. How can decentralization be defined? Which possible benefits, risks and disadvantageous of decentralization can be identified? What influences the implementation of decentralization

and its outcome? After this descriptive chapter on the concept of decentralization, chapter two places the current decentralization reform within the broader historic politico-institutional evolution of centralization and decentralization in the DRC. What do previous centripetal and centrifugal trends, unintended or intended, tell us about the dynamics of power between the central and more local level? And to which degree is the current decentralization process a continuation of the historic institutional evolution of the DRC? This historic overview is based on a literature review, reports of international development partners and the original legal documents. After the “historicity” of the current decentralization reform is presented (Titeca & De Herdt, 2011, p. 7), chapter three introduces the context of the current decentralization reform. Which benefits, risks, and disadvantages have been identified for decentralization reform in the context of the DRC? This overview is based on academic literature, reports and some basic country data. Then, in the more analytical chapter four, I turn my analysis to the evolution of decentralization reform since 2006. What does the progress and delay in the implementation tell us about the power relations between the different levels? And how have the institutional changes or repetitions affected power between the centre, provinces and DTEs? This analysis is based on the insight derived in the previous chapters, academic literature, legal and financial documents, news reports on the current proceedings (decoupage, provincial elections,...) and the official discourse of the main political actors.

The specific contribution of this dissertation is twofold. Firstly, although earlier works exist (Manor & Bank, 1999; Prud’Homme, 1995), only recently has the importance of local dynamics power gained prominence in the analysis of decentralization in relation to good governance. Both in the case of the DRC (Bouvier & Tshonda, 2014; N Gaynor, 2014; H. F. Weiss & Nzongola-Ntalaja, 2013) and beyond (Faguet, 2011). Secondly, since the beginning of 2015, the decentralization reform has retaken a central position in the governance agenda of the central government of the DRC. These recent evolutions are, once more, “suddenly challenging the prerogatives and the legitimacy of the political-legal institutions” (Titeca & De Herdt, 2011, p. 7). As Titeca & De Herdt argue, such moments offer a perfect occasion for the analysis of the negotiation process on politico-institutional changes. By discussing these recent evolutions, this dissertation adds to the existing literature on the power relations between the different levels of state within the DRC.

In addition to its modest contribution, this work has some serious limitations. First and foremost, it is biased and limited due to the predominant position of academic literature and

reports in my formation of knowledge on decentralization and the DRC. Secondly, by mainly focusing on the state, this dissertation leaves out important political actors that shape the state governance and the decentralization reform in the DRC (Meagher, Herdt, & Titeca, 2015). Among them are: the international development community (N Gaynor, 2014), civil society and religious institutions (Bouvier & Omasombo Tshonda, 2012; Titeca, De Herdt, & Wagemakers, 2013), international corporations (Buelens, 2007), armed rebel groups (F Reyntjens, 2005). Thirdly, besides the vertical relations of power within the state, this paper also takes into account the horizontal relations of power within the state. Firstly, within one territorially defined entity (executive, legislative and juridical powers of central, provincial and DTE level) and second, between the territorially defined entities (between provinces and between the DTEs). However, they are not given the full attention they deserve.

Chapter I: Theory of Decentralization

Defining Decentralization

In the field of development studies, decentralization is used to refer to a wide variety of practices involving transfers away from a center. To further categorize these transfers, multiple frameworks have been proposed. Most often cited is the framework of Rondinelli *et al.*, they made a distinction between deconcentration, delegation, devolution and privatization (1983, p. 13). In recent development literature delegation and privatization are often omitted while fiscal decentralization is often used as separate type of decentralization by authors (Crawford & Hartmann, 2008; Fritzen & Lim, 2006; Manor & Bank, 1999). Nonetheless, dissecting decentralisation remains a linguistic maze. For this analysis of the DRC case deconcentration, devolution and fiscal decentralization are of main importance. They can be defined as followed: *Deconcentration* or administrative decentralization which refers to the transfer of policy-making, planning and management responsibilities from central to local levels (Crawford & Hartmann, 2008; Fritzen & Lim, 2006). *Fiscal decentralization* by which transfer concerning taxes, revenue and expenditure from central to local levels takes place (Bardhan, 2002; Crawford & Hartmann, 2008; Fritzen & Lim, 2006). *Devolution* or political decentralization is the transfer of decision making power, authority and responsibility from central to more local levels. The legal status of the latter separates them from the central government (Faguet, 2011; Manor & Bank, 1999; Rondinelli et al., 1983; Scharpf, 2011). These three types of decentralization have all been attributed numerous benefits. Table 1 sums up some of these. Due to the wide variety of policy tools and related benefits, decentralization has been used in a diverse range of development discourses. Decentralization was present in the modernisation discourses of the 1950s and 1960s, more in particular concerning national and local state building capacity of the newly independent states (UN, 1962). When international development strategies changed during the 1970s and questions arose on the effectiveness and efficiency of central states, decentralisation was present in liberalisation discourses (Rondinelli et al., 1983, p. 6). In line with former, decentralization was a component of the structural adjustment programs of the Bretton Woods institutions during the 1980 (Ribot, 2002, p. 6). When the idea of more democratic and competitive politics gained prominence in the 1990, decentralization was part of the vocabulary. This time in relation to shorter accountability, transparency and participation (Cohen & Peterson, 1997; R. Crook & Manor, 1994; Willis, Garman, & Haggard, 1999).

| Table 1 ¹ : Examples of possible beneficial outcomes of decentralization | |
|--|--|
| Deconcentration | |
| Increase decision-making efficiency by “decongestion” of the central government | |
| Increase central and/or local decision-making quality by involving local knowledge and people. | |
| Facilitate coordination of local public service delivery and hence increase effectiveness. | |
| Deepen state building by increasing number of local administrators | |
| Increase central and/or local legitimacy by involving local people in planning | |
| Fiscal Decentralization | |
| Increase economic efficiency by increasing intergovernmental competition. | |
| Better equity in the allocation of government resources. | |
| Increase responsiveness to local preferences by keeping budgets local. | |
| Increase central and/or local tax revenue by stimulating local governments. | |
| Devolution | |
| Increase national unity by giving more power and authority to sub-national/ethnic groups | |
| Improve democracy by bringing decision-making power closer to the people | |
| Increase sustainability of policy and projects by enhancing ownership | |
| Improve public services by enhancing accountability | |
| Better equity in allocation of resources by deepening democracy | |

In relation to mostly the same principles, decentralization was present in the more recent discourses on good governance and public service delivery (Faguet, 2011; Kauzya, 2007; Nikolov, 2006). It is in the later discourse that decentralization in the DRC is currently being assessed for its impact on human development (next to decentralization a means for political stability and unity)(N Gaynor, 2014).

Throughout these periods, decentralization has periodically peaked as a real “hype” or “fashion”. In 1983, Diana Conyers published an article called *“Decentralization: the latest fashion in development administration?”*(Conyers, 1983) on the overwhelming popularity in these years. More recently, Crawford and Hartmann (2008, p. 8) remarked, on the popularity of decentralization in the 1990s and 2000s, that: *“there appears nowadays to be a remarkable consensus on the desirability of decentralisation, with support from international development agencies [...]and civil society organisations, as well as – at least officially – from central governments who are charged with its implementation”*.

However, the very taken-for-granted quality of decentralization (especially in periods where it’s popularity peaked) leaves much of what is actually done in its name unquestioned. It is exactly this what, according to Andrea Cornwall, makes certain concepts and words in development discourse very powerful tools to *“place the sanctity of one’s goal beyond reproach”* (2007, pp. 471–472). Therefore, recalling the vagueness of decentralization and its popularity, one should consider that the use of the term decentralization might also have attracted actors with more “mixed motives”. As Manor & Bank (Manor & Bank, 1999, p. 37)

¹ Table 1 is based on (Bardhan, 2002; Bird & Vaillancourt, 2008; Crawford & Hartmann, 2008; Fritzen & Lim, 2006; Manor & Bank, 1999; Rondinelli et al., 1983; UN, 1962)

state in their analysis on the political economy of democratic decentralization: “*Most decentralizers have operated [...] on the basis both of statesmanlike considerations, seeking the genuine empowerment of groups at lower levels, and of hard-nosed calculations of self-interest [...]. It is not just that individual politicians have mixed motives. Governments are not monolithic: different actors within them perceive policies differently. This has tended to produce experiments with decentralization which are curious, incongruous hybrids-which do not necessarily give way to neat syntheses, but which persist far longer than we might expect* (Manor & Bank, 1999).

Manor & Bank learn us that possible political struggles among multiple actors with mixed motives might underlie a decentralization process. In this light, much can be learned from questioning *who* are the driving forces behind decentralization. In some cases, the sole driver behind decentralization has been the international development community. Dependent on its donors, the central government might officially provide lip service to the community but will not undertake serious efforts to attain the potential benefits of decentralization. However, in other cases, the state has been shown to be a genuine supporter of decentralization. Again, in other cases, decentralization has been demanded from below. In most cases, it might be a coalition of different actors, not necessarily with similar agendas, whom are the driving force behind reform. However, whichever coalition is made, and the power position they hold, will impact the implementation of decentralization. (Conyers, 1983; Kauzya, 2007; Rondinelli et al., 1983).

At this point it is important to note that although adverse decentralization outcomes *can* be the consequence of underlying political economic motivations of influential actors, it does not mean that bad decentralization is *always* the result of partisan objectives of actors. Unfavorable decentralization can also be the result of inapt or bad policy choices and implementations, both by all levels of government and international partners. More importantly, the logic behind some of the benefits related to decentralization has also received strong opposition (Bird & Vaillancourt, 2008, pp. 1–2; Prud’Homme, 1995).

In sum, decentralization contains a whole list of unfavourable outcomes which can be intended or unintended. Some examples are given for each decentralization type in Table 2. In both Table 1 and Table 2 the three decentralization types and their outcomes are treated separately. However, in practice, the interplay between the different types of decentralization will very much determine their outcome. Most decentralization reforms are packages in which administrative, fiscal and political decentralization are present to different degrees. But even

when a single decentralization type is implemented, its impact will depend on how the center and more local levels currently divide the other administrative, political and fiscal domains,...

| Table 2 ² : Examples of possible unfavourable outcomes of decentralization | |
|---|--|
| Deconcentration | |
| Externalize administrative costs of government tasks to lower levels without providing means | |
| Decrease in administrative capacity due to lack of resources and staff | |
| Increase of corruption and/or capture of local elites due to lack of control | |
| Decreased efficiency due to decrease in economies of scale | |
| Fiscal Decentralization | |
| Capturing of local resources by central government | |
| Destabilize central macro economy by enabling local budget imbalances | |
| Adversely affect the equitable distribution of resources both on central and/or local level | |
| Devolution | |
| Deepen democracy at lower levels of political systems to legitimize an undemocratic center | |
| Increase central and/or local elites grasp on power by selecting allies into power | |
| Increase the unequal distribution of both power, public services and inequality | |
| Destabilize national unity through the consolidation or aggravation of sub national/ethnic tensions | |
| Shift accountability to lower levels but keep fiscal power centralized | |

For example, a deconcentration of tax administration without a devolution of power might increase the leverage of the central government to raise taxes but will have little impact on increased local decision-making. Or, a devolution of power to local governments might give the former decision-making power and authority over public services. However, if it is not balanced with enough budgets, through the fiscal decentralization of income and/or expenditure powers, real power at the local level remains limited (Bahl, 2008, p. 9). Further, in order to balance the assignment of competences to the local levels, the central government might increase local level’s fiscal autonomy. For example by allowing them to retain more tax revenue and decision-making power over its spending. Consequently, this might lead to a balance between the public service assignments of the local levels and their means to deliver. However, in this case disparity can arise between richly and poorly endowed local levels (in terms of? differences in tax revenue) leading to an actual decrease in the equity with which public services are provided (Bahl, 2008, pp. 9–10). In sum, the interplay between the domains in which decentralization is applied is an important determinant of the final impact of decentralization.

Besides its inner dynamics, the impact of decentralization is very dependent on its relation with the broader context in which it takes place. As Bird & Vaillancoury (2008, p. 8) put it:

² Table 2 is based on: (Bird, Villancourt, & Roy-César, 2010; Crawford & Hartmann, 2008; R. C. Crook, 2003; Faguet, 2011; Fauré, 1989; Heller, 2001; Liégeois, 2008; Manor & Bank, 1999; Marysse, 2004; Prud’Homme, 1995; Rondinelli et al., 1983)

“The essence of decentralization is that it does not occur in general but rather in a particular country”. Every country has its own particular distribution of endowments (size, population, wealth, natural resources, poverty, ethnicity, culture, state capacity, ...) that create the basic conditions under which decentralization will be implemented. Because of these endowments, similar decentralization reforms in different countries might have very dissimilar outcomes. A possible example is the population of a country and its impact on using decentralization to increase local decision-making power. Some countries consist of very populous sub national units. If these countries would decide to devolve power to the governments of those sub national units, power will actually remain rather centralized with hardly any real impact on the decision-making power of locals. If however, a similar devolution of power would be implemented to scarcely populated sub national units, the impact on decision-making power will be much higher. Interestingly, many countries exist of a mix of both densely and scarcely populated sub national units. Hence, even within a country, the impact of a devolution of power might have divergent effects on the decision-making power of its population. The importance of a country’s endowments and their regional differences shall return when we discuss the desirability of decentralization in the Democratic Republic of Congo in chapter three. In the next chapter, I discuss the historic politico-institutional evolution of centralization and decentralization in the DRC. In fact, “history” can also be viewed as an important endowment of a country and hence an important factor influencing decentralization reform.

