



BOSTON COLLEGE
School of Theology and Ministry

**Rethinking Social Justice to Restore Forgotten Memories:
A step towards reconciliation and peace
in Eastern Democratic Republic of Congo (DRC).
The cases of Kasika and Makobola**

Thesis in Moral Theology

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GENERAL INTRODUCTION

For almost three decades, Eastern DRC has been going through a global crisis that today no one can describe in the right terms. Since the so-called war of liberation, the people, flora, and fauna of this part of the country have instead fallen into domination and predation that have swallowed up everything in its path. Tons of reports have been written, thousands of pages of reports have been transmitted, voices have been raised to cry out, documentaries, and all sorts of media have been used by human rights activists, religious leaders, enlightened politicians, national and international organizations to denounce what has today become a genocide, but all of that has been done in vain. When we surveyed national and international opinion, we were shocked to find that nearly 12 million souls – the numbers are frightening – have been snatched from life in unprecedented violence and brutality without frustrating the stewards of national and international politics.

Men, women, children, and even fetuses were savagely massacred in a way that even the worst of the barbarians could not imagine. Mutilations, decapitations, skinning, suffocation, strangulation, burning and burying people alive, rape of men, women, children, and even babies, disemboweling of pregnant women, crushing of the skulls of newborns, the introduction of sharp or burning objects into the female genitalia, burial in mass graves, etc. We could go on and on citing the most horrific ways, one after the other, that so-called "human" beings have shamelessly used to not only kill bodies but also to kill souls over entire generations. Almost thirty years later, rivers of blood flow, the smell of rotting flesh can be smelled for miles around, corpses forced to remain anonymous and whose memories are being forgotten are scattered, without a dignified burial, over an area of 69,130 square kilometers, that is, twice the size of Belgium, two and a half times the size of Rwanda, almost the equivalent of Georgia, or the state

of West Virginia and Delaware combined (in the USA). Moreover, the number of deaths that these massacres represent, in almost thirty years, has exceeded the populations of countries like Burundi, Haiti, Tunisia, Bolivia, Benin, Belgium, Cuba, Portugal, Greece, Sweden, Switzerland, Libya, etc. Imagine if one of these countries was wiped off the world map. What horror, what wickedness one would say. And yet, there is a stony silence when such horror continues to be perpetuated in a country whose existence and value are known to all.

The Congo is, after post-World War II Europe, the place in the modern world where the barbarity of human beings has reached proportions that are unheard of. And yet we do not talk about it. That is why we decided to start this work, driven by the awareness of the value of the dignity and sacredness of the human being, as well as nature and the need to fight for the poorest. Our goal is to initiate a restoration of the dignity of all those whose blood still cries out, to plead for justice to all those souls that still do not find rest due to suffering from the prejudices suffered and not repaired. We want to open the eyes of our readers and orient their conscience first to recognize the injustice of a war suffered by an innocent population in Eastern Congo, and then to consider the option of working for social justice and peace in Congo. To do this, the first chapter will present a panoramic view of the conflict in Eastern Congo by primarily situating the reader on the background of the conflict which is rooted in neighboring Rwanda, and on the main protagonists who fueled this conflict between 1996 and 2002.

Then we will present in the second chapter the causes of this conflict. We have chosen three of them: the military errors of the intervention of the United Nations Forces in the Congo, the cracks in the formation of the Congolese government and the negligence of those in power, and finally the disintegration of the Congolese Army. These first two chapters reveal a principle

in violence in the Congo: social justice. The restoration of forgotten memories will therefore require the restoration of social justice.

This is the concern of our third chapter and the heart of our work. It will explore the notion of social justice in two stages: first in its theoretical aspect with the new paradigm that Nancy Fraser proposes to us, that of parity participation, and that of Pope Francis, integral ecology, universal communion, and social friendship. We will also briefly add the notion of the culture of encounter. Then will follow with offering moral recommendations to embody social justice in the action of the United Nations through MONUSCO, and in the action of the government and the Congolese army.

This work aims to restore forgotten memories through a plea for a new approach to social justice, which is expressed in respect and remembrance of the dead, fraternal communion, integral ecology, and social friendship. This form of justice is only possible through the promotion of a culture of encounter that brings the international community, the Congolese government, and army, as well as the Congolese people and the armed gangs around the same palaver tree for a true and sincere dialogue.

CHAPTER I: JUST OR UNJUST WAR? ANATOMY OF A FORGOTTEN CONFLICT

Introduction

The Congolese Nobel Peace Prize laureate, Dr. Denis Mukwege, said in his speech in Oslo: "It is not only the perpetrators of violence who are responsible for their crimes, but also those who choose to look the other way."¹ This statement reminds us of the responsibility of every human being for the events that affect the dignity and life of his fellow human beings. It reminds us that, unlike Cain (Gen 4:9); each one of us is the guardian of his neighbor, directly or indirectly, physically or morally, because we share the same and unique humanity. Nothing human should be alien to any human², let alone anything that undermines and destroys this precious gift of God. And yet, we are almost saddened to see that in one corner of the world, the Eastern regions of Congo, humanity is being destroyed and scorned, raped and bruised, without this leading to a collective movement of indignation, denunciation, and action. We share this feeling of oblivion, this incomprehensible silence in the face of millions of people killed, raped, mutilated, separated from their families, or reduced to the state of slavery, with authors and human rights activists such as Charles Onana³, Patrick Mbeko⁴, Ambroise Bulambo Katambu⁵, and national and international human rights organizations such as Amnesty International, Human

¹ "The Nobel Peace Prize 2018," NobelPrize.org, accessed February 9, 2021,

<https://www.nobelprize.org/prizes/peace/2018/mukwege/55721-denis-mukwege-nobel-lecture-2/>.

² I paraphrase here the Latin comic poet Terence (Publius Terentius Afer), born in Carthage around 190 BC and died in Rome around 159 BC. JC in his work *Heautontimoroumenos*, c. 77. He says: "*Homo sum: humani nihil a me alienum puto*". This formula will be taken up again in Catholic theology, and reformulated in the Pastoral Constitution *Gaudium et Spes*, 1: "the joys and hopes, the sorrows and anxieties of the men of this time, especially the poor and all those who suffer, are also the joys and hopes, the sorrows and anxieties of the followers of Christ, and there is nothing truly human that does not find an echo in their hearts" (*Gaudium et Spes*, 1).

³ Charles ONANA, *Ces tueurs Tutsis au cœur de la Tragédie Congolaise*, Duboiris, 2009, 322p. (These Tutsi killers at the heart of the Congolese tragedy. (The translation is mine).

⁴ Patrick Mbeko et Honore Nganbda, *Stratégie du Chaos et du Mensonge*, Erabliere, 2014.

⁵ Ambroise Bulambo Katambu, *Mourir au Kivu. Du Génocide des Tutsis aux massacres dans l'Est du Congo-RDC*, Les Editions du Trottoir, Paris, L'Harmattan, 2001.

Right Watch⁶, International Rescue Committee⁷, International Crisis Group⁸, even the Congolese government through its Ministry of Human Rights,⁹ and Congolese churches especially the catholic church.

Our repertoire would be incomplete if we do not mention the cries of the Catholic Church of the Congo, which has been calling for years for the awakening of the universal conscience on the drama of the Congo. Some would question our affirmation of silence given this non-exhaustive list of works and reports on the situation in the Congo. We are aware that there are reports (one of the most detailed and which we will describe and use in this work is the Mapping Report), documentaries, workshops, and even resolutions of the United Nations Council on human rights violations in the Congo. However, we stand against the lethargy and inaction of those who have the power to resolve conflicts between peoples and are not doing anything substantial. Our indignation is that there are tons of writings but very little action on the ground.

