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Left in Limbo after Lumumba

An analysis of the decolonization of resource rights in the DRC

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## Abstract

Neocolonialism within consumer goods is always a difficult phenomenon to address. When I began to write about Western exploitative practices in the country of the Democratic Republic of Congo (henceforth DRC), it was very difficult to see how I myself was guilty of sponsoring and driving the colonialist practices that continue today in the mining of cobalt, copper, and nickel in the DRC. While I was using my Apple iPhone to take calls and send emails concerning the DRC, I was using a device that it was “impossible to know”<sup>1</sup> if child labor had mined the cobalt present within the device. Cobalt is necessary for many forms of electronic devices, including cell phones, computers, and electric cars. The overwhelming demand for these products has fueled a huge need for Congolese minerals, which has fueled conflict over these minerals.

The DRC is one of the most chronically understudied countries on the African continent even though it is the second largest in size on the continent, and this is in part due to the immensely complicated issues that threaten the DRC. I have chosen to focus upon the mining operations of Western companies not only to limit the discussion for the sake of length, but also because it is the most easily influenced of all the predicaments facing the DRC. The mining corporations that oversee the harvest and exploitation of Congolese minerals within the nations could be influenced by transnational legislation and international governance, which oddly enough are the easiest and least dangerous forms of reforms to assist the DRC in its continuing decolonization efforts. An additional difficulty I have faced when writing this paper is the lack of a cohesive social media presence within the country to rally against continuing neocolonial

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<sup>1</sup> Vivienne Walt and Sebastian Meyer, “Blood, Sweat, and Batteries,” *Fortune Magazine*, August 23, 2018. Accessed October 21, 2018. <http://fortune.com/longform/blood-sweat-and-batteries/>

mining efforts. This is because the issue of mining decolonization has become an issue that has been popularized to the Western world by Western reporting and academia, rather than from movements and advocates from within the country. Much of the DRC does not have access to the Internet, nor do many who are affected have the means and safety to express dissent from their situations. Throughout this paper, I will express the problems that the DRC faces in regard to Western mineral extraction from the DRC but also provide commentary upon the ways that the problems in the DRC vary from similar problems across Africa, specifically in relation to Nigerian oil extraction and South African diamond mining. While the DRC has seen little publicity about mineral extraction within the country, both Nigeria and South Africa have seen more publicity concerning their respective industries and have taken varying actions regarding their industries.

### **Formal Colonialism**

The DRC has had a long and violent history throughout its existence as both a Belgian colony as well as an independent state. Belgium first began to move to control the Congo through the expeditions of Henry Morton Stanley in 1879, who would force or trick many leaders of Congolese nations to cede their territory to what would become known as the Congo Free State. King Leopold marketed his expansion into the Congo as a humanitarian venture, one that would benefit not Belgium but the Congolese people.<sup>2</sup> Instead, the CFS would almost immediately be transformed into a money-making venture. According to Nzongola-Ntalaja, “Since [King Leopold] had invested a lot of money in pursuing his prize – the high cost of expeditions,

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<sup>2</sup> BBC News, “DR Congo: Cursed by its natural wealth,” *BBC*, October 9, 2013, accessed October 31, 2018.

including steamboats and armaments; expenses for lobbying and public relations – he needed money to repay loans and to invest in the economic development of Belgium.”<sup>3</sup> King Leopold first began to recoup his costs by forcing the local peoples to labor in whatever was most profitable to him; forcing many to abandon their ways of life and learn trades completely foreign to them through physical violence, torture, and murder.<sup>4</sup> This would become a trend throughout the dominion of the CFS, which would encourage foreign investment into the region as long as the companies were paying taxes and swore fealty to King Leopold. Leopold would transform lands with impunity from previous hunting grounds to huge rubber plantations to meet the need of the increase in demand for rubber across Europe, often claiming the lands he was occupying were “vacant lands” and thus in dominion of the Belgian crown and subject to Belgian exploitation.<sup>5</sup>

The number of Congolese killed by the state or state-affiliated actors has been estimated to be around ten million people, although the international community does not quite define it as a genocide, but rather just killing of native peoples to exploit their land (spoiler alert: this becomes a theme of Belgian colonization and neocolonialism). The CFS was run much as a business and would operate as one large, multimillion square mile plantation in which independent companies and Belgian owned ventures were free to exploit the natural and human resources to how they saw fit. In 1908, the CFS would transfer in ownership from King Leopold’s personal playground to being formally owned as a Belgian colony. This however, did not change the immense exploitation of Congo for only the benefit of Belgium. The Congo colony would quickly be exploited not only by Belgium for its organic resources, but quickly

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<sup>3</sup> Georges Nzongola-Ntalaja, *The Congo: From Leopold to Kabila*, (London: Zed Books, 2002.) p. 20

<sup>4</sup> Nzongola-Ntalaja, p.20.