Chapter II: History of (de)centralization in the DRC

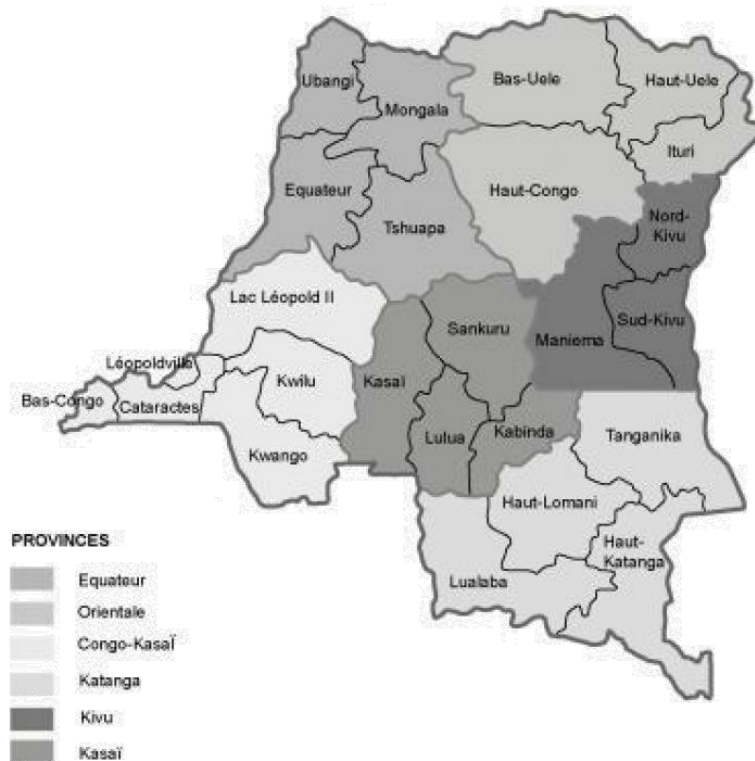
Colonial Period

From its estuary in the west, the Congo river is positioned as a sickle of which the bow is oriented to the north and the end points to the south. In the north, the stream runs through rainforest which is centred around the equator. Moving up and down from the equator, rainforest gradually makes room for less dense vegetation up to open savannah in the south. In the east, the Albertine rift creates both high mountains and large lakes. In the south the slopes rising towards the high Katanga plateau form the highest part of the basin of the Congo stream. It is in these mountainous regions, and primarily in Southern Katanga, that the majority of mineral wealth of the DRC is located. Within the boundaries of the Democratic Republic of Congo a myriad of different populations, cultures and societies existed. From very isolated self-sustaining communities to complex kingdoms or cities linked to Arabian traders. In sum, it was an area that did not incline itself to be put under one sovereignty (Bouvier & Tshonda, 2014).

Nevertheless, the European powers allocated the entire area to Leopold II as part of their colonial division of Africa at the conference of Berlin (1884-1885). In order to remain sovereign over the Congo Free State, the Belgian king had to adhere to some important conditions. Among which, first, the preservation of the area as a free-trade zone and second, the ability to maintain a sovereign rule within its borders. The first condition led to structural weak state revenues and large degrees of foreign private profit, something which characterizes the DRC until today. The second condition would stimulate Leopold II to decentralize much of his power to a multitude of public, private and religious actors. The primordial goal of these power transfers was to stimulate the exploitation of Congo and develop his absolute sovereign rule (Buelens, 2007). Among others, Leopold II attributed large areas of land to *Chartered Companies* such as *Anversoise*. These companies attained enormous administrative, fiscal and military competences in order to allow them to install a structure focused on the extraction of natural resources. Buelens describes them as “*a state within a state*” (Buelens, 2007, p. 74). In return, Congo Free State received a share of the stocks of the companies. It is an early example of how the center of the state uses decentralization towards, in this case towards semi non-state actors, in order to compensate for the lack of state capacity to govern beyond the central level.

In 1908 Congo Free State became a Belgian Colony. The main goal of Belgium was to maintain the economic profit of the colonial undertaking. In order to do so, the Belgian state put in place a broad administrative framework. Multiple territorial restructurings during the Belgian colonial period led to a total of 6 provinces and 25 administrative districts. The current delineation of the 26 provinces is rooted in the latter administrative framework of the districts.

Map 3 1947: Belgian Congo – 6 provinces and 25 districts



3

This further deepening of the administration was paralleled by a centralization of political autonomy at the expense of more autonomous regions such as Katanga. In other words, deconcentration was used as a means to increase central power by deepening its influence in the subnational entities. The decrease of Katanga's autonomy did not go with resistance from within the province. Its struggle over autonomy with the center and its widely shared sentiment of being different has been a constant throughout history (Bouvier & Tshonda, 2014, p. 38; J. Bruneau, 2009, pp. 3–4).

By the end of the 1950s, the export driven economic model reached its limits. Underneath it, the socioeconomic reality of the ordinary Congolese population further disintegrated. Indigenous agricultural production further collapsed and urban centers became packed with

³Map is derived from: (J. Bruneau, 2009)

unemployed youth. Increasing violent conflict erupted in the major urban centers such as Leopoldville. Supported by the larger decolonization wave on the African continent, claims for independence grew (Buelens, 2007).

The 1st Democratic Republic of Congo

Although united in their claim for independence, the Congolese political elite was strongly divided. On the one hand there were the federalists. The most prominent of which were Joseph Kasa-Vubu and Moïse Tshombe, both with a strong regional support base (Tull, 2010, p. 647). On the other hand, there were the unitarists with Patrice Lumumba as the most prominent figure. This cleavage within the political elite was also present in the Congolese population. For some, the experience of colonization had led to the formation of a national Congolese identity. For others, colonization led to new regional identities or a strengthening of their ethno-linguistic identity (Bouvier & Omasombo Tshonda, 2012, p. 39; J. Bruneau, 2009, p. 3; Buelens, 2007). However, the cleavage also had a socioeconomic dimension. The richer areas, mostly located in the south, tended to favour federalism, while the poorer areas, mostly located in the north, favoured a unitary state (H. F. Weiss & Nzongola-Ntalaja, 2013).

On the 19th of May, a few months before independence, the *Loi Fondamental* was published. It provided for transitory steps towards a future state and delineated the state form until a constitution would be drafted. The law is often seen as an equilibrium between the federalists and unitarists (H. F. Weiss & Nzongola-Ntalaja, 2013, p. 4). The law provided for an assembly and government on both national and provincial levels. The provinces enjoyed legal personality and a large list of competences, their number was fixed at six. On a lower level local institutions played an important role. Due to a strong presence of both administrative, political and fiscal elements of decentralization, some evaluate the provisions of the law rather as federal than unitarian (Bouvier & Tshonda, 2014, p. 42).

Federal or unitarian, a huge discrepancy existed between the legal provisions of the *Loi Fondamental* and the real politico-institutional situation after independence. The birth of the 1st Democratic Republic of Congo took place within a context of social resistance, high unemployment, ethnic conflict and mutinies within the *Force Publique*. However, the real devastation of to state's governance came with the exodus of the Belgian administration personnel and the secessionist movements (Bouvier & Omasombo Tshonda, 2012, pp. 41–50; H. F. Weiss & Nzongola-Ntalaja, 2013).

As a result, the country was characterized by a total gridlock of governance at both national and provincial levels. Moreover, it led to a first disintegration of the state into Southern Kasai, Orientale, Katanga and the remainders of the 1st Republic. Within the national political elite, colonel Mobutu was able to attain dominance over the divided Lumumba and Kasa-Vubu. This resulted in the expulsion of Lumumba from the national political scene while Mobutu backed Kasa-Vubu as president. After the assassination of Lumumba, foreign UN intervention and diplomatic pressure, the secessionist movements demised. Subsequently a slow and modest stabilization took place. Although tensions between the provinces remained, the Adoula government was able to reunite most of the parliament. It led to a new series of important decentralization reforms. Firstly, in order to decrease individual provincial power, their number was increased from 6 to 22, the so called provincettes (Bouvier & Omasombo Tshonda, 2012, pp. 52–55). Another important politico-institutional result of the

Map 4 1963: 1st Democratic Republic of Congo: The 21 Provincettes



4

period was the establishment and inauguration of the constitution of Luluabourg, the first constitution of the DRC. Although the original legal provisions of the Luluabourg constitution were short-lived, its legacy should not be underestimated. It is praised for its involvement of a broad range of actors and the specific context in which it arose. It gave sufficient autonomy to

⁴ Map is derived from: (J. Bruneau, 2009)

the provinces to prevent an exacerbation of the centrifugal forces. In doing so, this decentralization of autonomy to a larger number of provinces was of crucial importance to recuperate the leadership over the whole country (Bouvier & Omasombo Tshonda, 2012, pp. 69–71). Similar ideas and strategies resurfaced in the development and constitution of 2006 and the transitory period towards it.

The constitution of Luluaborg provided for a detailed transformation plan that would ensure the application of its legal provision in reality. However, unrest returned when Kasa-Vubu did not appoint Tshombe but Kimba to form a government. A few months later, all prospects of a successful implementation of the legal provisions of the Luluabourg constitution disappeared with Mobutu's coup.

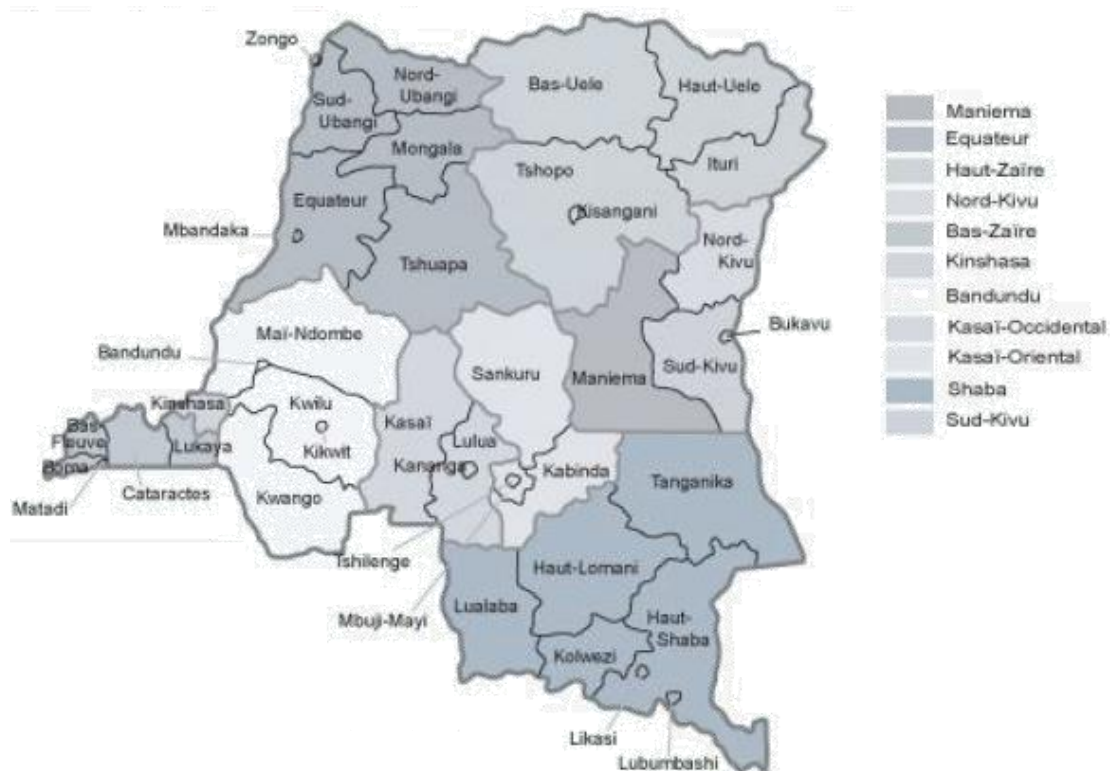
The 2nd Democratic Republic of Congo

On the 24th of November, colonel Mobutu undertook a *coup d'état*. He revoked both president Kasa-Vubu and Kimba and claimed presidential power. In the following months, he drew more and more legislative and executive power towards the function of President. After one year, Mobutu absorbed all executive power and held legislative power. Besides, he maintained his original power base, by keeping military power under his direct control (Eriksen, 2009, p. 655). In some provinces, the state of emergency placed executive power with trusted military chiefs. In other cases, the provincial authorities could keep their power but were directly accountable towards Mobutu. However, this was only the beginning of a long period of recentralization.