In 1999, a year after the beginning of the "Second Congo War," the Secretary General of the United Nations, Kofi Annan, stated that "the United Nations has no higher purpose, deeper commitment and greater ambition than the prevention of armed conflict."¹⁰ Twenty-two years later, despite the colossal means deployed by the United Nations (one of the largest missions in the world)¹¹ in the Congo, the number of deaths, displaced persons, people raped, mutilated,

⁶ Shout For Congo, *The Greatest Silence: Rape in the Congo*, 2020, <https://www.youtube.com/watch?app=desktop&v=MNq0WmW2nV0>.

⁷ International Rescue Committee (IRC), *Mortality in the Democratic Republic of Congo, an Ongoing Crisis*. See, <https://www.rescue.org/sites/default/files/document/661/2006-7congomortalitysurvey.pdf>

⁸ International Crisis group, *Katanga, The Congo's Forgotten Crisis*. See, <https://d2071andvip0wj.cloudfront.net/katanga-the-congo-s-forgotten-crisis.pdf>

⁹ Ministère des droits humains, *Livre Blanc : La guerre d'agression en République Démocratique du Congo, trois ans de massacres et de Génocide « A huis Clos »*, Kinshasa, 2001.

¹⁰ Kofi A. ANNAN, *Eviter la guerre, prévenir les catastrophes : le monde mis au défi*. Rapport annuel sur l'activité de l'organisation, New York : Nations Unies, 1999, 13.

¹¹ See the statistical sheet on: https://peacekeeping.un.org/sites/default/files/monusco_aug20.pdf and https://monusco.unmissions.org/sites/default/files/factsheet_monusco-feb_2018_3.pdf

tortured, children enrolled in armed groups whose numbers have increased dramatically¹² and armed conflicts have reached proportions that give the DRC (Democratic Republic of Congo) the second place on the chessboard of bloody conflicts in the 20th century after the Second World War.¹³ Indeed, these elements impel us to join our voice to those who are already speaking out against the horrors of the Eastern Congo conflict which seems to elude all the actors involved and whose population pays for the consequences with their lives every day.

It is important to underline here that the work herein focuses primarily on the armed conflicts in Eastern Congo, mainly in the Kivu region,¹⁴ which is the longest and most destabilizing conflict for the country. These two descriptions make it both complex and dynamic. We will give a global view of this subject by drawing upon the available literature that relates to it. Then we will turn our attention to Rwandan history and its relationship with Congo since 1990. That will help us to understand the Congolese crisis. Then we will explore some mass killings, those of Kasika and Makobola, which constitute the case studies of our work. The agents of these massacres will also be described. Since the goal of our work is the restoration of forgotten memories with a focus on reconciliation and justice, we choose the cases that are very little known and seem to have been kept in the cupboards of nightmares, if not thrown into the

¹² Researchers from the Congo Research Group counted 70 armed groups in December 2015. (Jason K. Stearns et Christoph Vogel, *Cartographie des groupes armes dans l'Est du Congo*, <http://congoresearchgroup.org/wp-content/uploads/2015/11/GEC-Groupes-arme%CC%81s-en-RDC2.pdf>. The International Crisis Group, in an article published in December 2019, spoke of more than 100 armed groups that are devastating the eastern part of Congo. (<https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/b148-new-approach-un-stabilise-dr-congo>)

¹³ Caritas, *Six million dead in Congo's war*. <https://www.caritas.org/2010/02/six-million-dead-in-congos-war/>. This report released in 2010 needs to be updated. Unfortunately, no one keeps track of these deaths anymore and, everyone is content with the estimates. In an article published in 2018, Human Right Watch stated that this number of six million has already been exceeded. See, Human Right Watch, *The Congolese Government at War with its People*, April 18, 2018. (<https://www.hrw.org/fr/blog-feed/la-rd-congo-en-crise>)

¹⁴ This precision is important because during the last 20 years, the country has experienced other armed conflicts, in the center and west. The *Kamuena Nsapu* group in Kasai reported by Amnesty International (<https://www.amnesty.org/en/latest/campaigns/2018/07/the-stolen-childhoods-of-kasai-drc/>) and The Red Cross International Committee (<https://www.icrc.org/en/document/drc-conflict-food-children-farming-nutrition-survival-kasai>), the *Bundu Dia Kongo* conflict in the South West.

ocean of ignorance. These memoirs represent a sample of the millions of others forgotten, whose history will one day hold us accountable.

1. Overview of the War in Eastern Congo¹⁵

The Universal Declaration of Human Rights proclaims the right to life of every human being.¹⁶ However, this natural and immutable right seems to have lost its meaning in the Eastern DRC. This side of the country has become what Theodore Trefon identifies as a “forsaken black hole characterized by calamity, chaos, confusion and a bizarre form of cannibalism where society is its own prey.”¹⁷

This part of the work seeks to highlight the violation of this sacred principle of protecting and promoting life by exposing the history of a violent, unjust, and unfortunately unknown war at the international level because it did not benefit from the spotlight of the major media. In her article "*Kivu: The Forgotten War*," Marthe Bosuandole begins with this meaningful remark: "When asked to name a long-running war somewhere in the World, many people are likely to point to notorious hotspots such as Afghanistan or Syria. How many would name Kivu? Yet this

¹⁵ Here are some references for a better understanding of the historical and political situation of this region: David van Reybrouck, *Congo: une histoire*, 1. éd, Lettres néerlandaises (Arles: Actes Sud, 2012), Charles Onana, *Ces tueurs Tutsis au cœur de la tragédie congolaise*, Paris, Duboiris, 2009; Isidore Ndaywel, *Histoire du Congo, des origines à nos jours*, Bruxelles, Le Cri, 2013; Frank Piasecki Poulsen, *Blood in the Mobile*, Documentary, Denmark/Germany, Octobre 2011 (<https://www.youtube.com/watch?v=Tv-hE4Yx0LU>); Jean francois Hugo, *La République Démocratique du Congo, Une guerre Inconnue*, Paris, Michalon, 2006; Yaa-Lengi M. Ngemi, *Genocide in the Congo (Zaire). In Name of Bill Clinton, and of the Paris Club, and of the Mining Conglomerates, So It Is!*, San Jose, Writers club Press, 2000; Theodore Trefon, *Reinventing Order in the Congo. How People Respond to State Failure in Kinshasa*, London, Zed Books, 2004; Pierre Englebert, *Why Congo persists: Sovereignty, globalization and the violent reproduction of a weak state*, Queen Elizabeth House Working Paper Series, Oxford, 2003.

¹⁶ "Everyone has the right to life, liberty and security of person" says the declaration.

¹⁷ Theodore Trefon, ed., *Reinventing Order in Congo: How People Respond to State Failure in Kinshasa* (London ; New York : Kampala, Uganda: Zed Books, ; Fountain Publishers, 2004), 1.

conflict in the heart of Africa ranks among the longest, bloodiest and potentially most dangerous wars in recent history."¹⁸

This remark sounds like a challenge to us. Refusing to side with those who are complicit in keeping silent in the face of evil, we want to present, on a critical historical basis, the general situation of the Kivu conflict. To do so, we will limit our remarks to the period from 1996 to 1998.¹⁹ We will exhume here the serious violations of human rights (mass rape, psychological trauma, systematic dehumanization, organized depopulation, epidemics, and diseases of all kinds).²⁰ All this violence is accompanied by the destruction of the entire ecosystem, the plundering of soil and subsoil resources, water and air pollution, the extermination of certain rare species such as the Okapi, the Mountain Gorilla, the rhinoceros, etc.). However, to better understand all these events, it is necessary to revisit the political and diplomatic relations between Congo and Rwanda in the 80s and 90s. This background will be useful in understanding the Rwandan presence in the Congo and the massive human rights violations by elements of the Rwandan army.