<sup>5</sup> Ibid, 20.

became a precious mineral fantasy for European nations and companies that set up mining operations in the Congo when copper and gold was discovered in the province of Katanga. The Congo would quickly become a breeding ground for capitalist mining ventures that exploited the vast copper, cobalt, zinc, gold, diamond, uranium, iron, and silver reserves across the country.

All the companies invested in mining the precious metals present throughout the Congo were owned and operated by Belgian or European individuals, before and after independence. Predictably, the profits from the great exploitation of Congolese lands were also almost never to the benefit of the Congo itself. Because of both the sheer size of the Congo and the difficult terrain, it was expensive to build cross-country railroads and roads so many were never built and exports would instead be shipped through neighboring countries like Nigeria or Angola.<sup>6</sup> This ensured that the Congo would not even reap the few benefits that colonization had provided to other African colonies, like improved transnational infrastructure and autonomous economic capabilities. Leading up to independence in 1960, the Belgian Congo did not have much of a transnational infrastructure or even a centralized colonial authority, as much of the nation was truly governed by independent corporations or committees on the exploitation of specific regions, like Katanga. Additionally, the only form of law enforcement that the colony had experienced was brutal violence and repression of the Congolese people and not much of an emphasis on qualities like justice or fairness when evaluating punishments for crimes or alleged crimes, setting the stage for a continuation of these trends following independence.

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<sup>6</sup> Nzongola-Ntalaja, 32.

## **Congo's Postcolonial Struggles for Resource Rights and Ownership**

Following the trend of colonization, the Congo's decolonization process is still one racked with foreign involvement based upon the desire for access to the exploitation rights of Congo's vast resources. The Congo also faced an immense problem in the intrinsic link in race and class within its newly independent borders: Belgians still controlled almost all the capital that flowed through Congo even though Congo was an independent state. Additionally, there were no Congolese doctors, lawyers, dentists, or pharmacists at the time of independence in 1960.<sup>7</sup> This lay bare the absolute hegemony that Belgium exerted both during colonial rule and following independence and the subsequent wars for control. Without any of these professions that are vital to helping a state function in the way that is typical of the nation-state around the world, the newly independent Congo had no real means to get its feet off the ground politically. In addition, foreign interests still controlled the mines that were exploiting and harvesting Congolese minerals, which left no new capital to be gained through mining and mineral extraction by the Congolese people. For example, according to the Belgian government in 1958 indigenous enterprises and income made up only 6.23 billion francs (\$124.6 million USD) out of the 55.85 billion francs (\$1.117 billion USD) GDP of the Belgian Congo, or about 11% of the GDP.<sup>8</sup>

This set the stage for the first Congo Crisis, in which both the army and a secessionist movement in Katanga revolted against the newly elected Prime Minister Patrice Lumumba following his scathing rebuke of Belgian colonization at the independence ceremonies in which Belgium so graciously 'bestowed' independence upon the Congolese people as a culmination of

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<sup>7</sup> Nzongola-Ntalaja, 66.

<sup>8</sup> Bézy, "Problems of economic development of Congo", p.78, Table 8; Belgium, Belgian Congo and Ruanda-Urundi Information and Public Relation Office, *Belgian Congo*, Vol. II, found in Nzongola-Ntalaja, 70.

King Leopold's original humanitarian project in the Congo. Belgium also became directly involved in the violent upheaval of the Congolese state and Lumumba appealed to the UN to send peacekeeping forces, in which they begrudgingly complied. In addition to being directly involved, both the army revolt and the secessionist movement in Katanga were both sponsored and encouraged by Belgium both politically and economically to protect their economic interests within the country. Some historians argue that this was no 'crisis' at all, but rather a war for economic independence and autonomy against a nation that was not willing to and had no intention of ceding those rights that had just been repackaged to seem like a failure of the Congolese state. According to Nzongola-Ntalaja, "Belgium's inability to apply [the pattern of decolonization favoring the former colonizing nations], the collapse of its *pari congolais* and Brussels' failure to prevent a radical nationalist such as Lumumba from becoming prime minister created a crisis for the imperialist countries, which were determined to have a decolonization favorable to their economic and strategic interests with the help of more conservative African leaders."<sup>9</sup> Nzongola-Ntalaja also says that "[The party of Katangan secession] Conakat was basically the voice of white settlers through African mouths."<sup>10</sup>