In the following two decades, Mobutu gradually absorbed more power on both the national level and in relation to the lower levels of power. The legal personality of provinces was merged with the unitarian state. Their number was first reduced to six and in later years increased to nine. Governors were appointed by the president and had an administrative role (Bouvier & Omasombo Tshonda, 2012, pp. 79–82). In order to reverse the influence of local elites and ethnicity, Mobutu instituted a system whereby “no public servant, no administrator is allowed to function in the territory, district or province in which he/she had ethnic origins”. The local administration became a “stranger” to the people, in many cases not even speaking the native language (H. F. Weiss & Nzongola-Ntalaja, 2013, p. 6). In sum, Mobutu reversed the devolution as provided by the Luluabourg constitution and turned the provinces into deconcentrated administrations that served the central level.

The 1977 and 1978 intrusion by the National Liberation Front of Congo (FNLC) into Shaba (Katanga) signalled the weakness of the regime. At least in discourse, decentralization re-entered as an option on the political stage. Mobutu would abandon his non-native policy and incorporate local leaders into the administrations in return for political control (Eriksen, 2009, p. 654). Moreover, Mobutu permitted the growth of provincial chauvinism as a means of maintaining his declining power (H. F. Weiss & Nzongola-Ntalaja, 2013, p. 6). Also, the provinces regained their legal personality and some political institutions. However, real devolution of power did not take place. Therefore, it is more accurate to speak of a strong deconcentration, since power remained firmly in the hands of Mobutu. In one of the last steps of this reform process, the Kivu province was territorially reorganized into three provinces in 1988. For these provinces it was a return to the situation of the provincette period. The division in 11 provinces on the state level resulted in the territorial situation that has been in place until the recent changes (Bouvier & Omasombo Tshonda, 2012).⁵

Map 3 1988: Zaïre: 11 Provinces (régions) and 40 subdivisions (sous-régions)



In the 1990s the state's capacity further deteriorated and so did external support. It led Mobutu to a modest liberalization in order to legitimize his rule and contain as much power as

⁵Map is derived from (J. Bruneau, 2009)

possible. Among others, a process on the elaboration of a constitution for a “Federal Republic of Congo” commenced (Bouvier & Omasombo Tshonda, 2012; Eriksen, 2009). However, the process was slow and marked by procrastination. Before any effective legal change took place, the coup of Laurent-Desiré Kabila cut short the transition towards a new constitution. In this latest phase of the Mobutu era, one can already identify the roots of the current decentralization logic. In order to remain in power, the national leader uses decentralization to incorporate strong regional and local opposition. In other words, more than empowering provincial and local levels, decentralization’s main goal was an attempt to re-establish the central power (Eriksen, 2009; N Gaynor, 2014).

Transition Period

On 7 may 1997, Laurent-Desiré Kabila’s Alliance of Democratic Forces of the Liberation of Congo (AFDL), seized Kinshasa, ending the rule of Mobutu. Although Laurent-Desiré Kabila was able to claim all branches of state power, his power was not recognized in large areas of the country. In practice, the state experienced a further violent disintegration of its existence after the previous weakening during the final period of Mobutu’s regime. Foreign intervention further aggravated the intensity of the conflict and disintegration process. The 1999 Lusaka ceasefire agreement created a fragile stability and an, at least officially, end to foreign intervention. It slowly paved the way for peace negotiations (Bouvier & Omasombo Tshonda, 2012).

The international community provided the foundations on which the peace process enrolled.. A primordial role was played by the UN’s MONUSCO mission, but many other international bodies and bilateral partners played a significant role (N Gaynor, 2014; Filip Reyntjens, 2007). The challenges faced were immense: reunification, pacification, reconstruction of the country, restoration of the territorial integrity, the restructuring of the state and the organization of free elections to put in place a constitutional democratic regime. On the national political scene, the peace negotiations were dominated by a group of political leaders whom all held an arbitrary claim to power backed by armed force, the occupation of a part of the Congolese territory and foreign support. Besides Joseph Kabila’s presidential movement, the Movement for the Liberation of the Congo (MLC) of Jean-Pierre Bemba and the Rally for the Congolese Democracy of Goma (RDC-Goma) dominated the transition talks. However, many smaller rebel groups took part, among which the Union of the Opposition of the Democratic Congo (UODC) and the United Front of non-armed opposition (FRUONAR). Beyond formal general agreements on peace, unity and democracy, a great divide between the

political elite remained, all looking for their share of power (Bouvier & Omasombo Tshonda, 2012; Filip Reyntjens, 2007).

The largest cleavage that had to be overcome during the negotiation phase was the unrecognized claim of Kabila to the power of the state. His retreat as leader in order to form a transitory government was a *condicio sine qua non* for the other fractions. On the other hand, a transitory government without Kabila was even less of an option. He controlled the national capital and enjoyed most international support. The division between the presidential movement of Kabila and the other political actors was also present in their view on a future state. Both parties agreed that decentralization was necessary in order to create a better balance of power. However, the degree to which decentralization had to take place varied greatly. Kabila wanted to keep the nature of the state unitarian with a strong decentralized component. A strong national sovereignty was necessary for the unity of the country. At the other end, the political opponents wanted the future state to be one with a strong federal notion. Among the demands of the RDC-Goma were a territorial division in 26 provinces and a repartition of the national budget as follows: 40% to the central state, 50 % to federations and a 10% equalization fund. MLC's demands were similar though a bit more flexible in terms of time and modalities (Bouvier & Omasombo Tshonda, 2012).

After long and difficult negotiations, a transitory government was put in place under the formula known as 1+4. The first was, Joseph Kabila, who remained president but accountable to the Supreme court of Justice. The other four are: The government, the national assembly, the senate and the general staff of the new army forces. The earlier tensions replicate themselves within these new institutions, characterized by very difficult relations loaded with mistrust. However, notwithstanding serious troubles, procrastinations and conflict, the transitory institutions were able to govern until the adaptation of the constitution. This did not mean that total peace returned to the country, as conflict still raged in the Eastern part of the Country, Ituri and others (Bouvier & Omasombo Tshonda, 2012; Filip Reyntjens, 2007).

Throughout the transition period, the question of the form of the future constitution was evidently among the most debated. The presidential movement remained the strongest advocate of a unitarian state with a high degree of decentralization. MLC and RDC-Goma remained strongly in favor of an explicit federal system. They were joined by a number of actors. First, smaller rebel groups such as FRUONAR and UODC. Second, representatives of Bas-Congo and Katanga. These richer provinces remained strongly in favor of a federal state (Bouvier & Omasombo Tshonda, 2012). On 18 and 19 December 2005, six years after the

singing of the Lusaka Ceasefire agreement, a referendum was held on the new constitution. It drew a turnout of 67 percent and 84 percent approved the constitution. Despite massive support, some strong regional differences were present (H. Weiss, 2007, p. 141). On 18 February, the Constitution was adopted, giving birth to the Third Democratic Republic of Congo.

Chapter III: The current Decentralization in the DRC

The 2006 constitution provided for a unitary but strongly decentralized state. More in particular, concerning the form of the state *art. 1* notes that: “the Democratic Republic of Congo is, within its borders of 30 June 2006, a State based on the rule of law, independent, sovereign, united and indivisible, social, democratic and secular” (RDC, 2006, p. 10). On a national level, the political institutions provided are similar to most contemporary republics. A president is elected by universal suffrage for a period of 5 years, which can be extended with one re-election. The president nominates a prime-minister whom is attributed the task of forming a government. The prime-minister should be from the parliamentary majority. The parliament consists of two chambers, a national assembly and a senate (RDC, 2006). Although “unitarian”, the constitution forms the legal basis for a strongly decentralized state. In comparison to former RDC constitutions or other legal documents, the degree of decentralization is high in both the number of provinces and the power attributed to them. In this sense, it is a logic consequence of the political context in which it arose. After the disintegration of the state and the rise of both regional (MLC, RDC-Goma) and local groups to claim power, it provides the legal grounds for national stability by distributing power more equally among the different levels (Melmoth, 2007, pp. 76–77).

Before I can continue to present the relations of power that drove and have been driven by this decentralized character of the state, a more detailed understanding of the provisions in the 2006 constitution is necessary. Therefore, this chapter takes a detailed look at the most important provisions concerning decentralization and discusses their repercussions in the context of the DRC. In chapter one, I presented the importance of the exact interplay between deconcentration, devolution and fiscal decentralization in a decentralization reform. Moreover, I showed the significance of the endowments of a country in relation to the decentralization reform. Therefore, in order to better understand the repercussions of their, this chapter analyses the merits, risks and disadvantages of the constitutional provisions on decentralization in the context of the DRC. For matters of oversight, the chapter is divided into a discussion on deconcentration, devolution and fiscal decentralization. However, this does not prevent to clarify the interplay between these different types of decentralization.

Deconcentration in the DRC

The constitution provides for strong deconcentration of the administration. Firstly, by determining a territorial framework where the number of entities is high. On the level of the

provinces, the constitution provided for 26 provinces including the city-province of Kinshasa. On a lower level, the constitution provided for the following decentralized entities: city, commune, chiefdom and sector (RDC, 2006). Although the constitution did not provide for the exact delineation, the number of DTEs presented per province in Table 3 is based on more recent developments in organic law (Bouvier & Omasombo Tshonda, 2012, p. 202). It presents how many DTEs are present per province.

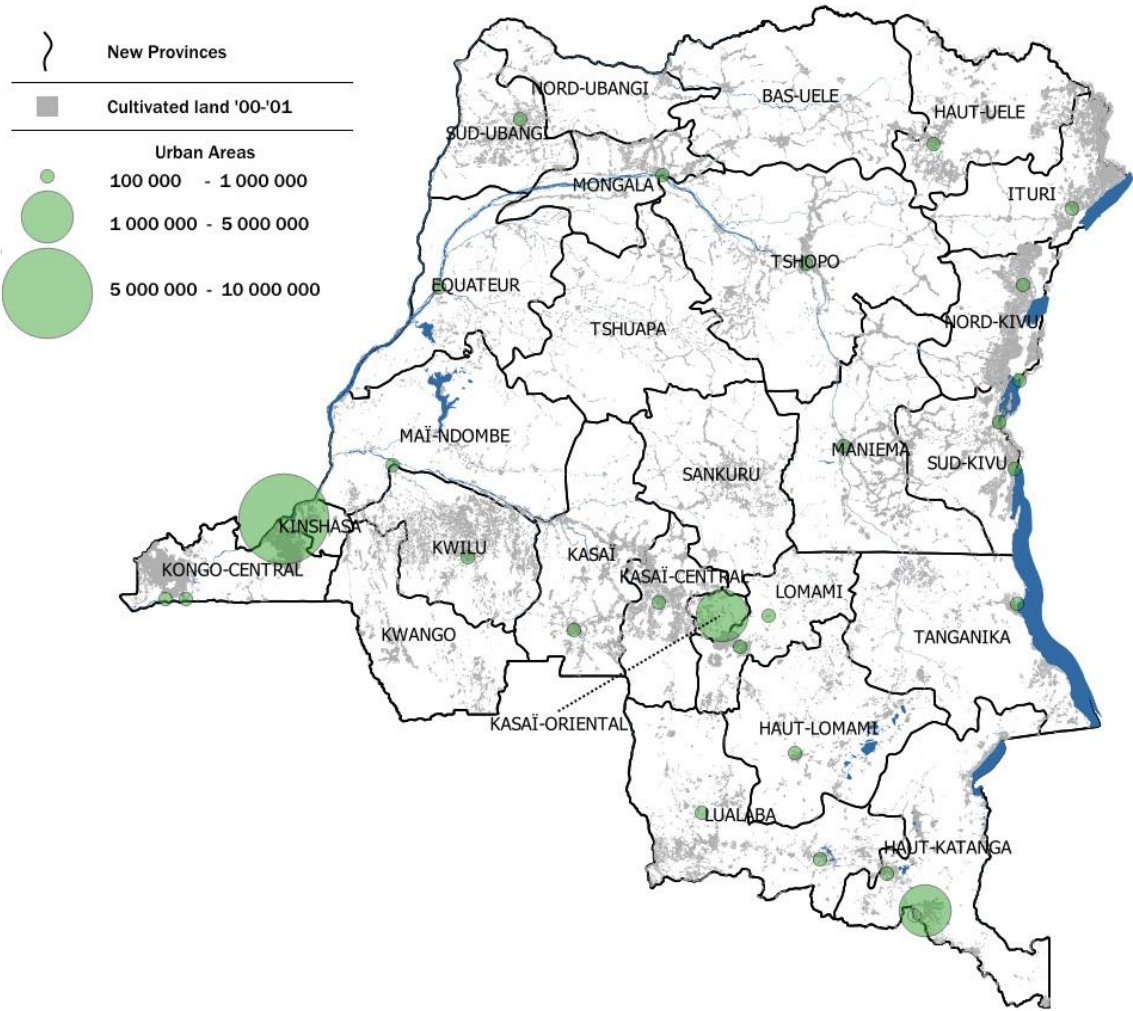
| | Cities | Commune | Chiefdom | Sector |
|----------------|--------|---------|----------|--------|
| Bas-Uele | 1 | 5 | 6 | 50 |
| Équateur | 1 | 2 | 7 | 22 |
| Haut-Katanga | 2 | 11 | 6 | 20 |
| Haut-Lomami | 1 | 5 | 5 | 18 |
| Haut-Uele | 1 | 5 | 5 | 45 |
| Ituri | 1 | 5 | 5 | 45 |
| Kasaï | 2 | 7 | 5 | 20 |
| Kasaï-Oriental | 1 | 5 | 5 | 21 |
| Kongo-Central | 2 | 6 | 10 | 55 |
| Kwango | 1 | 5 | 5 | 26 |
| Kwilu | 2 | 7 | 5 | 49 |
| Lomami | 3 | 11 | 4 | 21 |
| Lualaba | 1 | 2 | 5 | 18 |
| Kasaï-Central | 1 | 5 | 5 | 33 |
| Mai-Ndombe | 1 | 5 | 8 | 13 |
| Maniema | 2 | 8 | 7 | 34 |
| Mongala | 1 | 5 | 3 | 13 |
| Nord-Kivu | 3 | 10 | 6 | 17 |
| Nord-Ubangi | 1 | 3 | 4 | 11 |
| Sankuru | 1 | 5 | 6 | 42 |
| Sud-Kivu | 3 | 14 | 8 | 23 |
| Sud-Ubangi | 2 | 7 | 4 | 17 |
| Tanganyika | 1 | 5 | 6 | 29 |
| Tshopo | 1 | 6 | 7 | 58 |
| Tshuapa | 1 | 5 | 6 | 24 |
| Kinshasa | 1 | 24 | - | - |
| Total | 38 | 178 | 143 | 724 |