2. A background: The Intervention of the Zairian government in Rwandan politics

The background of the history of the murderous conflicts in Eastern Congo takes all its colors with the humanitarian apocalypse in Rwanda. Indeed, the repercussions of the sad history of the Rwandan genocide were one of the elements, if not the driving force, of the destabilization

¹⁸ Marthe Bosuandole, "Kivu: The Forgotten War", in *The M&G Online*, Agence France-Presse, 26 Sept. 2018, mg.co.za/article/2018-09-26-kivu-the-forgotten-war

¹⁹ Our *terminus ad quo* is the one corresponding to the first Congo war which started essentially in the East of the country and which is still going on today in disguised forms and by metamorphosed actors. As for the *terminus ad quem*, it refers to the war of aggression in the Congo, fueled by neighboring countries, supported by foreign powers and multinationals.

²⁰ Watch Mzee Laurent Désiré Kabila's speech on the aggressions in Congo. This speech was held at the Congolese Embassy in Belgium on November 26, 1998, in front of the Congolese community.

<https://www.youtube.com/watch?v=MLUnDMUSxUs>

and the triggering of the conflict that wiped out from earth more than 10 million people.

We cannot, therefore, expand on the Congolese chaos without briefly outlining its Rwandan background. Trying to understand the conflict in Eastern Congo without questioning Rwanda's past and its relations with the Congo would be comparable to trying to shed light on the Rwandan genocide while remaining silent about the attack on the plane of Rwandan president Juvénal Habyarimana, his Burundian counterpart Cyprien Ntaryamira and their collaborators.²¹

We will therefore present the correlation between the Zaire of Mobutu, the government of President Juvénal Habyarimana of Rwanda, and the Rwanda Patriotic Front (RPF) rebels of Paul Kagame. The interactions between these three entities will open our eyes to the real reasons that pushed Paul Kagame not only to invade the Congo, first in 1996 with the AFDL (Alliance de Force Democratiques pour la Liberation) under the cover of Laurent Desire Kabila and then in 1998 with the RCD by putting the Congolese Ernest Wamba Dia Wamba in the lead.

On July 4, 1973, the Chief of Staff of the Rwandan Armed Forces, General Juvénal Habyarimana, came to power in a coup d'état against President Grégoire Kayibanda (the first elected president of independent Rwanda), who was presented as the promoter of an ethnic schism between Tutsis and Hutus. The new strong man of Rwanda presented himself to his people as a unifier. A report of the UNHCR describes the context of Habyarimana's rise to power as follows:

He established new relations within the "ethnic" field. Relying on the Tutsi businessmen (who could not threaten him in any way because they were politically castrated), he brought the Hutu groups in the South, nostalgic for KAYIBANDA's PARMEHUTU (Parti du Mouvement de l'Emancipation Hutu)²², and the Tutsi exiles from abroad, perceived by those at home as a threat to their fragile tranquility. He muted the militant racial character of the national ideology and reinforced the "cooperative" and

²¹ Unfortunately, the reality is such that many of those who call themselves experts or specialists in the Congolese question refuse to look at this Rwandan background as an essential key to reading the chaotic situation in Congo.

²² The Party of the Hutu Emancipation Movement.

"developmental" aspect that appealed so much to foreigners, and in particular to Christian NGOs, which enabled him to obtain both overall political satisfaction from his regime and a large amount of economic aid.²³

On the diplomatic front, he decided to break away from Belgium, its former metropolis, and to turn to France, with which he signed a military cooperation agreement under the presidency of Valéry Giscard d'Estaing in 1975. "The government of the French Republic places at the disposal of the government of the Rwandan Republic the military personnel whose assistance is necessary for the organization and training of the Rwandan gendarmerie."²⁴ From this point forward, France was very present in Rwanda through investors and military instructors.

This moment represents a key turning point in Rwandan history. As with most African regimes that have taken power by force, President Habyarimana built a truly totalitarian regime, which in essence was based on a model that has already been present in the country for decades.²⁵ Besides, he established strict administrative control, imposing on every citizen, in addition to obtaining an identity card, a residence permit that listed the ethnicity (Tutsi, Hutu, Twa) of each Rwandan citizen. Moreover, as in Mobutu's Zaire, every Rwandan citizen, even the unborn, were already members of the presidential party, which had meanwhile become the country's only party (Mouvement Révolutionnaire National pour le Développement: MRND²⁶). Finally, the president made sure to attract the clergy to him, which he subtly but effectively muzzled.²⁷ He also favored his Hutu collaborators in the northwest region, where he was

²³ United Nations High Commissioner for Refugees, "Refworld | La Crise Rwandaise: Structures et Deroulement," Refworld, accessed March 15, 2021, <https://www.refworld.org/docid/3ae6a6c28.html>.

²⁴ "Rapport : Mission d'information Sur Le Rwanda," 2, accessed March 15, 2021, https://www.assemblee-nationale.fr/11/dossiers/rwanda/r1271.asp#P843_41406.

²⁵ Refugees, "Refworld | La Crise Rwandaise."

²⁶ National Revolutionary Movement for Development

²⁷ President Habyarimana had succeeded in making the Archbishop-Primate of Kigali, and President of the Rwandan Bishops' Conference, Monsignor Vincent Nsengiyumva, an active member of his single party, thus blocking any action by the Church against his power. The bishop resigned in 1990 following a papal ultimatum and was assassinated on June 5, 1994 in Gakurazo, along with two other bishops, Bishop Joseph Ruzindana and Thaddee Nsengiyumva, and other religious, by RPF soldiers, as testified by Esperance Mukashema, a Tutsi survivor, who

originally from. The hardening of power was characterized by assassinations in the ranks of the military (Colonel Mayuya, for example), of clergymen (the human rights activist Abbé Silvio Sindambiwe was killed in November 1989), of magistrates judged to be too indiscreet, such as the Prosecutor General of the Republic François Muganza, etc.²⁸

Assassinations and increased authoritarian ruled to conspiracies against the president, especially that led by Colonels Theoneste Lizinde and Alexis Kanyarengwe. Social discontent was becoming more and more audible, and the president, who until then had been holding firm, was now feeling his seat wobble. It was the end of the 1980s and the beginning of the 1990s. The Cold War was over, the cards of world geopolitics had to be redistributed. The Western powers wanted to get rid of certain "African old friends" who had become cumbersome. Thus, after the La Baule summit,²⁹ French president François Mitterrand put pressure on Habyarimana who, on July 5, 1990, gave a speech opening his country to democracy and promising a multiparty system.³⁰ This speech was followed by "the manifesto of the 33 intellectuals in favor of Democracy".³¹ This document insisted that democracy would not be a simple readjustment within the existing structures but a true opening to all the living forces of the nation. Some opponents, notably those of the RPF, were not open to such changes. The RPF (Rwandan Patriotic Fund), which we will describe in the next point, was essentially composed of Tutsi

was present at the time of the massacre See <https://www.jambonews.net/actualites/20130409-assassinats-des-trois-eveques-en-1994-au-rwanda-lordre-venait-de-paul-kagame/>

²⁸ Refugees, "Refworld | La Crise Rwandaise," 1.

²⁹ On June 20, 1990, the conference of heads of state of France and Africa was held in La Baule, France. During this summit, the French president, François Mitterrand, gave a speech that commentators have summarized in two sentences: "the wind of freedom that has blown in the East must inevitably blow one day in the direction of the South" and then, "there is no development without democracy and there is no democracy without development.