Lumumba would be illegally forced from office assassinated during the First Congo Crisis by operatives within his own government as well as the CIA and Belgian Secret Services. Lumumba, a strident Congolese nationalist, was charged with genocide and communism by the international community and thus his deposition and his killing was no surprise and was actively not opposed by the United Nations. Following Lumumba's death, the United Nations installed a "unity government" that was supposed to support the needs of the people and decolonize the rest

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<sup>9</sup> Nzongola-Ntalaja, 95.

<sup>10</sup> Ibid, 100.



of the DRC under Cyrille Adoula, a former ally of Lumumba's. However, Adoula would prove to be a pawn of Western interests in the DRC and did nothing to further stop expansion of ownership of Congolese minerals in Katanga, and actually loosened regulations and administration that presided over the mining sector by promoting regionalism and autonomy among states. Adoula also began a long legacy of political patronage and political dealing within Congolese politics.

Following the First Congo Crisis, as this event has come to be known, there was an attempt at a renewed struggle for independence in the Democratic Republic of Congo. Several organizations would attempt to overthrow the Adoula and later the Mobutu governments with varying degrees of success. However, none of these coalitions would come to control the DRC prior to 1965, when Mobutu Sese Seko took power over the DRC and would mark a new era of Congolese neocolonialism.

### **Mobutu's Zaire**

Mobutu's government was one of the most genuine products of the Cold War. Mobutu, an ardent capitalist, was able to gain the support of the United States through his past as an informant for Belgian Secret Services during Belgian colonization and as the leader of the Western backed army revolt during the First Congo Crisis. Mobutu was seen by the United States to be a reliable strongman, which was the type of leader they preferred to install in the Cold War context as strongmen without the backing of an internal coalition have less of a chance to diverge from their interests than one that would.<sup>11</sup>

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<sup>11</sup> Eric Rouleau, "Guerre et intoxication au Tchad", *Le Monde Diplomatique*, September 1983, 8.

During the beginning of Mobutu's tenure, he experienced widespread support as he promised the Congolese a new era of unity and leadership that had been markedly absent during the First Congo Crisis. Mobutu began to make way for more American business competition within the DRC by breaking up Belgian monopolies over trade within the DRC. In 1966, he signed the Bakajika Law which formalized the state's claim to the mineral rights within the DRC and subsequently nationalized the Belgian mining giant UMHC. This alarmed Belgium not because of the exchange for private to public, but because it allowed for other nations to interact with Congolese markets. Belgium reacted in kind, beginning a trade war of sorts by imposing an embargo upon the DRC's copper exports, which forced the DRC into the arms of their new economic partner; the United States.

Mobutu's government also continued the corruption that had been rampant prior to him taking power. During Mobutu's reign, there was a brief period of economic recovery in the late 1960s and early 1970s but unfortunately the only yields were increased political patronage and failed prestige-seeking projects within the country that failed to address the real needs of the people. For example, in 1973 Mobutu began additional nationalization measures which only changed the recipients of the money earned in businesses and further increased government corruption and state theft. Throughout the 1970s and the 1980s, Mobutu would oversee a massive political crisis that would leave the DRC, now renamed Zaire under his administration, in abject poverty with only a few (those within Mobutu's kleptocracy) able to reap the benefits of the resource rich nation.<sup>12</sup>

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<sup>12</sup> Nzongola-Ntalaja, 152.

It is difficult to describe how widespread that government corruption became during Mobutu's tenure as president. While corruption was by no means absent during the tenure of previous leaders of the government, Mobutu's government makes everything pale in comparison to the sheer disregard of the Congolese people and the interests of the state that Mobutu carried out and encouraged daily. Clerical employees used schemes to ensure their continued employment and even promotion. In one instance, a minister within Mobutu's government flew to Mobutu's palace in Gbadolite in the north of the country to present Bobi Ladawa, Mobutu's wife, with a gift of \$1 million USD. Totally unrelated to this trip was the fact that the minister believed his post to be in jeopardy and following the gift, he was promoted to deputy prime minister.<sup>13</sup> Military corruption was also widespread and the norm, and any moves towards honest administration were seen as deviant and quickly punished. Commanding officers regularly embezzled funds from payrolls to their subordinate troops and Congolese troops would regularly go unpaid. When Mobutu was confronted in 1996 about the lack of pay for soldiers, he replied, "You have guns, you don't need a salary."<sup>14</sup>

### **Actions taken to combat Congolese mineral exploitation**

I do apologize for the long-winded history of economics and resource exploitation within the DRC. However, it is very important to understand the history and truly grasp that the current economic state in the DRC is not just a random phenomenon but rather just a continuation of the Congo region's long and violent struggle against Western control over their resources. To analyze the current affairs and economics of Congolese mineral exploitation as anything but a

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<sup>13</sup> Nzongola-Ntalaja, 158.