Second, the constitution provides for the administrative freedom and managerial autonomy with regard to the economic, human, financial and technical resources. Hence, the provinces and DTEs would be more than deconcentrated offices of national ministries but contain their own proper administrators.

The sheer magnitude of the country and the size of its population makes deconcentration both enormously advantageous and challenging. The DRC has a surface of 2 334 858 km². By size it is the tenth largest country in the world. It's population is estimated at 69.4 million in 2014

by the world bank⁶. The national average distance to the capital is 1 006 km, almost triple the average of Sub-Saharan Africa (Marivoet, 2013). Moreover, the country contains both large urban centers, areas of intense agricultural and vast remote area. As Map 4 shows, the main urban areas are the metropolitan area of Kinshasa, the urban centers in the mineral rich areas of Southern Katanga and Eastern Kivu and the urban centers at strategic logistic centers such as Kisangani and Kasanga. Areas of intense agriculture can be found in the Kivu's, Ituri Sud-Ubangi and Kwilu. The provinces around the equator, covered by rainforest are only very sparsely populated.

Map 4: 2006: 26 new Provinces, rural density and urban areas



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⁶ The estimate contains a large degree of uncertainty since it is a projection based on the latest national consensus of 1984. Other projections can be used leading to different populations estimates (Marivoet, 2013).

⁷ Map 1 is based on: (J.-C. Bruneau, 2014; de Saint Moulin, 2010) for the demographic data of the provinces and urban areas, (Africover, 2001) for the spatial distribution of cultivated land. Concerning the latter: The full

Hence, in order for the state to be more than a superficial notion, strong deconcentration is necessary. This improvement of administrative proximity is, logically, the main argument in favour of deconcentration, both by important figures within the government (Agence Congolaise De Presse, 2015; Radio Okapi, 2015d, 2015e), international donor agencies (EU, 2013; IMF, 2011; World Bank, 2008) and in academic literature (Bouvier & Tshonda, 2014; Kabesa, 2010; Marivoet, 2009; Moshonas, 2014; Young, 2014). However, it is important to note that the average size of the provinces is as large as Portugal. Therefore, in order to effectively decrease the administrative proximity gap, many have pointed at the paramount role of the DTEs (Bouvier, 2014; Pierre Englebert, 2012; IMF, 2011; Trefon, 2010; World Bank, 2008).

At this point, the arguments in favour of strong deconcentration meet practical concerns of its feasibility. First, many have huge reservations concerning the DRC's capacity to implement a viable deconcentration at the level of both the provinces and the DTEs. In 2014, the state's revenue was estimated at € 8.9 billion and its disposable budget fixed at 8.0 billion USD⁸ or 118 USD per capita annually. In comparison, the disposable budget of neighbouring Angola, containing only 1/3 of the inhabitants, was 69 USD billion in 2014 (Bloomberg, 2013). Therefore, on the budgetary capacity of the state with relation to decentralization, Young concludes that (2014, p. 81): "*compared to the needs of the country, the resources are pathetically insufficient*". In line with the lack of state budget, the lack of basic infrastructure further hinders the rapprochement of the different levels. The current circulatory system of the country dates back to its colonial times. However, unchanged in principle, its condition has seriously eroded during the Mobutu era and the more recent periods of civil war (J.-C. Bruneau, 2014, p. 124). This general lack of capacity for deconcentration can result in multiple disadvantageous outcomes among which the capture by local elite, thriving corruption.

However, criticism concerning deconcentration goes beyond concerns of lacking state capacity. That is, deconcentration can also be disadvantageous for some. Firstly, it does not benefit more higher administrations who might see their resources cut and transferred to lower levels. This has led to resistance within the administrations since, as Trefon states (2010, p. 716): "*The fish cannot approve a budget for the purchase of fishhooks*". Secondly, for some

resolution land cover has been produced from visual interpretation of digitally enhanced high-resolution LANDSAT TM images (Bands 4,3,2) acquired mainly in the year 2000-2001. The land cover classes have been developed using the FAO/UNEP international standard LCCS classification system.

⁸ Using current exchange rates LOI FINANCE 2014.

the new territorial deconcentration is less beneficial than the previous one. For example, in Ngandajika, a territory in the province of Lomami, the new découpage has increased the distance to their new provincial capital, leading to strong resistance. As the head of a local delegation explains (Radio Okapi, 2015a): « *Nous sommes un territoire entièrement agricole. Si nous suivons l'esprit du constituant, il a voulu rapprocher l'administration de l'administré. Nous sommes à 80 kilomètres de Mbuji-Mayi. Nous ne voyons pas pourquoi on nous découpera de là, pour nous rattacher à la province de Lomami dont la capitale, Kabinda, est à 140 kilomètres, sur une mauvaise route.* »

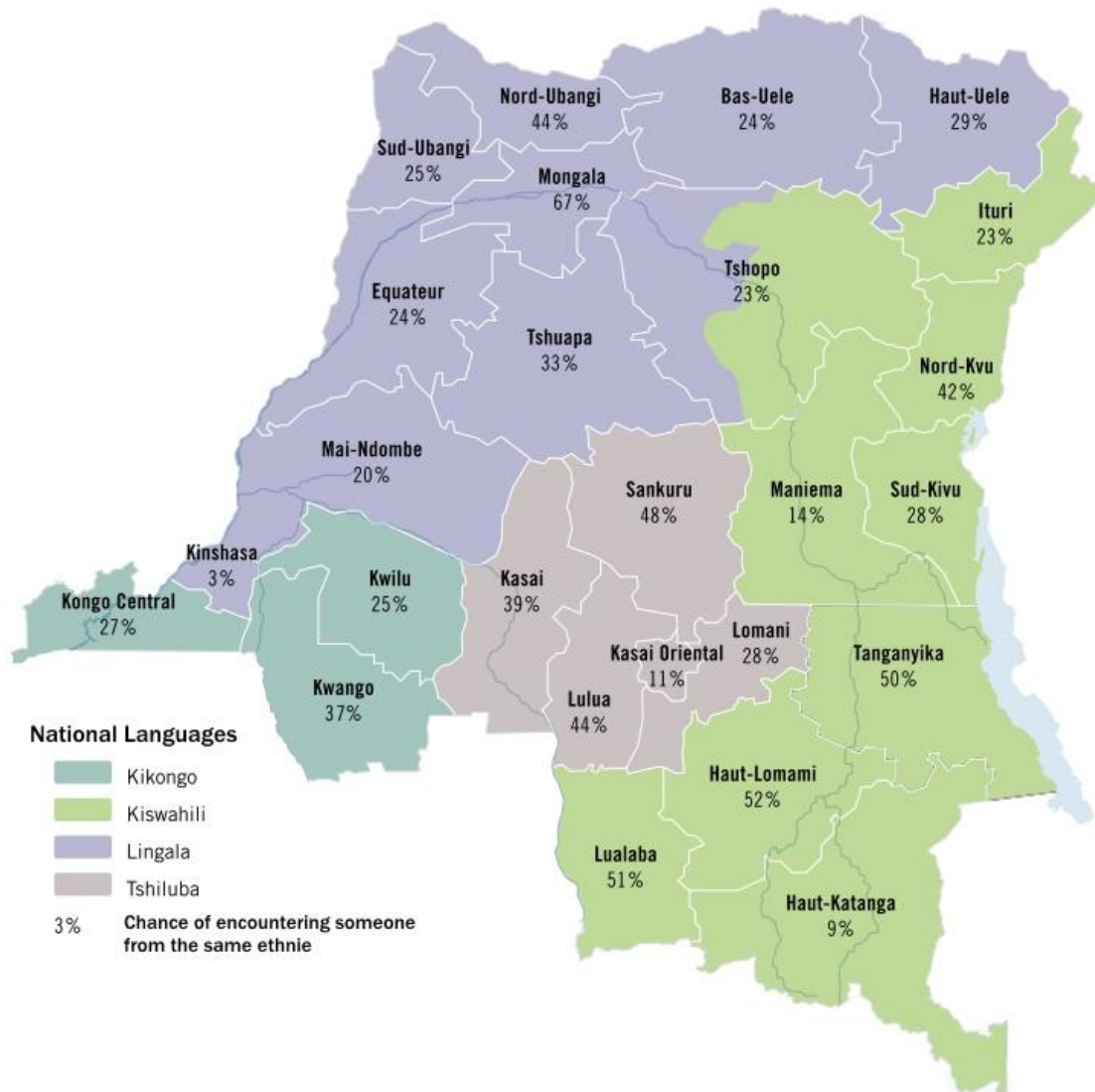
Devolution in the DRC

The constitution provides for a strong devolution of power towards the provinces and DTEs. Both are attributed juridical personality and are managed by local authorities. On the provincial level, the main political institutions are a provincial government led by a governor and balanced by a provincial assembly. These political institutions have a broad range of competences among which: education, health, non-nuclear energy, planning of mining, agriculture and forests, access to water, public finance, small border trade, etc. Concerning the DTE level, the constitution refers to organic law for fixing their composition, organization and functioning. On the 7th of October 2008, an organic law would provide for a council and executive college and related college heads on the level of the city, commune, sector and chiefdom (RDC, 2008b).

As deconcentration, devolution provides large opportunities for the DRC. Firstly, it is seen as a means to maintain national unity despite the general weakness which characterizes the central DRC state (N Gaynor, 2014; Kabamba, 2014; Tull, 2010). As discussed earlier, sharing power was central after the disintegration of the state and the rise of both regional (MLC, RDC-Goma) and local groups to claim power (Melmoth, 2007, pp. 76–77). However, besides a compromise for the major fractions, devolution is also seen as a stabilizer of national unity on a more local level. That is, behind the major armed groups present during the drafting of the constitution, a more fragmented and complex reality exists. The population of the DRC consists of a patchwork of different minorities – be they ethnic, racial, religious or ideological. For example, more than 400 different ethno-linguistic groups exist. To give an idea, Map 5 shows the distribution of the major national languages and as well as an indicator of ethno-linguistic diversity. The same diversity is present concerning religious identity, where besides Catholicism, Protestantism, Kimbanguism and Islam a diverse range of other religions are practiced by the Congolese people (Marivoet, 2008, p. 20). Besides ethno-

linguistic and religious component, some Congolese have a strong territorial or national identity based on the administrative divisions which have been installed since colonial times. (Bouvier & Omasombo Tshonda, 2012, p. 39; J. Bruneau, 2009, p. 3; Buelens, 2007; Trefon, 2013, p. 14).

Map 5: Distribution of national languages and ethnic diversity



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Next, as Map 4 already showed, Congolese live in large urban areas, sparsely populated rural areas and everything in between resulting in very different lifestyles. In sum, the on ground realities of the Congolese are enormously heterogeneous. Strong, devolution of power is seen as a means to answer this heterogeneity and contain diversity within one unitary state by increasing the responsiveness of the state to the local realities (Faguet, 2014).

⁹ (Marivoet, 2008) with author translation of legend.