³⁰ His neighbor in Zaire, Mobutu, had already, under the pressure of his former sponsors (the USA, Great Britain, Belgium) made a similar speech on April 24 of the same year, promising a multi-party system and a transition that would bring the country to elections. But these promises will remain only promises.

³¹ This document was issued by local opponents. It recalls in its form and content the open letter that 10 years earlier 13 Zairian parliamentarians had sent to President Mobutu to ask him to open the country to a multiparty system and to a more participatory and representative democracy of all segments of the population.

exiles, who wanted to regain the power they had lost when the monarchy fell in 1959. They felt the danger of multipartyism, (they represented only 14% of the population compared to 85% of the Hutu population and 1% of the Twa population)³² and did not want to compete with other opposition parties in the country.³³

It is also important not to forget the feeling of hatred against Habyarimana government which had refused them access to the country (Rwanda) when President Milton Obote of Uganda wanted to expel them from his country. Many of these young people then joined Uganda's Yoweri Museveni's rebel movement (National Resistance Army) and helped bring down Obote in 1986. In return, Museveni should help them to return to their country, but this time with weapons.

Each of these factors ultimately led to the launching of the first RPF attack on Rwanda. This attack launched on October 1, 1990, failed the RPF, thanks in particular to an approximate knowledge of the new realities of a country that they had left years before (Paul Kagame was only 2 years old in 1959), the non-cooperation of the local populations (even the Tutsis) that they thought were on their side, the intervention of France³⁴, Belgium and especially that of the Zairian army. Mobutu sent his counterpart and friend Habyarimana a corps of about 2,000 men, made up of elements of the *Division Spéciale présidentielle* (elite soldiers of the Zairian army - the equivalent of the American special forces). The Zairian military, after having repelled the

³² "Outreach Program on the Rwanda Genocide and the United Nations" (United Nations), accessed March 22, 2021, <https://www.un.org/en/preventgenocide/rwanda/historical-background.shtml>.

³³ Cf. Marie Béatrice Umutesi, *Fuir Ou Mourir Au Zaïre: Le Vécu d'une Réfugiée Rwandaise*, Mémoires Lieux de Savoir (Paris: L'Harmattan, 2000), 53–54.

³⁴ Refugees, "Refworld | La Crise Rwandaise," 2. On October 4, 1990, France sent a contingent of 150 soldiers to secure strategic infrastructures such as the French embassy, the airport and French citizens. This was Operation Noroit. As for the conflict, France let the Rwandan government manage the conflict itself, while providing it with weapons and equipment under the orders of Colonel Jean-Claude Thoman, and organizing training to teach the FAR to deal with the dangers of mines and traps.

RPF rebels, engaged in exactions, looting, and killings of Tutsis. The RPF rebels would not forget this.

Additionally, the June 29, 1981 revision of the law of 1972 in Zaire, played a significant role in escalating the conflict. This law, which granted nationality to Rwandan refugees in Zaire, was revised in a more restrictive sense. Indeed, anyone who had "one of his or her ancestors who was a member of one of the tribes established on the territory of the Republic of Zaire within its limits on 1 August 1885" was now a Zairian.³⁵ This law triggered an uprising by the indigenous Congolese populations (Babembe, Bavira, Bafuliro) who attacked the Tutsi populations known as Banyamulenge (inhabitants of Mulenge, named after the region they occupied in Kivu). This situation created a real climate of insecurity in the Kivus and civilian confrontations fanned by greedy and money-hungry soldiers who sold their weapons to civilians.

Between 1990 and 1993, Zaire was involved in the peace negotiations between the Rwandan government and the RPF. Mobutu, then the oldest head of state in the region, and head of the second-largest French-speaking country in the world, and a closer friend of President Habyarimana, felt the weight of the duty of an old brother who had to reconcile his younger brothers. Regarding this friendship, some important elements should be emphasized. Mobutu had organized the funeral of President Habyarimana in the presence of the wife of the deceased, Agathe Kanziga. She had been extradited from Rwanda on 9 April 1994 by the French army as part of Amaryllis Operation.³⁶ She landed in Gbadolite where she received a diplomatic passport from Zaire allowing her to travel to Kenya before returning to Zaire, which she left in 1997 with the entry of the AFDL, allied with the RPF, which threatened her security. To return to Mobutu,

³⁵ "Rapport : Mission d'information Sur Le Rwanda," 3.

³⁶ "Rapport : Mission d'information Sur Le Rwanda," 263–80. After a stopover in Bangui, Habyarimana's wife landed in Paris for a brief stay before heading to Gabon, then Zaire, then Kenya, and back to Zaire. She will finish her journey in Gabon and then in France.

let us say that what he wanted above all was to restore his image as the undisputed leader of the region on the international scene. He also wanted to prevent the unrest and civil wars that were already tearing Rwanda apart from being exported to Zaire and in particular to the Kivu region.³⁷

As Charles Onana points out, the RPF was never in favor of a peaceful solution to the Rwandan conflict, because it did not think it could win democratic elections.³⁸ Mobutu was thus perceived more as an obstacle than as a way out of the crisis for the RPF, which was growing in power and benefited from the support of the great powers, notably the USA and England, which also wanted to get rid of Mobutu.³⁹ As part of the ceasefire negotiations and before the signing of the Arusha Accords in August 1993 (a peace agreement that was to initiate a transition to democratic elections in Rwanda), Zaire hosted the two parties for negotiations and ceasefire more than once. First in Gbadolite (President Mobutu's hometown) on October 26, 1990, then in Goma (North Kivu city in eastern Zaire) on November 20, 1990, and then again at the N'sele (President Mobutu's official residence and workplace in Kinshasa) on March 29 and March 1991⁴⁰ and again in Gbadolite on September 16, 1991. During the signing of the Arusha Accords, President Mobutu was represented as mediator.

The struggles between the Rwandan government of Habyarimana and the rebel movement of the RPF between 1990 and 1994 led to the genocide, which was triggered by the attack of the plane of President Juvénal Habyarimana.⁴¹ This genocide, which went on from

³⁷ “Rapport : Mission d’information Sur Le Rwanda,” 191.

³⁸ Charles Onana, *Ces Tueurs Tutsi : Au Coeur de La Tragédie Congolaise* (Paris : Duboiris, 2009), 57–58.

³⁹ Onana, 80–84. The author uses the letter that President Clinton addressed to Mobutu on April 29, 1997.

⁴⁰ The two parties signed a ceasefire agreement which was never respected by the RPF.

⁴¹ Onana, *Ces Tueurs Tutsi*, 51–62. It is important to know that documents abound and contradict each other on this issue. For some, such as the expert judges Nathalie Poux and Marc Trevidic, who issued their expert report on the April 6 attack on President Habyarimana's plane on January 10, 2012, the responsibility of the RPF and by ricochet of President Paul Kagame, who at the time was the leader of the RPF, is to be ruled out. The judges confirm the hypothesis that the shooting started from the Kanombe camp controlled by Hutu extremists and their European advisors. This thesis is supported by the Rwandan government. The other camp, that of Judge Jean Louis Bruguière, who worked on the case for ten years, Ms. Carla Del Ponte, prosecutor of the International Criminal Tribunal for

April 6 to July 15, 1994, saw a little over 800,000 Rwandans, many of them Tutsis, massacred, and about 2 million Rwandan citizens flee from Rwanda. The Congo (Zaire at the time) alone received 1.2 million refugees, the majority of whom were Hutus. Alongside the civilians, there were also elements of the Armed Forces of Rwanda who had crossed over with weapons, the Hutu extremists (*Interahamwe*). These refugees had just landed in a region already plagued by ethnic tensions and a glaring economic crisis. For the government in Kigali, the presence of ex-Armed Forces of Rwanda (AFR) and *Interahamwe* militias constituted a danger to the new regime. The situation was favorable for Kagame. He was applauded by the Western powers and the international community, he had built up a strong and well-equipped army, he was capitalizing on the feeling of guilt of these international police who had allowed such a horror to happen and on the status of an eternal victim that was granted to the Tutsis. Thus, when Kagame decided to pursue the genocidaires on Congolese soil, neither the United States, UK, France, Belgium nor the international community offered any resistance.