<sup>14</sup> Jason Stearns, *Dancing in the Glory of Monsters: The Collapse of the Congo and the Great War of Africa*, 118.

colonial system would be foolish, irresponsible, and would not adequately capture the true nature of the ongoing struggle of the Congolese people.

To begin, all major modern mines are owned by non-Congolese corporations. While these are not the only source of mineral extraction within the country, they make up the vast majority, constituting about four fifths of the Congolese mining sector. The other mining operations would fall under the category of artisanal mining, which is a form of freelance primitive mining of minerals done by poor Congolese which is then sold to refinery interests in China. However, the relatively small western outrage that does exist towards the exploitation of Congolese mineral rights is not directed at major mining corporations, but the artisanal mining sector. This is due to the presence of child labor among the sector and the moves by organizations including Amnesty International who are looking to end child labor and slavery across the globe. The child labor in the DRC is not a result of a local boss forcing local children to come work for them, but rather a move of necessity of many families to help to support themselves, who are already living in extreme poverty.

Sales of ore found by artisanal miners to Chinese refinery interests is also exploitative in practice, with workers receiving very meager pay for hours of work. A ‘good day’ in Congolese mines can earn a laborer about \$9 a day.<sup>15</sup> This forces many families who already have family members working in the mines to resort to sending children to labor as well just to be able to buy food for the family. From the refineries that may pay children to extract rare earth minerals in Congolese mines, companies that make consumer electronics like Apple, Microsoft, Lenovo, and BMW have actively purchased refined cobalt.

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<sup>15</sup> Vivienne Walt and Sebastian Meyer, “Blood, Sweat, and Batteries,” *Fortune Magazine*, published August 23, 2018, accessed October 31, 2018. <http://fortune.com/longform/blood-sweat-and-batteries/>

Child labor within electronics companies' supply chains led to organizations like the United Nations and Amnesty International to work to combat the presence of child labor within tech companies' supply chains. The efforts of these two organizations culminated in the inclusion of Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act in the United States that requires companies using gold, tungsten, tin, and tantalum to review their supply chains and take all the necessary precautions that the minerals they are using from the DRC came from both a legitimate (non-warlord controlled) source and that child labor was not present within the supply chain and publicly publish their results.<sup>16</sup> This act was largely a consumer protections bill that was designed to help prevent financial recessions like the United States experienced in 2008 and Section 1502 was largely a last-minute addition. This did address the problem and raise awareness for problems with Congolese minerals but has had limited results. In 2017, Amnesty International evaluated the actions taken by companies to oversee their supply chains and found that 11 multinational corporations, including Microsoft and ZTE, had still taken no action in attempting to oversee their sourcing for their rare earth minerals.<sup>17</sup> This shows continued negligence by multinational corporations with extensive involvement within the DRC to even oversee their supply chain and know where their cobalt is coming from.

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<sup>16</sup> 111<sup>th</sup> Congress of the United States of America, "H.R. 4173", adopted on January 5, 2010, accessed October 31, 2018. [https://www.cftc.gov/sites/default/files/idc/groups/public/@swaps/documents/file/hr4173\\_enrolledbill.pdf](https://www.cftc.gov/sites/default/files/idc/groups/public/@swaps/documents/file/hr4173_enrolledbill.pdf)

<sup>17</sup> Amnesty International, "Industry giants fail to tackle child labour allegations in cobalt battery supply chains," published November 15, 2017, accessed October 31, 2018. <https://www.amnesty.org/en/latest/news/2017/11/industry-giants-fail-to-tackle-child-labour-allegations-in-cobalt-battery-supply-chains/>