However, opinions vary on whether a devolution of power in order to contain diversity is always beneficial. For example, decentralization might also reinforce the oppression of minorities on the provincial level. As the central level gives up some of its power, it may end up allowing sub-national entities to employ authoritarian methods that deprive minorities of their rights. In 2008, for example, The Mayor of Lubumbashi initiated an executive order requiring all “non-indigenes” to acquire residence permits (H. F. Weiss & Nzongola-Ntalaja, 2013, pp. 2 & 7). On the other hand, decentralization might also increase secessionist tensions, especially in the case where a strong and broad ethnic-linguistic identity is present at the lower sub-national entity. As Tull argues on the case of the BaKongo in Bas-Congo (Tull, 2010, pp. 652–653): “[Bas-Congo] constitutes a compact block that is unique in the current landscape of the Congo, combining a relatively homogeneous ethnic population with a distinct territory. This congruence of territory and people has strengthened cultural self-awareness among the BaKongo, and shaped their relation to the central government in Kinshasa.[...] This has a significant bearing on Kongo claims to political and cultural autonomy in the post-war period.”

Next to national unity, devolution is both praised and disapproved in relation to local democracy development. Some point to the increase of local accountability and participation to which devolution can lead. The latter is seen both as a development means towards better governance and public service delivery and as a development end since it intrinsically increases democracy (Kabamba, 2014, p. 93; World Bank, 2008, p. 3). However, the remarks presented above are also applicable to devolution. On the level of the provinces, the decentralization of power and elections does change the political territory from one of continental to one of normal country scale. However, the size of these subnational entities is still far too large to impact the degree of “local accountability” and “participation” beyond a mere abstract level. Again, the real potential for an increase of local decision-making and participation lies at a political decentralization of the more local level of the DTEs. As Kabamba states (Kabamba, 2014, p. 93): “the DTE are the first echelon of the democratic politics”

Anew, it is here that arguments in favour meet practical concerns for devolution in the DRC. Firstly, as was discussed earlier, the DRC lacks the capacity to install viable administrations, let alone working democracies on the level of the DRC. Second, many argue that the current devolution does not take into account the existing political reality in which local political elite are still nominated by the central authority. Therefore, their accountability is predominantly

direct upwards rather than downwards (Niamh Gaynor, 2013; Trefon, 2010; World Bank, 2010). This practice, rooted in Mobutu's relation with local levels, has not changed. However, the reasons for this shall be further discussed in the next chapter.

Fiscal Decentralisation in the DRC

The constitution of the DRC provides for fiscal decentralization in three different ways. The first concerns the distribution of the national revenue. *Art. 175* provides for an allocation of 40% of the national revenue towards the provinces. This 40% is withheld from the national revenue that the provinces collect (no retrocession) (RDC, 2006). The constitution did not provide for a further allocation of the national revenue towards the DTE's. However, in 2008 an organic law provided the DTE's within a province the right to 40% of the national revenue attained by its province (40% of the 40%) (RDC, 2008b art. 115). A second type of fiscal decentralization is provided by *art. 181* of the constitution which establishes an equalization fund of 10% of the national revenue. This equalization fund has as mission to "finance public investments projects and programmes in order to assure national solidarity and correct the unbalanced development between the provinces and between the DTEs" (RDC, 2006). The third type of fiscal decentralization was provided by *art. 123* of the constitution on the free administration of resources of the provinces and DTE's. This article has been the basis on which provinces and DTE's, after the publication of two important laws in 2008 (RDC, 2008a, 2008b), have been able to, at least legally, provide for their proper tax base.

Together, these three types form the fiscal side of the decentralization reform of the DRC. They have been attributed multiple merits of which the two main are discussed here. First, fiscal decentralization has been propagated for its capacity of improving allocative efficiency by bringing decisions over budgets closer to the preferences of the population. In other words fiscal decentralization can be seen as enabler of the advantages of devolution and its attributed merits of local decision-making, accountability, participation, As a consequence the positive outcome of fiscal decentralization is related to the quality of the devolution (Marysse, 2004). Second, fiscal decentralization reform can increase the state's revenue and lead to a betterment of its capacity. By making local levels co-beneficiaries of national revenue, it increases their stimulus to ensure a good conduct of national tax collection. Moreover, the provincial and local authorities are provided with their own set of taxes in order to further increase their revenue and capacity. In other words, good fiscal decentralization might combat the insolvency problems which characterize the weak Congolese state (Bouvier & Omasombo Tshonda, 2012, p. 129).

Notwithstanding general agreement and support for fiscal decentralization in the DRC (EU, 2013; IMF, 2011; Liégeois, 2008; Marivoet, 2009; Marysse, 2004; World Bank, 2008), serious concerns on the form laid out in the constitution exist. A first concern rises from the lack of a thorough transformational plan and apt timing of fiscal decentralization. On the one hand, if fiscal decentralization precedes the installment of strong deconcentrated administrations and devoluted governance, it can lead to increased corruption. As the World Bank reported (World Bank, 2008): “transferring resources and competencies to sub-national levels without equivalent strengthening of local accountability mechanisms poses risks of increased corruption and capture of the state”. Also, local administrations might lack the capacity to execute their responsibility to collect taxes (UNEP, MONUSCO, & OSESG, 2015). In this view, the installment of more comprehensive local governance should precede fiscal decentralization. On the other hand, the vertical imbalance within the state revenue, with the national level claiming most of the state’s revenues, prevents the installment of more comprehensive systems of local governance on the provincial and DTE level. In this view, fiscal decentralization should be introduced even when the capacity of local levels might be lacking. Therefore, it is best that transitional arrangements in order to ensure the continuity of the state and its services are provided while giving the chance to provinces and the DTEs to become viable. In order to do so, strong consultation and coordination between the different levels of state is needed. However, the climate of suspicion that exists between the different levels, has made fiscal decentralization (and the decentralization in general), more an exercise in power than coordination (Liégeois, 2008, p. 12). Moreover, as there is no mechanism to limit deficits of the subnational entities, some fear that the global deficit of the state can find itself very fast out of control and can make the country relapse into the torments of galloping inflations (Liégeois, 2008, p. 14).

Second, much concern exists that the fiscal decentralization as provided by the constitution is characterized by horizontal imbalances. Fiscal decentralization is horizontally balanced when each individual subnational government unit has the available resources for its functions (Bahl, 2008). However in the case of the DRC, it is argued that an implementation of the constitutional provisions, will lead to serious inequalities between both the provinces and DTEs (Bouvier & Omasombo Tshonda, 2012; Bouvier & Tshonda, 2014; Liégeois, 2008; Marivoet, 2009; Marysse, 2004; World Bank, 2008). The state’s resources will be concentrated in a few provinces and their DTEs while most provinces and lower levels will lack the resources to be even modestly solvent. First and foremost, this provincial imbalance

is rooted in the logic on which 40% of the national revenue is allocated. The division of this 40% is based on the amount of national tax that a province collects. However, national tax collection on the provincial level is predominately located in Kinshasa, Katanga and Bas-Kongo. As Table 4 shows for 2010, a strict application of *art. 175* on the national revenue of 2010 would lead to large discrepancies in both the absolute and per capita share of national revenue distributed to the different provinces. The five worst-off provinces would annually receive less or around 1 USD per capita from the national revenue. On the other end, in Kinshasa, the national revenue per capita would be 153 USD, 119.1 USD higher than the average of 34.5. The standard deviation of this mean is 41.5. It indicates the large unequal per capita distribution of national revenues for which *art. 175* provides. On the level of the DTEs, the allocation of the national revenue (40% of the 40%) is “based on criteria of production capacity, size and population”. Provincial edits further decide the exact distribution (RDC, 2008b art. 116). These legal provision might result in more equitable distribution of national revenue from the provinces towards the DTE level. However, the revenue of DTE will vary greatly depending on the province they belong to.

Table 4: Strict application of *art. 175* for 2010 national revenue

| Province | Share of nat. revenue collection (%) | Allocated nat. revenue (million USD ¹⁰) | Population (million) | Share of nat. revenue/ capita (USD) | Surplus/ capita (USD) |
|------------------|--------------------------------------|---|----------------------|-------------------------------------|-----------------------|
| Kinshasa | 55.20 | 1287 | 8.4 | 153.6 | + 119.1 |
| Katanga | 21.00 | 490 | 9.3 | 52.9 | +18.5 |
| Bas-Kongo | 17.00 | 396 | 3.8 | 104.6 | +70.1 |
| Nord-Kivu | 3.00 | 70 | 6.1 | 11.5 | -23.0 |
| Sud-Kivu | 2.00 | 47 | 5.2 | 9.0 | -25.4 |
| Orientale | 1.00 | 23 | 7.8 | 3.0 | -31.5 |
| Kasaï-Oriental | 0.25 | 6 | 6.5 | 0.9 | -33.6 |
| Kasaï-Occidental | 0.23 | 5 | 4.7 | 1.1 | -33.3 |
| Équateur | 0.20 | 5 | 1.2 | 0.6 | -33.8 |
| Maniema | 0.07 | 2 | 1.5 | 1.1 | -33.4 |
| Bandundu | 0.05 | 1 | 7.3 | 0.2 | -34.3 |

11

The unequal distribution of national revenue among the sub-national entities would not be inequitable if it was countered by other legal provisions in the constitution. However, existing legal provisions are far from sufficient. First, the national equalization fund of 10% of the national revenue is far to low to correct for such large disparities (Liégeois, 2008, p. 12).

¹⁰ 1 Congolese Franc = 0.0011 USD

¹¹ Based on: for contribution to national revenue in 2010 (Bouvier & Omasombo Tshonda, 2012, p. 210), (RDC, 2010) for total national revenue, (J.-C. Bruneau, 2014; de Saint Moulin, 2010) for population estimates. Note that these population estimates vary from other population estimates such as in (Marivoet, 2009). Based on the data of the former Table 4 is a purely theoretical model based on own calculations which does not resemble the agreed or executed budget of 2010.

Second, the proper tax base of provincial and DTEs can provide for additional revenue for the sub-national levels. However, as we shall discuss later, it is mainly the richer sub-national entities that have been able to make use of this legal provision. In other words, while a proper tax base might increase the revenue of the sub-national revenue, it is unlikely to decrease, and more likely to increase, the unequal distribution of sub-national budgets.

Chapter IV: Decentralization and the power relations between the different levels of state

As discussed earlier, the large degree of decentralization provided by the constitution was the result of a compromise between the main belligerents of the civil war. Between these belligerents, a large cleavage existed between unitarist movement of Kabila and the federalist parties such as the Bemba's MLC and RDC-Goma. When Kabila was elected president in 2006 and his coalition gained a majority in both the national assembly and the senate, federalist's position in the unfolding negotiation process over the implementation decentralization weakened (H. Weiss, 2007). In the first years after the elections, the power of Kabila further increased at the expense of his major competitors and voices for strong decentralization. The often violent and oppressive means of Kabila's followers ended the naive belief that one democratic election could eradicate violence and oppression as part of the struggle for power in the DRC, let alone install a Western type democracy. As Human Right Watch reported in (2008, p. 2): *“There have been disturbing signs that Congo's democratic transition is not only fragile, but that the newly elected government is brutally restricting democratic space [...] Kabila pursued an approach of “winner take all”, leaving no room for other strong political opponents”*. Nevertheless, international support for Kabila remained, further increasing his claim to power (Tull, 2010).

This support came under pressure however, when Kabila misused his power in 2011 in order to assure his re-election. He did so, among others, by amending the constitution so that the presidential voting procedure was reduced to a single round, leaving opposition little chance of emerging victorious (Bouvier & Tshonda, 2014; EU, 2013, p. 20; Trefon, 2013). Nevertheless, it did not lead to an international rejection of Kabila who could continue his second term. In sum, this means that since the inauguration of the 2006 constitution which put the country on track towards decentralization, the driving seat of reform has been firmly controlled by a leader with centralist preferences. As a result, the next decade can be summarized as one marked by procrastination of the decentralization process. However, it did not mark the end of the political struggles between the national, provincial and DTEs levels. Rather, the opposite is true, since 2006, the dynamic of decentralization has significantly changed the political configuration of the state (Bouvier & Omasombo Tshonda, 2012, p. 52). In what follows, I will discuss and analyze this further from the perspective of each level.

The Center

Since 2006, the center has remained the dominant power of the DRC. It has done so by both delaying and amending the *de jure* legal provisions of the constitution and by maintaining and shaping the *de facto* political-legal institutions in its favor.