As researchers like Charles Onana⁴², Judi Rever⁴³, Beatrice Umutesi⁴⁴ make clear, Kagame was presented to the world, mainly by western medias (RFI, BBC, TV5, RTBF, etc.) as the stopper of the genocide, the savior of a whole people, and the new strong man of the sub-region of the great lakes. He took advantage of these labels to send his army to the Congo and take revenge against all those people who were either suspected of helping the Hutus or of having killed Tutsis. With the discovery of large deposits of raw materials (coltan, gold, manganese, lithium), methane gas, precious woods) in the Kivus, the demand of large

Rwanda (ICTR), Abdul Ruzibiza (a former member of the RPF), Charles Onana (political scientist and investigative journalist), Judi Rever (investigative Canadian journalist), are leaning towards the thesis that the attack was ordered by senior RPF officials and that it directly involved Paul Kagame.

⁴² Onana, 27–31.

⁴³ Judi Rever, *In Praise of Blood the Crimes of the Rwandan Patriotic Front*, 2020.

⁴⁴ Umutesi, *Fuir Ou Mourir Au Zaïre*, 52–57.

technological industries (for the telephone and aeronautical industry), and taking advantage of the misery of a people in the grip of poverty, Paul Kagame, helped by the United States and Great Britain, installs a system of plundering of raw materials, built on the terror of the populations. The latter fled their villages and their regions, leaving the ground fertile for those who exploit the soil and subsoil of the Congo.⁴⁵

Taken together, these elements together tell us about the RPF's motives in the DRC. Not only was there motive to pay Mobutu back for the crushing defeat inflicted in 1990 and the killings of the Tutsis, but also to humiliate him by sabotaging his role as a leader and great strategist in the sub-region.

3. Kivu's war and its protagonists

“War is not merely a political act, but also a real political instrument, a continuation of political commerce, a carrying out of the same by other means.”⁴⁶

The literature on the Congolese region of Kivu has been presenting for more than a quarter of a century now indigestible writings not by style, syntax, or grammar but by the number of horrors described on thousands of pages. After the opprobrium of the Second World War that we thought would be conjured up by the creation of the UN and the regional and international peace agreements, here we are in the midst of the nightmare of the savage and unjustified killings of the civilian and innocent populations under the astonishingly passive and ultimately desolate

⁴⁵ Onana, *Ces Tueurs Tutsi*, 125–30. We can also read the report of the United Nations experts on the illegal exploitation of natural resources in the Democratic Republic of Congo, New York, S/2001/357,39. The same experts produced another report in 2002. Both reports expose Rwanda for supporting certain dangerous groups that kill, pillage and rape for the exploitation of raw materials.

⁴⁶ Carl Von Clausewitz, Michael Eliot Howard, and Peter Paret, *On War*. (Princeton: Princeton University Press, 2008), 24, <http://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=390520>.

gaze⁴⁷ of all those who a few years ago had declared: “Never again war”⁴⁸ and who hypocritically continue to hum the same refrain (all the reports of the UN Security Council still condemn with the last energy the atrocities and massacres in Eastern Congo). The civilian populations of Eastern DRC die every day in a war for which they are unaware of the ins and outs; biodiversity is plundered and ransacked by rebel groups often supported by politicians or multinationals to whom they give access to the riches of the Congolese soil and subsoil. The soil and subsoil are devastated for the enrichment of a circle of unscrupulous politicians and big financial platforms.⁴⁹ In short, we are witnessing, and this for nearly 30 years (since 1996), general chaos, a slow, violent, and efficient destructive frenzy, a bestiality unworthy of the image and likeness of God of which we believe that every human being is granted. The worst is the vagueness and the imbroglio around this conflict, the regular and, in our opinion, ineffective interventions of major actors supposed to work for the search and the consolidation of peace (the UN, the EU, the

⁴⁷ With a budget of more than one billion dollars per year and a cohort of more than 15,000 agents, with the most modern logistics means (https://monusco.unmissions.org/sites/default/files/factsheet_monusco-feb_2018_3.pdf) it seems to us incomprehensible, even reprehensible, that the United Nations and all its partners are unable to put out of action armed groups about which they have full information

⁴⁸ At the end of the First World War, the slogan "never again war" appeared, which quickly became the pacifist and anti-militarist slogan in the German region and later throughout Europe (Amsterdam, Paris, Brussels), the work of the German artist Kathe Kollwitz. Unfortunately, the reality of the Second World War proved that beautiful words alone were not enough to convert people's minds and bring them back to think about peace and the well-being of all. But the slogan will come back in May 1946 in the streets of Berlin and will this time be echoed by Pope Paul VI at the UN tribune on October 4th, 1965 in the 18th paragraph of his speech before the great powers ("Never again against each other, never again!"). http://www.vatican.va/content/paul-vi/fr/speeches/1965/documents/hf_p-vi_spe_19651004_united-nations.html After him, Pope John Paul II will repeat in his angelus of January 27, 2002, the words that he had pronounced in Assisi on the day of prayer for peace ("Never again war!"). Never again terrorism! May every religion, in the name of God, bring justice and peace, forgiveness and life, love, on earth! ») http://www.vatican.va/content/john-paul-ii/en/angelus/2002/documents/hf_jp-ii_ang_20020127.html. Pope Francis, in the Angelus of September 1, 2013, will repeat this appeal in the first paragraph of his address ("... never again war! never again war! peace is an eminently precious gift, which must be promoted and preserved"). http://www.vatican.va/content/francesco/en/angelus/2013/documents/papa-francesco_angelus_20130901.html. All over the world, this slogan is being brandished. UNICEF has even made an exhibition of it at the Caen memorial on Thursday, May 17, 2019.

⁴⁹ Roland Pourtier briefly but effectively describes the major forces at play in these conflicts and specifies the stakes and interests of each party. With him, we can understand the twists and turns of this conflict, the extinction of some groups and the birth of others, the mutations of several groups and the creation of new small groups that bring together barely a thousand members. (Roland Pourtier, *Le Kivu dans la guerre : acteurs et enjeux*, 2009, in <https://journals.openedition.org/echogeo/10793>)

AU, and the Congolese government) and this cruel complacency which reminds us in many aspects of the dark period of the African slave trade.⁵⁰ For a long period (especially during the reign of President Joseph Kabila), NGOs, human rights associations, and human rights activists who rose to denounce this gratuitous barbarity were muzzled, even assassinated, and their reports sent to the darkest drawers of those who, by force of circumstance, have the power to put an end to this human and environmental infamy.⁵¹ At this point a serious question emerges: who is behind this terror? What are these groups that kill everyone and that nothing and no one seems to be able to stop? We will take a descriptive look at the different groups that sow fear and desolation in the eastern region of the Congo between 1996 and 2002. Depending on the interests

⁵⁰ We refer to this period because it was the time when the massacres of the masses of people were considered a news item, did not prevent anyone from sleeping and, on the contrary, gave legitimacy and honors to the executioners. We are here in the Congo of King Leopold II of Belgium. He had obtained this geological scandal at the Berlin conference during which the African continent was dismembered between the powers of the time. Read, International Geography Bee, *Scramble for Africa: Berlin conference 1884* (<http://www.internationalgeographybee.com/wp-content/uploads/2018/06/Berlin-guide.pdf>); Steven Press, *Rogue empires: contracts and conmen in Europe's scramble for Africa*, Cambridge, Harvard University press, 2017. Exterminating "negroes" was not a shocking, let alone revolting, event. This human trafficking was of no economic interest to the mainstream media. Consequently, they were simply abandoned to their fate. (see Adam Hochschild, *King Leopold's Ghost, A story of greed, terror and Heroism in Colonial Africa*, District Of Columbia, Mariner Books, 2020) We have the feeling that the populations of Eastern Congo are experiencing this abandonment today, especially with the continuation of the conflicts and the impasse over the atrocious murders of the populations of Eastern DRC.