## **Unaddressed elements of the Congolese struggle**

While the elimination of child labor throughout the world is important to humanity, I believe it is just a side effect of the true neocolonial problems facing the DRC. I believe that the international community is not treating the true cause of the symptoms of Congolese child labor, rampant extreme poverty, and infant mortality: disproportionate foreign ownership of the Congolese mining sector and rampant government corruption. Firstly, the Congolese people have been effectively unable to reap any possible benefits of the vast and rich deposits of ore in the south of the country due to the omnipresence of federal and local government corruption, corruption and lack of transparency specifically regarding the mining sector. The current government administration currently is about the only way the DRC profits off of their mining sector, and the money just stays with the ruling class. The other mining profits that are made either remain with the foreign interests within the country, namely the mining companies, or the profits are siphoned off by armed groups that are offshoots of the military and using military weapons. It is estimated that within the country, \$185 million of profits from conflict mineral mines directly benefit armed groups.<sup>18</sup>

Additionally, the conflict over the profits from minerals, specifically in Eastern DRC has caused violent groups to rise up and try and take over these mines by force. These are the specific groups that Dodd-Frank 1502 saw as the threat to the industry and the source of most violence. These groups use lethal force as well as prolific amounts of sexual violence towards women in the DRC to drive people away from the land they seek to control. This sexual violence is what grabbed headlines for a few years in the late 2000s and led to a wave of support for

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<sup>18</sup> The Enough Project Team and the Grassroots Reconciliation Group, “A Comprehensive Approach to Congo’s Conflict Minerals,” Appendix 2, p. 17 (Washington: April 2009), accessed December 5, 2018. <http://www.enoughproject.org/publications/comprehensive-approach-conflict-minerals-strategy-paper>.

action in Congo. However, this sexual violence still continues to plague the nation and is still a hotly debated topic in sociological circles. Some scholars argue that because of the DRC sheer lack of governmental support and reinforcement of social norms and the marginalization of deviance, these violent groups believe that rape is the most effective and even accepted way of implementing their power in the region.<sup>19</sup> Some scholars also argue that gang rape is a way for bonds to be built during civil war coalitions that are often wrought with distrust.<sup>20</sup>

Some organizations have attempted to address the issues of ownership of mineral rights and corruption within the DRC, the most notable being the Enough Project. The Enough Project was one of several groups that lobbied for the addition of the conflict minerals clause within the Dodd-Frank Act and continues to provide updates, along with Amnesty International, on its continued efficacy. The Enough Project does not just focus upon the child labor issues present within the artisanal mining sector, instead they are focused on real rehabilitation of the industry. The organization also does regular studies and sponsors educational efforts within both the DRC and in international communities. However, the organization is not without critique. Many in the past have critiqued the organization of having “white savior” tendencies and have negatively likened it to the Kony 2012 movement. The organization is backed by several celebrities, including Ryan Gosling and Ben Affleck (where most of its funding is derived) but the organization does seem to be at least making some progress in the DRC and lobbying circles, which is more than many other organizations can say.

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<sup>19</sup> Laura Seay, “How rape is weaponized in civil wars,” *Washington Post*, June 29, 2018. [https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/29/how-rape-is-weaponized-in-civil-wars/?utm\\_term=.d167057f6484](https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/29/how-rape-is-weaponized-in-civil-wars/?utm_term=.d167057f6484)

<sup>20</sup> Dara Kay Cohen, *Rape During Civil War*, (Cornell University Press: Ithaca, NY, 2016), 32.

Mineral rights within the DRC and corruption within the DRC is one of the most complex issues plaguing the world. The DRC has had a long history of colonial systems that have ingrained these within the state system of the DRC and have rendered the state nearly unfunctional. Disproportionate ownership of mines in the DRC by foreign interests leave little money to return back to Congo, much like the system of Hilton resorts within the Caribbean. Without profits from the mining sector being effectively collected and distributed to the Congolese people, which shows culpability on both the private and public sector, Congo faces a very difficult job of trying to rehabilitate the political, societal, and economic systems within the country.

Several in the international community are quick to call the DRC a failed state. I personally believe that this would be incorrect, because to call the DRC a failed state is just a way to give up on them. The DRC does not need the international community to give up and just dismiss them as a failed state so that other state actors do not have to try and reconcile with them, especially neocolonial countries like the United States that continue to contribute to the problems facing the DRC. Instead, the DRC needs countries like the United States to invest in the protection and the restabilization of the Congolese state, which starts with the top-down restructuring of the corrupt government that was installed by leaders of Western nations. The Congolese mineral sector needs to also have increased Congolese ownership that is ensuring that the money is making it back to the people, not a corrupt government yet again. While the situation in the DRC is a story of decolonization and hardship, that is no cause to give up and call the DRC a failed state.



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