When it comes to the *de jure* legal provisions, the last decade has resulted in the publication of a very modest amount of legislation. Far too few in comparison with the amount needed in order to further detail the reform. The first laws relevant were those concerning the national and provincial elections held in 2006. They resulted in the election of Kabila as president, a national assembly, 11 governors and provincial assemblies in line with the old provinces. Although the constitution stated that the decoupage had to come into force within thirty days after the elections, its implementation did not take place. Other decentralization requirements for which the center was responsible, such as organizing local elections, providing details on the allocation of national revenue and creating a proper tax base of the sub-national levels were not undertaken. This despite large international assistance and the call of the provinces to proceed in the form of the Matadi declaration and on the National Forum on decentralization (EU, 2013, 2014; H. F. Weiss & Nzongola-Ntalaja, 2013; World Bank, 2010). As the World Bank reported in 2008: “*Lack of legal clarity and unilateral actions on the side of the central government created a crisis of confidence between central and provincial leaders, leading to the emergence of a highly politicized and acrimonious debate on the decentralization process in the first half of 2007*”. Hence, in the first important years after the constitution, the central level was able to simply ignore most of the provisions concerning decentralization. It allowed the center to reaffirm itself as the predominant power in relation to and at the expense of both the provinces and the DTEs.

It was only in 2008 that some legal action was undertaken to answer the need for clarification on the decentralization through organic law. According to some, it was an answer of the central government to the general dissatisfaction and pressure of international partners and provinces following the standstill of the first years (Niamh Gaynor, 2013, p. 22). A first law was published on the 31st of July concerning the fundamental principles for the self-government of the province. It further specified on the resources of national character which the provinces could receive and on the resources of proper provincial character. Two more relevant laws were published on the 7th of October. One organic law installed the conference of governors, an institution that had to provide regular consultation between the provincial and the national representatives. Its mission was “*to deliver opinions and make concrete*

suggestions on the policy and legislator development” (RDC, 2008c). The other law further completed the law of the 31st of July. It elaborated on the self-government of the DTEs and their relation with the central and provincial level. These laws on self government, national revenue allocation and proper tax base in 2008, were however contrasted by the central government’s inaction in order to prevent real fiscal decentralization, which I will discuss later.

Three years passed before new laws relevant to the decentralization were published in 2011. This despite the ambitious plan put forward in the “Strategic Framework For The Implementation of Decentralization” in 2009 and multiple actions from provincial and local representatives and civil society to end the non-fulfillment of the promised decentralization (N Gaynor, 2014; H. F. Weiss & Nzongola-Ntalaja, 2013). In 2011, a new law on the public finances appeared, reaffirming the constitutional provisions of the laws in 2008. Besides, the law further fixed the modalities of the division of the national revenue between each level (Mabi Mulumba & Muya, 2014). But again, legal action was not followed by real fiscal decentralization. Like his first term, the second term of Kabila has been marked by procrastination of the legal proceedings concerning decentralization. Exceptions exists, such as the law of the 23th of February 2013 which further detailed on the tax base of the provinces and DTEs (RDC, 2013). Nevertheless, essential parts of the decentralization, such as elections on the level of the DTEs and the legal provisions on the installment of the 26 new provinces, were completely ignored. However, in the last half year, both issues have reappeared on the agenda of the central government (I will elaborate on this later). For now, we can conclude that in the ten years Kabila has been in the driving seat, the center has been able to postpone much of the legal provisions necessary to undertake the decentralization process.

A legislative standstill does not necessarily benefit the center. For example, the constitution itself was primordial in the reestablishment of the central power after its disintegration in the previous decade. However, the center did benefit from the legal procrastination because the *de facto* political institutions have been in its favor in multiple ways. The central government maintains a firm grip within the provincial and local administrations. On the level of the provinces, a large number of national deconcentrated functionaries remain present. Even concerning competences which, according to the constitution, should belong to the provinces. The lack of laws ensuring collaboration between these functionaries and the provincial government, ensure that the former maintain “business as usual”, remaining accountable towards their hierarchy in Kinshasa. (World Bank, 2010, p. 15). On the other hand, even some

provincial administrators remain loyal and accountable to the central level, mostly to the ministry of interior. On the local level, the power of the national government is even larger. Almost ten years after the inauguration of the constitution, local elections have yet to take place. Instead, leaders at the DTE level are still nominated and revoked by the central state. In other words, rather than being accountable and responsive to the local needs, political leaders at the DTE level are loyal towards the center (Moshonas, 2013, p. 136). As a result, although they *de jure* possess legal authority and autonomy over a broad range of competencies, both many provinces and the DTEs in particular, remain *de facto* functioning as merely distributed entities with little real devaluated power (Pierre Englebert & Kasongo, 2014, p. 53; Trefon, 2010).

This lack of autonomy and power of the sub-national levels is further hampered by the reluctance of the central government to carry out the provisions concerning fiscal decentralization (Moshonas, 2013). In 2007, retrocession of its budget was estimated at 6.5%. In 2008, after formal agreements on the allocation of retrocession as a result of the National Forum on Decentralization, the redistribution of the budget towards the provinces increased to 10,5 % of the national revenue. Far lower than what was formally agreed during the National Forum which confirmed the need for 40% retrocession in line with the constitution. In 2009, the central government reversed the upward trend and fully neglected the agreements made during the National Forum. The World Bank reported that the government returned to “arbitrary criteria” in deciding on the distribution of national revenue (World Bank, 2010, pp. 21–22). The level of retrocession in 2009 lowered to 6.3%. Throughout the following years, the level of retrocession has remained strikingly constant. In 2014 it was 6.4 % (Pierre Englebert & Kasongo, 2014, p. 55)¹². Furthermore, it is important to note that the government has been able to maintain the practice of retrocession instead of the “retention at the base” as provided by *art. 175* of the constitution (RDC, 2006). In general, the central government prevents strong fiscal decentralization despite providing lip service to both the international development partners, the provincial, and local level. Interesting to note is that, before the elections, an amount of 20% of domestic revenue was common practice (World Bank, 2008). Preventing fiscal decentralization has been crucial for the center to remain dominant. Many saw it as a backbone for the possible construction and autonomy of the provincial and local governance levels. As was discussed in the previous chapter, even with strong

¹² Number of 2014 is based on authors calculations using ESB (Etat de suivi Budgetaire) data retrieved from the Ministry of Budget.

decentralization, their viability of multiple sub-national entities was already seriously questioned (Bouvier & Tshonda, 2014; Liégeois, 2008). However, the general weakness of the provinces and DTEs did not apply to all.

The Provinces

The lack of legislative actions, the influence of the center within its administrations and political institutions and the low level of national revenue allocated downwards, have prevented the provinces from playing the powerful role they were attributed by the constitution. Nevertheless, this general tendency does not apply to all provinces and in particular not to Bas-Congo, Katanga and the city-province of Kinshasa. Even before the constitution, these provinces had a considerably stronger position at the negotiation table than other provinces. In fact, as discussed in chapter two, these provinces were among the actors demanding for a constitution which would provide for a federalist state. This is not a coincidence, since the vast majority of all the DRC's wealth is located in these provinces. In addition and because of their wealth, these provinces have better connections in both the national capital and internationally (Liégeois, 2008, p. 13). After the provincial elections of 2006 (assembly) and 2007 (governors), their representatives formed the head of the provincial front during the period of the Matadi meeting and National Forum on Decentralization. (Liégeois, 2008, p. 13). Their strongest demand concerned the rapid and strict execution of fiscal decentralization. This makes sense since, as shown in chapter three, these provinces collect the bulk of national revenue and would benefit most from a strict application of the allocative provisions in the constitution. As Table 5 shows for the budget of 2014, both the agreed and executed national revenue allocation do not correspond to the provisions of the constitution. In stead of an allocation of 40% of the national revenue, the agreed allocation was only 19.3% while the real allocation was only 6.4%. In addition, the distribution of the national revenue between the provinces does not follow the constitutional provisions. Kinshasa, Katanga and Bas-Congo only received a share of 46.9% of the allocated national revenue while their contribution to it is around 90% (Pierre Englebert & Kasongo, 2014, p. 56).

The disproportionately low allocation to them explains the call of the wealthiest provinces for an allocation which is more in line with the constitution. However, even under the current decentralization conditions, the latter provinces have been able to benefit more from the, insufficient but real, reforms in comparison to the other provinces. Firstly, these provinces are

still provided with almost half of provincial share of national revenue while their population is only around 1/3th and their surface 1/4th of the total (J.-C. Bruneau, 2014, p. 139).

Table¹³ 5: Retrocession of 2014 national revenue

| Province | Voted in budget 2014 (19.3%) (million USD) | Payed in 2014 (6.43%) (million USD) | Ratio of execution (%) | Share of voted in budget 2014 (%) | Share of payedin budget 2014 (%) |
|------------------|--|-------------------------------------|------------------------|-----------------------------------|----------------------------------|
| Kinshasa | 159.2 | 104.1 | 65.4 | 13.2 | 25.9 |
| Katanga | 322.6 | 55.0 | 17.0 | 26.8 | 13.7 |
| Bas-Congo | 127.0 | 29.4 | 23.2 | 10.5 | 7.3 |
| Nord-Kivu | 97.9 | 26.8 | 27.4 | 8.1 | 6.7 |
| Sud-Kivu | 89.3 | 21.5 | 24.1 | 7.4 | 5.4 |
| Orientale | 91.6 | 23.7 | 25.9 | 7.6 | 5.9 |
| Kasaï-Oriental | 72.1 | 18.8 | 26.1 | 6.0 | 4.7 |
| Kasaï-Occidental | 42.7 | 18.8 | 44.0 | 3.5 | 4.7 |
| Équateur | 90.7 | 22.5 | 24.8 | 7.5 | 5.6 |
| Maniema | 63.3 | 21.0 | 33.2 | 5.3 | 5.2 |
| Bandundu | 49.0 | 60.2 | 122.8 | 4.1 | 15.0 |

Secondly, and more importantly, based on the legal provisions of the 2008 and 2011 detailing fiscal decentralization, these provinces have been able to strongly increase their revenue through their proper tax base. In 2012, the provincial budget of Katanga was 608 million USD, of which 95% consistent of proper provincial revenues. In Kinshasa, the annual budget of the province in 2011 was around 108 million USD of which 80% consisted of proper provincial revenues (Pierre Englebert & Kasongo, 2014, pp. 56–57). As for the poorer provinces, although their share of national revenue allocation is disporportionatly larger, they remain severly underfunded. Besides, the equalization fund of 10% of national revenue to answer regional imbalances has not yet been voted on and remains unoperational (Mabi Mulumba & Muya, 2014, p. 153). Moreover, even if it would be implemented, it's ability to answer the aggregating regional imbalances is seriously questioned (Liégeois, 2008). Notwithstanding the latter, a modest provincial dynamic has been reported in Kasaï-Oriental and the two Kivus (Kabamba, 2014, p. 91).

In line with their increased financial capacity these provinces have increased their power and political autonomy vis a vis the center. It has led authors to speak of a moderate to strong increase of a regionalist dynamic within the DRC (Pierre Englebert & Kasongo, 2014; N Gaynor, 2014; Kabamba, 2014; Young, 2014). Indicators of this are the new provincial assemblies that have been build in Kinshasa and Bas-Congo or the strong governorship and popularity of Moïse Katumbi in Katanga. However, their degree of autonomy remains ambiguous. To a certain degree, and especially in the first half of the previous decade, even

¹³ Based on ESB of 2014 database of Marivoet.

the governors remained agents of the central state. For example, in 2011, Moïse Katumbi, campaigned for Kabila and in Bas-Congo, the provincial authorities have also contributed to the repression of the Bundu dia Kongo. As Gaynor reports on Bas-Congo (N Gaynor, 2014, pp. 38–39): “*Although elected by the Provincial Assembly, he [the governor] is accountable to the authorities in Kinshasa through the national Minister of the Interior, Decentralisation and Customary Affairs.*”. Nevertheless, in the last 5 years the relative increase in power of the provinces can be viewed as a trend countering the domination of the center from within the state. As shall be discussed below, this trend has prompted the center to undertake new actions to change the existing relations of power by new decentralization reforms (Pierre Englebert & Kasongo, 2014, p. 58; Tull, 2010).

At this point, it is important to note that, besides the unequal increase of power between the provinces, the increase of power within provinces has also been distributed very unequally; even within the most powerful provinces. In fact, many of the power relations within these provinces mirror the power relations on the central level. First, as on the national level, horizontal power tends to be focused around the governors, leaders of executive power, such as Jacques Mbadu in Bas-Congo (N Gaynor, 2014, p. 38) and earlier mentioned Moïse Katumbi in Katanga (Pierre Englebert & Kasongo, 2014, pp. 57–58; Young, 2014, p. 78). These political figures and their government use a disproportionate part of their meager budgets to recruit political and administrative personnel, or invest in the capital instead of providing public services throughout their province. As the World Bank reports on Katanga (2010, p. 16): “*the governed are on the whole dissatisfied with the operation of provincial governments, particularly over the services they provide for the population. For example, in the city of Kolwezi, public opinion believes that thus far the provincial government has done nothing for the urban-rural district of Kolwezi or for Lualaba. There appears to be no distributive justice, with Lubumhashi appropriating the lion's share in the allocation of provincial resources. All investments, particularly those made in the upgrading and asphaltting of roads, only involve Lubumbashi and its surrounding areas.*” Second, like the center, the provinces have largely prevented further decentralization towards the lower state levels of the DTEs to which I shall now turn.