⁵¹ This is the case of the UN experts, authors of the Mapping Exercise report, which since 2008 had been filed in the UN offices and was dismissed. Finally, in 2020, following pressure from the Congolese Nobel Prize winner Denis Mukwege, the new Congolese President Felix Tshisekedi and certain non-governmental organizations fighting for human rights (LUCHA, FILIMBI, COJESKI, CLC, etc.), we began to witness a reconsideration of the report. We also experienced the death of Floribert Chebeya assassinated on June 1, 2010 while returning from police headquarters in Kinshasa. (HRW, *DR Congo, Prominent Human Right Defender Killed*. <https://www.hrw.org/news/2010/06/03/dr-congo-prominent-human-rights-defender-killed> ; BBC, *DR Congo Human Rights activist found dead in Kinshasa*, June 2010 <https://www.bbc.com/news/10223564>). Five years earlier, on July 31, 2005, Pascal Kabungulu Kibembi, another human rights defender, was shot dead in his home. The same year, investigative journalist Franck Ngyke died, brutally shot dead with his wife in Kinshasa. Two years later, it was the turn of Serge Maheshe, and the following year of Didace Namujimbo. More recently, in March 2017, two UN experts, Zaida Catalan (Swedish) and Michael Sharp (American) as well as their interpreters and three motorcyclists of their team were summarily executed while investigating abuses committed against civilians in Kasai in the "*Kamwena Nsapu*" tragedy. (<https://www.hrw.org/news/2020/03/12/still-no-justice-murders-un-experts-congo>). On June 9, 2018, one of the young founders of the Citizen LUCHA movement, Luc Nkulula (33 years old), who criticized and organized non-violent demonstrations against the power of Joseph Kabila, was assassinated at his home in Goma. (<https://www.hrw.org/news/2018/06/11/congolese-democracy-activists-death-mournd>). These few examples give a glimpse of the certainly tacit but obvious will to silence all the voices that choose to denounce evil and to point out its perpetrators so that justice can be done.

at stake, armed groups are created and dissolved, merge or disappear. Nevertheless, some of them remain very well-known and continue to operate “peacefully” in the Eastern Congo region. For this study, we will focus on the armed groups that occupied Congolese soil between 1994 and 2002.

3.1. The FDLR (Forces Démocratiques de Libération du Rwanda)⁵².

This group is one of the most destructive and well-known in the region. It was created as political and military group in September 2000, in *Nasho* (Kenya). It included Hutu civilians seeking revenge and/or a way out, former soldiers of the Rwandan Armed Forces who had crossed the Congolese border with their weapons, and other exiled Hutu personalities such as Ignace Murwanahsyaka or Alexis Nshimiyimana. Taking advantage of the quarrels between Laurent Desire Kabila⁵³ and his former allies, Rwanda, the FDLR formed a military force and decided to support Kabila against the Rwandan army,⁵⁴ hoping for a strong military comeback in Rwanda. Their area of activity lies between the territories of Masisi, Walikale, Lubero, and Rutshuru. They are involved in massive human rights violations and still refuse to lay down their arms.

But it turns out, according to the *New Humanitarian* magazine, that this group, while remaining an elusive nebula, is experiencing internal dissension⁵⁵ between those who remain

⁵² Democratic Forces for the Liberation of Rwanda.

⁵³ Laurent Desire Kabila was the third president of the Congo since its independence. A former rebel (since the 1960s), he fought against the power of Kasavubu by supporting Lumumba and fiercely opposed Mobutu, whom he considered a puppet of the Western imperialists. He did not hesitate to accept the support of Rwanda and Uganda to overthrow Mobutu's power. He took power on May 17, 1997. But he found himself at odds with his former Rwandan and Ugandan allies and was assassinated on January 16, 2001 in his office. His son, Joseph Kabila, succeeded him at the head of the country on January 20, 2001.

⁵⁴ “Qui sont les FDLR ? – Jeune Afrique,” *JeuneAfrique.com* (blog), December 3, 2007, <https://www.jeuneafrique.com/131136/archives-thematique/qui-sont-les-fdlr/>.

⁵⁵ “Les groupes armés dans l’est de la RDC,” *The New Humanitarian*, October 31, 2013, <https://www.thenewhumanitarian.org/fr/actualites/2013/10/31/les-groupes-armes-dans-l-est-de-la-rdc>. We currently have factions such as the FDLR-Rud (Forces armées pour la libération du Rwanda/Rassemblement Uni pour la Démocratie led by General Jean Damascène Ntibabagije; FDLR-Soki named after their leader, "Colonel" SOKI,

extremist and swear only by arms and violence and those, on the other hand, who are more moderate and prefer the path of dialogue and political negotiation. With the misery, fear, insecurity, and tribalism, many young Congolese have joined the movement.

3.2. AFDL (Alliance des Forces Démocratiques pour la Libération du Congo)⁵⁶ :

This movement was created on October 18, 1996, in Lemeru in South Kivu, under the impulse of Rwanda,⁵⁷ by the merger of four rebels Laurent Desire KABILA from Manono in the Katanga province, Deogratias BUGERA, a Congolese Tutsi from the Masisi region in the North Kivu province, Anselme Masasu NINDAGA (a *Mushi*, Congolese tribe, from South Kivu province) and General André KISASE NGANDU, the military leader (a *Tetela* from Kasai province). Kabila was the oldest member of the group, which gave him "precedence" and the title of *Mzee* (a Swahili term meaning "elder") and made him the spokesman for the new movement. The first victories that the movement recorded on the front, consolidated its intention to overthrow Mobutu and Kabila began to present himself to be the president of the movement before the international press. This was the beginning of dissent that will result in the elimination of KISASE on January 8, 1997, and MASASU on Nov 24, 2000. Deogratias BUGERA had no other option than to flee. Kabila thus remained the sole master and transformed the AFDL into a single political party. It should be noted that throughout the conquest of the Congo, the AFDL's troops consisted essentially of young adolescents, recruited in the Kivus by Anselme MASASU.

who was killed by another rebellion (the M23) in July 2013; FDLR-Foca under the leadership of Major General Mudacumura and FDLR MANDEVU led by "Colonel" Mandevu.

⁵⁶ Alliance of Democratic Forces for the Liberation of the Congo.

⁵⁷ Isidore NDAYWEL, *Histoire Du Congo, Des Origines à Nos Jours* (Bruxelles: Le Cri, 2013), 234.

3.3. FPR (Front Patriotique Rwandais) and APR (Armée Patriotique Rwandaise)⁵⁸

When we talk about the conflict in Eastern Congo, the massacres of Hutu refugees in Congo, and the occupation and illicit exploitation of raw materials in Congo, one of the military groups that comes up is the RPA. It is the armed wing of the Rwandan Patriotic Front (RPF). This movement was officially founded in 1987. In addition to its political and propagandist branch, the RPF formed a military branch, the RPA, which recruited mainly from the Tutsi ethnic group in Rwanda, Uganda, and Burundi. The movement set up sleeper cells among the Banyamulenge population in Congo. The RPA launched an offensive on Rwanda on October 1st, 1990, which ended in abject failure.