The DTEs

While at least some of the provinces have been able to increase their strength due to the opportunities presented by the modest decentralisation reforms, the DTEs have not. As discussed in the previous chapter, developing viable administrations and political institutions

at the DTE level requires capacity far beyond the current means of the DRC. However, the DTEs have not even been able to attain a small part of this insufficient budget. It is therefore not surprising that “suffocation”, “misery” and “domination” have been used to describe the current conditions of the DTE levels (Pierre Englebert & Kasongo, 2014, pp. 58–61).

Following the constitution and the legal proceedings of 2008 and 2011, the DTE’s budget should be mainly based on four different types of revenues. First, the DTEs have the right to 40% of the national revenue attained by its province (40% of the 40%) (RDC, 2008b art. 115). However, the already underbudgeted provinces have been reluctant to further distribute the national revenue towards the DTEs. Therefore, the latter find themselves almost systematically stripped from any transfer concerning their right to 40% of the 40%. Where a rare transfer is made, it is done on an irregular basis preventing firm and sustainable policies. However, it must be noted that the situation is a little better in DTEs of richer provinces and more in particular in Katanga. There, cities receive 30.0 million per month, towns 6.5 million and sectors and chiefdoms 1.0 million (Pierre Englebert & Kasongo, 2014, p. 58). Second, the DTEs should be retroceded 40% of taxes of common interest (TIC). It concerns taxes on consumption and others which the provinces and DTE levels should collect together (Mabi Mulumba & Muya, 2014). However, in effect, the provinces have appropriated themselves the right to solely collect these taxes and prevent distribution towards the DTE level. It shows that, as the national level, the provincial level executes a fiscal suffocation towards the lower levels in the state’s hierarchy. As Englebert states (Pierre Englebert & Kasongo, 2014, p. 59): *“The weakness of the first [national revenue] retrocession is generally understood by the DTEs as inevitable. But, the appropriation of the TIC revenues by the provinces is much more damageable insofar as it prevents the DTEs of developing their proper fiscality and revenues”*. Third, the DTEs have been provided with a modest proper tax base by means of the personal minimum tax. But, DTEs have often lacked the capacity to collect this tax which would only provide a limited return to investment (Pierre Englebert & Kasongo, 2014, p. 59). Fourth, the constitution provides for the DTEs to be able to attain revenue from the equalization fund. But, as previously stated, this fund has not yet been voted on and remains unoperational (Mabi Mulumba & Muya, 2014, p. 153). . In sum, the DTEs, who are in theory the cornerstone of decentralization, have little to no resources at their disposal.

With no capacity at their disposal, the existing DTEs, whom were provided free administration and autonomy by the constitution, can rather be described as deconcentrated administrations of the central and provincial level. Since local elections have yet to take place

the appointment of personnel in the DTEs is based on patronage networks. The World Bank reports that (2010, p. 15): *“most do not have the appropriate profile for assuming the tasks entrusted to them. Many owe their appointment to their relationships with politicians, who have interests in finding people who will promote their interests on the ground so that they can be re-elected”*. Gaynor’s results from focus group interviews in Bas-Congo further demonstrates the general weakness of the DTEs, as she concludes (2014, p. 57): *“there is a low level of awareness of the role of authorities at ETD level, most particularly among female, urban dwellers. This may be explained by the fact that, within FGs, many note that these authorities are administrators who, remaining in their offices, are seldom seen. Their work is understood by FG participants as being part of the wider political administrative apparatus”*.

Recent Decentralization Reform

In light of the former, it is interesting to shed a light on the unfolding evolutions in the decentralization process during the past half year. The return of decentralization the agenda of the central government is at least remarkable. More in particular, in the last six months we have witnessed the rapid dismemberment of the eleven provinces into the 26 provided by the constitution. The decoupage was further materialized with the organisation of provincial elections from the end of June to the beginning of July. This rapid implementation runs counter to policy recommendations of both international partners (EU, 2013; World Bank, 2010) and authors (Bouvier & Tshonda, 2014; Pierre Englebert & Kasongo, 2014; H. F. Weiss & Nzongola-Ntalaja, 2013). They agreed that the decoupage should be undertaken with much caution or in phases. Since, as the World Bank puts it (2010, p. 4): *“poorly implemented decoupage runs the risk of derailing the process of provincial capacity building and political stability”*. Indeed, the current division will on the one hand further concentrate wealth in a few provinces such as Haut-Katanga, Lualaba, Kongo-Central or Kinshasa and on the other, install new provinces of which the viability can be seriously questioned such as Sankuru, Tshuapa and Mongala (Radio Okapi, 2015c).

But, the division might also provide an opportunity for new provinces. Tanganyika for example is poorly endowed with natural resources in contrast to the ex-province (Katanga) to which it belonged. The new province will therefore receive disproportionately less from the allocation of national revenue and will be able to collect less proper provincial taxes than its ex-Province. However, as stated earlier, large spatial inequality had been present in the revenue spending of the Katanga province. More in particular, it was mainly focused around

the area of Lumubashi in Haut-Katanga. Therefore, although Tanganyika will be able to claim a lesser share of national revenue and collect less taxes, it might nonetheless profit from the increased budget autonomy (Radio Okapi, 2015b).

The case of Tanganyika is an example that shows how vital the next months will be for the solvency of multiple new provinces. It's future capacity will be a result of it's ability to bent the chaging politico-institutional preraugatives in the following months in it's favor. Another good example of this is the case of Sud-Ubangi in the area of the ex-province Equateur. There, the interim-governor of the ex-province, is demanding the new provinces to keep transferring the state's revenue towards Mbandaka, capital of the old province and now capital of the new, smaller, Equateur province. He states that (Radio Okapi, 2015f): *“Il n'y a pas de raison que les recettes soient bloquées par les députés et chefs de divisions de nouvelles provinces. Je vais répercuter la disposition du vice-Premier ministre qui ne leur donne pas la responsabilité de gérer les provinces financièrement mais ils doivent s'arrêter à poser des actes d'administration et de gestion”*. On the other hand, the newly elected provincial deputies of the new province of Sud-Ubangi, former subdivision of ex-province Equateur, have prohibited the administration in new provincial capital Gamena to transfer the revenue towards Mbandaka, in order to have their own proper provinces. However, tension between the two capitals remains (Radio Okapi, 2015f).

In sum, the current decoupage is leading to a new redistribution of power between the provinces. In turn, this will impact their relations of power with both the center and the DTEs. In fact, many view the rapid dismemberment of the old provinces as a reaction of the center, and Kabila in particular, against the increased strength of the old provinces and Katanga in particular (Kongo Times, 2015; Radio Okapi, 2015g; Reuters, 2015). Katumbi, the popular governor of Katanga, has become a strong political opponent of Kabila. In particular against his alleged attempt to hold a third presidential term by amending the constitution. The latter was publicly denounced by Katumbi as “le troisième penalty” (Kongo Times, 2015; Radio Okapi, 2015g). This radical opposition of Katumbi is interesting, since he is a member of Kabila's led People's Party for Reconstruction and Democracy (PPRD). His opposition surely contrasts with Katumbi's support for Kabila when the President ran for his second term. Interesting in this light is the presumption of many that Katumbi might be looking to use the enormous popularity which he derived as Governor of Katanga to run for President in the 2016 presidential elections (Reuters, 2015). With the decoupage of Katanga, Katumbi lost his Governors seat and the power he derived from it. In recent provincial elections, Katumbi did

not present himself as candidate, but prepared “a large tour around the country to meet the Congolese”. It further increased the expectations that he might be running for President (Jeune Afrique, 2015).

Framed within our previous analysis, the current territorial division can be seen as a move of the center to undertake new actions in order to change the existing relations of power to its benefit (Pierre Englebert & Kasongo, 2014, p. 58; Tull, 2010). This in itself can be viewed a signal of weakness, since the center is undertaking rather drastic measures it did not deem necessary in the previous decade. However, it is important to note that this weakness does not only result from the increased power of the provinces. Nearing the end of his second term, Joseph Kabila is running out of one of his major sources of power: the, at least formally acknowledged, position as democratically elected President of the DRC.

Chapter V: Conclusion

Decentralization has not been able to avert a strong concentration of state power on the central level. The stabilization of national unity and the few reforms towards decentralization have nonetheless resulted in the increased power of some provinces. This trend is strong enough to be called a “counter-hegemonic development which unrolls within the state” according to Englebert & Kasongo (2014, p. 58). The current acceleration in the decentralization reform can to a certain degree be viewed as, in its turn, a reaction of the center to this counter-hegemonic development. Nevertheless, even if the domination of the center over the strongest provinces would decrease, much more power will need to be transferred before the DRC can claim to be the decentralized state it’s constitution provides for. At the level of the provinces, besides the wealthy few, most have at best modestly improved their autonomy and capacity. At the level of the DTEs, decentralization has most often led to submission and suffocation preventing their free administration, autonomy and the increase in local decision making and accountability.

I therefore conclude that the existing relations of power have not yet been changed sufficiently in order to call the decentralization reform a success. In other words, the decentralization reform has not been able to, “improve the opportunities for participation and voice and engaging the hitherto disadvantaged or disenfranchised in the political process”. The latter is according to Bardhan (2002, p. 202) the primordial logic for decentralization in order to lead to better human development.

The above analysis has shown that the most powerful policymakers in the DRC state are unwilling to implement reform that will decrease their power. Rather, decentralization is used as a means to contain or increase their respective powers (P Englebert & Tull, 2013; Trefon, 2013). It is therefore of crucial importance that recommendations for policy making take into account the important role of power. As a result, standard policy recommendations on the better implementation of the constitution such as, among others, a) hold elections at the DTE level, b) improve the absolute and relative allocation of national revenue, c) make provincial and DTE administration more independent, d) implement the equalization fund and e) provide transitory measures to assist decoupage will not do. Neither will policy recommendations which imply a change in the provisions of the constitution such as, among others, a) enhance the capacity of the equalization fund or b) change of the criteria on which the allocation of the national revenue is divided among the provinces and DTEs.

In line with the general logic behind decentralization, answers to this policy issue, as to many policy issue, should not come from the top, but from the below. Therefore, if one real policy can be recommended then it is, for whomever chooses to side with the oppressed and deprived, too enable their capacity for resistance and the neutralization of domination at the level of the Congolese people. By drawing attention to the importance of power, and by providing a modest analysis of its working within the DRC state, I hope this dissertation has been a tiny contribution to the latter.

Bibliography

- Africover. (2001). *Multipurpose Landcover Database for DR Congo*. Kinshasa. Retrieved from <http://www.fao.org/geonetwork/srv/en/metadata.show?id=38097&currTab=simple>
- Agence Congolaise De Presse. (2015). RDC/ découpage territorial : Lancement à Bandundu de la campagne de sensibilisation. Retrieved July 1, 2015, from <http://acpcongo.com/acp/rdc-decoupage-territorial-lancement-a-bandundu-de-la-campagne-de-sensibilisation/>
- Bahl, R. (2008). *The Pillars of Fiscal Decentralisation* (No. 7). Caracas.
- Bardhan, P. (2002). Decentralization of governance and development. *Journal of Economic Perspectives*.
- Bird, R., & Vaillancourt, F. (2008). *Fiscal decentralization in developing countries*.
- Bird, R., Vaillancourt, F., & Roy-César, É. (2010). Is Decentralization “Glue” or “Solvent” for National Unity?
- Bloomberg. (2013). Angola Approves \$69 Billion Budget With \$4.1 Billion Deficit. Retrieved July 1, 2015, from <http://www.bloomberg.com/news/articles/2013-02-14/angola-approves-69-billion-budget-with-4-1-billion-deficit>
- Bouvier, P. (2014). Les Aléas de la Décentralisation en République Démocratique Du Congo. In J. O. Tshonda & P. Bouvier (Eds.), *Décentralisation et espaces de pouvoir* (pp. 37–48). Tervuren: Musée royal de l’Afrique centrale.
- Bouvier, P., & Omasombo Tshonda, J. (2012). *La décentralisation en République démocratique du Congo de la première à la troisième république, 1960-2011*. Bruxelles, Le Cri.
- Bouvier, P., & Tshonda, J. O. (2014). *Décentralisation et espaces de pouvoir*.
- Bruneau, J. (2009). Les nouvelles provinces de la République Démocratique du Congo: construction territoriale et ethnicités. *L’Espace Politique. Revue En Ligne de*
- Bruneau, J.-C. (2014). Le Mythe de Sisyphe: Construction et Déconstruction Du Territoire Congolais. In *Décentralisation et espaces de pouvoir* (pp. 117–147). Tervuren.
- Buelens, F. (2007). *Congo, 1885-1960: een financieel-economische geschiedenis*. EPO.
- Cohen, J., & Peterson, S. (1997). *Administrative decentralization: A new framework for improved governance, accountability, and performance*.
- Conyers, D. (1983). Decentralization: The latest fashion in development administration? *Public Administration and Development*.

- Cornwall, A. (2007). Buzzwords and fuzzwords: deconstructing development discourse. *Development in Practice*. Retrieved from <http://www.tandfonline.com/doi/full/10.1080/09614520701469302>
- Crawford, G., & Hartmann, C. (2008). *Decentralisation in Africa: a pathway out of poverty and conflict?*
- Crook, R. C. (2003). Decentralisation and poverty reduction in Africa: the politics of local-central relations. *Public Administration and Development*, 23(1), 77–88. <http://doi.org/10.1002/pad.261>
- Crook, R., & Manor, J. (1994). Enhancing Participation and Institutional Performance: Democratic Decentralization in South Asia and Africa. *Sussex, England: Overseas Development ...*
- De Saint Moulin, L. (2010). *Villes et organisation de l'espace en République démocratique du Congo*. Tervuren-Paris: Musée royal de l'Afrique centrale - L'Harmattan.
- Englebort, P. (2012). Incertitude, autonomie et parasitisme : les entités territoriales décentralisées et l'État en République démocratique du Congo. *Politique africaine*, N° 125(1), 169–188.
- Englebort, P., & Kasongo, E. (2014). Essor Provincial et Asphyxie Locale : Paradoxe des Réformes de Décentralisation en RD Congo. In P. Bouvier & J. Omasombo Tshonda (Eds.), *Décentralisation et espaces de pouvoir* (pp. 51–63). Tervuren.
- Englebort, P., & Tull, D. (2013). Contestation, négociation et résistance: L'État congolais au quotidien. Retrieved from <http://www.cairn.info/revue-politique-africaine-2013-1-page-5.htm>
- Eriksen, S. (2009). The liberal peace is neither: peacebuilding, state building and the reproduction of conflict in the Democratic Republic of Congo. *International Peacekeeping*.
- EU. (2013). *Special Report No 9: EU Support for Governance in the Democratic Republic of the Congo*. Luxembourg.
- EU. (2014). *Développement et Coopération EuropeAid Evaluation de la coopération de l'Union européenne avec la République Démocratique du Congo 2008-2013*. Louvain-la-Neuve.
- Faguet, J.-P. (2011). *Decentralization and Governance* (No. 027). London, UK.
- Faguet, J.-P. (2014). Decentralization and governance. *World Development*.
- Fauré, Y. (1989). Côte d'Ivoire: analysing the crisis. Retrieved from <http://www.documentation.ird.fr/hor/fdi:010010765>
- Fritzen, S., & Lim, P. (2006). Problems and prospects of decentralization in developing countries. ... of *Public Administration and Public Policy*.

- Gaynor, N. (2013). *Local Governance, Conflict and Peacebuilding in the Democratic Republic of the Congo*. Dublin.
- Gaynor, N. (2014). Challenges to Decentralisation in the Democratic Republic of Congo: Beyond the Political Settlement. *Journal of International Development*.
- Heller, P. (2001). Moving the state: the politics of democratic decentralization in Kerala, South Africa, and Porto Alegre. *Politics and Society*.
- Human Rights Watch. (2008). “ *We Will Crush You*”: *The Restriction of Political Space in the Democratic Republic of Congo*.
- IMF. (2011). *Democratic Republic of the Congo: Growth and Poverty Reduction Strategy Paper*. Kinshasa.
- Jeune Afrique. (2015). RDC : Moïse Katumbi, le dernier gouverneur. Retrieved July 6, 2015, from <http://www.jeuneafrique.com/mag/241318/politique/moise-katumbi-le-dernier-gouverneur/>
- Kabamba, B. (2014). Régionalisme politique: une mise en oeuvre ardue. In J. O. Tshonda & P. Bouvier (Eds.), *Décentralisation et espaces de pouvoir* (pp. 85–100). Tervuren.
- Kabesa, J. (2010). de la répartition des recettes à caractère national entre le pouvoir central et les provinces en république démocratique du Congo: modalités et contraintes. *Librairie D'études Juridiques Africaines*.
- Kauzya, J. (2007). Political Decentralization in Africa: Experiences of Uganda, Rwanda and South Africa. ... *Concepts and Practices*. Brookings Institution Press, ...
- Kongo Times. (2015). Projet phœnix : Au menu du tête-à-tête Katumbi - Kabila. Retrieved July 1, 2015, from <http://afrique.kongotimes.info/rdc/politique/9084-projet-phoenix-menu-tete-a-tete-katumbi-kabila-rencontre-examen.html>
- Liégeois, M. (2008). La décentralisation en RD Congo: enjeux et défis.
- Mabi Mulumba, E., & Muya, C. (2014). Décentralisation, gestion des finances publiques et problématique de la fiscalité. In J. O. Tshonda & P. Bouvier (Eds.), *Décentralisation et espaces de pouvoir* (pp. 151–158). Tervuren.
- Manor, J., & Bank, W. (1999). The political economy of democratic decentralization.
- Marivoet, W. (2008). *Le nouveau découpage provincial dessine une autre géographie humaine: 3 cartes pour comprendre*. Antwerpen.
- Marivoet, W. (2009). Decentralizing the challenges of poverty reduction in the DRC. *L'Afrique Des Grands Lacs*, 245–268.
- Marivoet, W. (2013). *The Congo Puzzle: Evolving livelihoods and poverty in the Democratic Republic of Congo (1970-2010)*. University of Antwerp.

- Marysse, S. (2004). Decentralization Issues in Post-conflict Democratic Republic of the Congo (DRC).
- Meagher, K., Herdt, T. De, & Titeca, K. (2015). Hybrid Governance: Buzzword or Paradigm Shift? *Researchgate.net*.
- Melmoth, S. (2007). République démocratique du Congo: décentralisation et sortie de conflit.
- Moshonas, S. (2013). Looking beyond reform failure in the Democratic Republic of Congo. *Review of African Political Economy*.
- Moshonas, S. (2014). The politics of civil service reform in the Democratic Republic of Congo. *The Journal of Modern African Studies*.
- Neethling, T. (2011). From MONUC to MONUSCO and Beyond: Prospects for Reconstruction, State-building and Security Governance in the DRC. *South African Journal of International Affairs*.
- Nikolov, D. (2006). *Decentralization and decentralized governance for enhancing delivery of services in transition conditions*.
- Prud'Homme, R. (1995). The dangers of decentralization. *The World Bank Research Observer*.
- Radio Okapi. (2015a). Découpage territorial : des notables de Ngandajika disent non à l'intégration de leur territoire dans la future province de Lomami. Retrieved July 1, 2015, from <http://radiookapi.net/sans-categorie/2009/05/14/decoupage-territorial-des-notables-de-ngandajika-disent-non-a-l-integration-de-leur-territoire-dans-la-future-province-de-lomami/>
- Radio Okapi. (2015b). Découpage territorial : le Tanganyika attend avec impatience son statut de province. Retrieved August 16, 2015, from <http://www.radiookapi.net/sans-categorie/2008/08/15/decoupage-territorial-le-tanganyika-attend-attend-avec-impatience-son-statut-de-province>
- Radio Okapi. (2015c). Découpage territorial : les provinces de la Tshuapa et Mongala manquent d'infrastructures. Retrieved July 9, 2015, from <http://www.radiookapi.net/actualite/2015/07/18/decoupage-territorial-les-provinces-de-la-tshuapa-mongala-manquent-dinfrastructures>
- Radio Okapi. (2015d). Equateur: la société civile soutient la loi sur le découpage territorial. Retrieved July 1, 2015, from <http://radiookapi.net/actualite/2015/03/23/equateur-la-societe-civile-soutient-la-loi-sur-le-decoupage-territorial/>
- Radio Okapi. (2015e). Evariste Boshab: «Il n'y a pas eu de retard dans le processus d'installation de nouvelles provinces». Retrieved July 15, 2015, from <http://radiookapi.net/actualite/2015/07/11/rdc-il-ny-pas-eu-de-retard-dans-le-processus-dinstallation-de-nouvelles-provinces-affirme-evariste-boshab/>

- Radio Okapi. (2015f). Ex-Equateur: les nouvelles provinces exhortées à canaliser leurs recettes à Mbandaka. Retrieved August 15, 2015, from <http://www.radiookapi.net/actualite/2015/08/12/equateur-sebastien-impeto-exhorte-les-nouvelles-provinces-canaliser-leurs-recettes-mbandaka>
- Radio Okapi. (2015g). Forum des As : « Moïse Katumbi : retour triomphal ». Retrieved from <http://www.radiookapi.net/revue-de-presse/2014/12/24/forum-des-moise-katumbi-retour-triomphal>
- RDC. Constitution de la République Démocratique Du Congo (2006). Kinshasa, République Démocratique du Congo: Journal Officiel de la République Démocratique du Congo.
- RDC. Loi n° 08/012 du juillet 31, 2008 portant principes fondamentaux relatifs à la libre administration des provinces, col. 1, Journal Officiel de la République Démocratique du Congo (2008). Kinsasha: Présidence de la République.
- RDC. Loi n° 08/016 du 7 octobre 2008 portant composition, organisation et fonctionnement des entités territoriales décentralisées et leurs rapports avec l'état et les provinces, Journal Officiel de la République Démocratique du Congo (2008). Kinshasa: Présidence De La République.
- RDC. Loi organique n° 08/015 du 07 octobre 2008 portant modalités d'organisation et de fonctionnement de la Conférence des gouverneurs de province, Journal Officiel de la République Démocratique du Congo (2008). Kinsasha: Présidence de la République.
- RDC. (2010). Loi portant budget de l'état pour l'exercice 2010. *Journal Officiel de La République Démocratique Du Congo*. Kinshasa: Présidence de la République.
- RDC. (2013). Loi n° 13/008 du 23 février 2013 modifiant et completant certaines dispositions de l'ordonnance loi n° 69/009 du 10 février 1969 relative aux impôts cédulaires sur les revenus. *Journal Officiel de La République Démocratique Du Congo*. Kinsasha: Présidence de la République.
- Reuters. (2015). Millionaire governor gears up for 2016 Congo election bid. Retrieved August 11, 2015, from <http://uk.reuters.com/article/2015/08/11/uk-congodemocratic-politics-idUKKCN0QG1E020150811>
- Reyntjens, F. (2005). The privatisation and criminalisation of public space in the geopolitics of the Great Lakes region. *The Journal of Modern African Studies*.
- Reyntjens, F. (2007). Democratic Republic of Congo: Political Transition and Beyond. *African Affairs*, 106(423), 307–317. <http://doi.org/10.1093/afraf/adm018>
- Ribot, J. (2002). African decentralization: local actors, powers and accountability.
- Rondinelli, D. A., Nellis, J. R., & Cheema, G. S. (1983). Decentralization in developing countries. *World Bank Staff Working ...*
- Scharpf, F. W. (2011). Monetary Union, Fiscal Crisis and the Preemption of Democracy. *MPIfG Discussion Paper*.

- Titeca, K., & De Herdt, T. (2011). Real governance beyond the “failed state”: Negotiating education in the Democratic Republic of the Congo. *African Affairs*, 110(439), 213–231.
- Titeca, K., De Herdt, T., & Wagemakers, I. (2013). God and Caesar in the Democratic Republic of Congo: negotiating church–state relations through the management of school fees in Kinshasa’s Catholic schools. *Review of African Political Economy*, 40(135), 116–131. <http://doi.org/10.1080/03056244.2012.761963>
- Trefon, T. (2010). Administrative obstacles to reform in the Democratic Republic of Congo. *International Review of Administrative Sciences*.
- Trefon, T. (2013). Uncertainty and powerlessness in Congo 2012. *Review of African Political Economy*.
- Tull, D. (2010). Troubled state-building in the DR Congo: the challenge from the margins. *The Journal of Modern African Studies*.
- UN. (1962). *Decentralization for National and Local Development*. New York: United Nations Technical Assistance Programme.
- UNEP, MONUSCO, & OSESG. (2015). *Experts’ background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on MONUSCO’s role in fostering stability and peace in eastern DRC*.
- Weiss, H. (2007). Voting for Change in the DRC. *Journal of Democracy*.
- Weiss, H. F., & Nzongola-Ntalaja, G. (2013). *Decentralization and the DRC - An Overview*. New York.
- Willis, E., Garman, C. da C., & Haggard, S. (1999). The politics of decentralization in Latin America. *Latin American Research Review*.
- World Bank. (2008). *Decentralization in the Democratic Republic of Congo : opportunities and risks* (Vol. 1). Washington D.C. Retrieved from <http://documents.worldbank.org/curated/en/2008/01/9071584/congo-decentralization-democratic-republic-congo-opportunities-risks#>
- World Bank. (2010). *The impact of the “decoupage” : executive summary*. Washington D.C. Retrieved from <http://documents.worldbank.org/curated/en/2010/03/12908903/democratic-republic-congo-impact-decoupage-executive-summary#>
- Young, C. (2014). Réflexions Comparatives sur le Pari de la Décentralisation au Congo. In J. O. Tshonda & P. Bouvier (Eds.), *Décentralisation et espaces de pouvoir* (pp. 36–84). Tervuren: Musée royal de l’Afrique centrale.