This defeat of the RPA in the face of the Rwandan Armed Forces was largely due to the intervention of Mobutu, who, to support his counterpart Habyarimana, sent a commando to drive out the RPA rebels. We understand a little more the desire of Paul Kagame to take revenge on Marshal Mobutu. For four years, between October 1, 1990 (date of the first RPA attack on Rwanda) and before July 15, 1994 (capture of Kigali by RPA rebel forces), the RPA tried in vain to conquer power in Rwanda. The assassination of President Habyarimana on April 4, 1994, triggered mass killings and launched the RPA's war. Finally, they succeeded in taking power in two months. The same RPA army entered the Congo-Zaire in 1996, and they massacred Hutu refugees in many camps.⁵⁹ This is the same army that in 1998 invaded the Congo after President KABILA had decreed the end of military cooperation between Congo and Rwanda.

⁵⁸ Rwandan Patriotic Front (RPF) and Rwandan Patriotic Army (RPA).

⁵⁹ The armor of savior of the Tutsis, of stopper of the genocide that the international press will make Paul Kagame put on, but also the hypnosis of an international community which by shame and guilt will close the eyes on the actions of the RPA, will give to Kagame unlimited powers and the right of life and death on the populations of Rwanda and Congo.

3.4. RCD (Rassemblement Congolais pour la Démocratie)⁶⁰

After the official fall of Marshal Mobutu on 17 May 1997, President Laurent Desire Kabila took office, supported mainly by the Rwandan and Ugandan armies. He appointed James Kabarebe as Chief of Staff of the Congolese army, even though he was the commander of the Rwandan army. But this alliance was short-lived. Kabila decided the dismissal of General James Kabarebe and declared on television on July 26, 1998, his express request to all allied forces to leave the country the next day.

On their side, Rwanda and Uganda accused Kabila of failing in his duty of gratitude to those who had brought him to the head of the Congo. Thus, on August 2, 1998, a new war broke out in the East of the country. Rwanda and Uganda had just invaded the Congo, under the leadership of James Kabarebe.

Thus, on September 1, 1998, they created RCD, as a Congolese cover to their invasion on a sovereign country, with a political and a military branches (reminiscent of the RPF and the RPA). At its head they placed, Professor Ernest Wamba Dia Wamba, a Congolese from the Bas Congo as well as several other Congolese who, unfortunately, as Kakule Vyasongya points out, have never been involved in the creation of this movement.⁶¹ This movement wants to be a "revised" and "corrected" replica of the AFDL.

⁶⁰ Congolese Rally for Democracy.

⁶¹ webmaster, "Historique de la Guerre du RCD au Nord-Kivu (par Kakule Vyasongya) – Beni Lubero Online." Les autres membres de ce premier bureau sont Arthur Z'AHIDI NGOMA, Moise NYARUGABO, Jacques DEPELCHIN, LUNDA BULULU, Alexis THAMBWE MWAMBA, BIZIMA KARAHHA, MBUSA NYAMWISI, Deogratias BUGERA, Gertrude MPALA, etc.). See resolution 3314 of the United Nations General Assembly. Others even spoke of the great African world war.

The RCD succeeded in occupying the entire eastern part of the DRC, leaving Rwanda and other multinationals⁶² free rein for resource exploitation in the Congo.⁶³ However, like many rebel movements, the RCD soon experienced divisions and broke up into different rival factions (RCD-Goma, RCD-Kisangani, RCD/MN, Etc.). All these branches became more than harmful, as all these branches concentrated on exploiting the wealth of the conquered territories. The political war had turned into an economic war whose sole focus was profit. The promised well-being of the population turned into a chimera.

3.5. *Mayi- Mayi* or *Mai-Mai* groups :

The first traces of the *Mai-Mai* can be traced back to the 1960s when groups of the Babembe tribe (located in the South Kivu) joined the mulelist rebels against President Joseph Kasavubu, the first president of Congo. They accused him of embezzlement of the republic's funds, collusion with the former colony, and encroachment on their tribal areas by Banyarwanda nationals.

When the second Congo war broke out in August 1998, Kabila found himself in difficulty. Indeed, he did not have an army capable of facing the Rwandan and Ugandan troops. In the meantime, in the eastern regions, local groups (*Mai-Mai/Bangilima*, *Mai-Mai Yakutumba*, *Mai-Mai Nyatura*, etc.) were organizing themselves to defend themselves against the Rwandan invaders and Kabila turned to these groups to help him. With the interventions of *Mai-Mai*, the villages in the interior of the country escaped the total control of the RCD army and its Rwandan ally (the RPA). With time, the *Mai-Mai* became corrupted, separated from KABILA and enter the circuits of pillaging of mineral resources.

⁶² Onana, *Ces Tueurs Tutsi*, 125–29.

⁶³ “S/2001/357 : UN Documents : Security Council Report,” accessed March 11, 2021, <https://www.securitycouncilreport.org/un-documents/document/drc-s-2001-357.php>.

4. Kasika and Makobola: Two Tales, one reality.

The two stories that we are going to present in the following pages are concrete illustrations of these forgotten memories whose recognition we want to proclaim through this work. The cases of Kasika, Kilungutwe and Makobola I&II, are just a representative sample of all these forgotten souls that we want to exhume. We also want to present an important element: the injustice and lies of those who under the disguise of liberators have become oppressors.

4.1. The *Kasika* and *Kilungutwe* massacres⁶⁴:

Under the aegis of the United Nations Human Rights Section, a Mapping Report of more than 500 pages was written to report on the most serious human rights violations in Congo. This report, along with many others⁶⁵, gives details of the Kasika tragedy. But, first of all, what is the Mapping report?

The Mapping Report⁶⁶ is the result of a project of the Office of the United Nations High Commissioner for Human Rights whose mission was to inventory the most serious violations of human rights and international humanitarian law committed between March 1993 and June 2003

⁶⁴ A map detailing all these regions will be attached as an appendix. Kasika is an administrative entity of the Democratic Republic of Congo, located in the province of South Kivu, territory of *Mwenga*, community of *Lwindi*, 67 miles southwest of the city of Bukavu. We will take our references for most of this description from the report of the white paper of the Congolese Ministry of Human Rights.

⁶⁵ Report of the Secretary-General on Children and Armed Conflict to the Security Council; Report of the Joint Mission to Investigate Alleged Massacres and Other Human Rights Violations in Eastern Zaire since September 1996 (A/51/942) dated July 2, 1997; Report of the Special Representative of the Secretary-General for Children and Armed Conflict; World Food Program (WFP); United Nations Children's Fund (UNICEF); Office for the Coordination of Humanitarian Affairs (OCHA); International Court of Justice (ICJ); International Criminal Court (ICC); Congolese Ministry of Human Rights; Immigration Commission of Canada (*DRC, The August 1998 Rebellion and Key Groups, December 1998*); US Institute of Peace (*Crises on War and Governance 1997*); The Apocalypse in North Kivu, in collaboration with the group of volunteers for peace, Report on the *Mudja* massacre in April 1997; "Association africaine de Défense des Droits de l'Homme" (Situation of human rights in the territory of Beni under RCD administration, August 1998-July 1999 published in September 1999); CADDHOM (Massacre of Kasika in South Kivu in 1998, Investigations into the 1998 refugee massacres, Atrocities committed in Kivu Province from 1996 to 1998); Réseau d'Organisation des Droits Humains et d'Education Civique d'Inspiration Chrétienne (RODHECIC), *Massive Violation of Human Rights in South Kivu*; DRC, Application to the International Court of Justice in The Hague against the Republic of Rwanda, 2002)

⁶⁶ "RD Congo: Questions et réponses sur le rapport Mapping," Human Rights Watch, October 1, 2010, <https://www.hrw.org/fr/news/2010/10/01/rd-congo-questions-et-reponses-sur-le-rapport-de-mapping-des-nations-unies-sur-les>

in the DRC. Along with this inventory, this report was also to evaluate the means available to the Congolese legal arsenal and its capacity to respond effectively to human rights violations and finally to suggest, in consultation with the Congolese government, elements that would make it possible to address the issue of impunity through transitional justice.⁶⁷ In addition to a preface, an executive summary, an introduction, and three appendices, the report is divided into four main sections (Inventory of the Most Serious Violations of Human Rights and International Humanitarian Law, Inventory of Specific Acts of Violence Committed during Conflicts in the DRC, Assessment of the Justice System in the DRC, and Options for Transitional Justice for the DRC) corresponding to the main objectives of the project and comprising five chapters, three chapters, and six chapters respectively. It was following the discovery, in October 2005, of three mass graves in a village in the Rutshuru region of North Kivu, about 46.6 miles from the city of Goma, by Congolese soldiers and MONUC (United Nations Mission in the Congo) observers.

These mass graves, according to UN experts, date back to the bombings of October 30 and November 18, 1996, of Hutu refugees by RPA who came to help Laurent Desire Kabila overthrow Mobutu. Rwanda justified these bombings by indicating that this camp constituted a security threat for Rwanda. The discovery of these pits, which contained the bones of about 300 people, and others later found in Mugogo and Bunagana (about 20 km from Rutshuru), reinforced by the testimony of survivors such as Georges Bisimwa, who told the investigators of the International Press Service (IPS) the massacre and burial of 280 men and 32 women in Rutshuru, forced the UN human rights structures to ask that light be shed on all the crimes

⁶⁷ “Drc_mapping_report_final_fr.Pdf,” 3–32, accessed May 7, 2020, https://www.ohchr.org/documents/countries/cd/drc_mapping_report_final_fr.pdf. Transitional justice, also known as “transitional justice” refers to the full range of processes and mechanisms used by a society to address massive past abuses, with a view to establishing accountability, providing justice and enabling reconciliation. This definition is found on page 461 of the document.

committed during the long period of the two Congo wars to evaluate the human damage and to apportion responsibility. Thus, on June 13, 2006, the UN General Secretary, Ban Ki-moon, in his report to the Security Council, announced his intention to send human rights specialists to the field to make an inventory,⁶⁸ and on May 8, 2007, Ban Ki-moon approved the terms of reference for the Mapping Exercise in consultation with the Congolese government and UN agencies (the Secretariat's Department of Peacekeeping Operations, MONUC, the Office of the High Commissioner for Human Rights (OHCHR), the Department of Political Affairs, the Office of Legal Affairs, and the Office of the Special Adviser on the Prevention of Genocide). With a budget of \$3 million, under the guidance of the OHCHR, the project focused on data collection, analysis, and evaluation of information received from local NGOs, civilian witnesses, consultants, and experts. On this basis, the project generated a 550-pages report describing 617 incidents of violence that occurred in the DRC between 1993 (when *Hunde* and *Nyanga* militiamen massacred Hutus at the *Ntoto* market and in the churches of the same locality), based on more than 1,500 documents collected and analyzed and more than 1,280 witnesses interviewed⁶⁹ and 2003 (establishment of the so-called national unity government with the famous formula of 1 president and 4 vice presidents. On December 21, 2007, by way of resolution 1794,⁷⁰ the Security Council asked for the full support of the Congolese government led by Joseph Kabila Kabange who had been in favor of the mapping project. The project finally began officially on July 17, 2008. About twenty experts were deployed throughout the Congolese territory and between July 2008 and May 2009.

⁶⁸ UN Secretary-General, "Twenty-first report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo," June 13, 2006, 54, <http://digitallibrary.un.org/record/577394>.

⁶⁹ Étienne Rusamira, "La dynamique des conflits ethniques au Nord-Kivu : une réflexion prospective," *Afrique contemporaine* n° 207, no. 3 (2003): 147–63.

⁷⁰ [https://undocs.org/fr/S/RES/1794%20\(2007\)](https://undocs.org/fr/S/RES/1794%20(2007))

Despite numerous difficulties related to the size of the Congolese territory, the near inaccessibility of certain regions, insecurity, the extent of violence, and the scale of the crimes, the team submitted its final report, which was published by the UN on October 1, 2010. The report shows that in ten years, war crimes and crimes against humanity had been committed in the Congo against Congolese civilians and Hutu refugees and proposes that a tribunal be established to try the perpetrators of these massacres that the report identifies.

The Kasika horror took place between August 23 and 24, 1998,⁷¹ only three weeks after the outbreak of the Second Congo War.⁷² More than 1200 people (men, women, children, old people) were massacred, burned alive, and thrown into latrines in Kasika and neighboring villages.⁷³ These massacres were first brought to the attention of international opinion in December 1999 by some independent source like MINSA, an international Catholic news agency.⁷⁴

On Sunday the 23rd, the population was surrounded by soldiers, identified by the survivors as APR soldiers, who without warning entered the houses, systematically killing and burning people. The soldiers attacked the customary chief, Mubeza III, born Naluindi Francis. He was tied up, killed with a machete, his heart extracted out of his chest and his head cut off. His wife, who was pregnant, was disemboweled and the fetuses (twins) cut into pieces. 26 other

⁷¹ It is important to clarify these two dates to understand the large number of people killed on those days. The 23rd of August was a Sunday, a day of worship. Many people, especially Christians, gather in their churches for worship on this day. The next day, Monday, is market day, and many people leave the neighboring villages to come to the city to buy necessities (salt, soap, sugar, clothing, etc.) and sell some food (chickens, vegetables, tubers, bush meat, etc.). It is therefore also a great day. Gathering together and it shows that this violence is not a coincidence, and even less the collateral damage of a war of liberation.

⁷² Ministère des droits Humains, *Livre Blanc*, Tome I, 10.

⁷³ Mapping Report, 176 and Democratic Republic of Congo, *Application to the International Court of Justice of LaHaye against the republic of Rwanda*, May 28, 2002.

⁷⁴ Ministère des droits Humains, 10.

people were killed in his house.⁷⁵ Then the bursar of the parish, Stanislas Wabula Kombe, along with three nuns of the Congregation of the Daughters of the Resurrection,⁷⁶ and 37 parishioners were killed within the church.⁷⁷ 385 other people who had not been killed in the church were massacred while trying to flee.⁷⁸ On their way to *Kilungutwe*, they brutally killed 43 people and burned 50 others in a village called *Zokwe*.⁷⁹ Not far from *Zokwe*, still on the way to *Kilungutwe*, in the locality of *Kalama*, 95 people were burned in houses, again by RCD and RPA soldiers.

The next day, 24th, market day, the carnage will continue in *Kilungutwe*, 15 miles away from Kasika, where all the other villagers, come to get supplies. The soldiers, identified as those of the RPA, allied to the RCD⁸⁰ by the survivors, opened fire on the population after gathering in the central market square, killing at least 173 unarmed civilians.⁸¹ After that, they asked the villagers to gather in the huts by groups of 50 people (all ages) and they massacred them, reporting some survivors to the investigators of Amnesty International.⁸² In another house, 54 people were grouped together, testifies a survivor. They were forced to undress, and the soldiers

⁷⁵ “Document,” 12, accessed March 19, 2021,

<https://www.amnesty.org/fr/documents/document/?indexNumber=AFR62%2f036%2f1998&language=fr>.

⁷⁶ Bulletin of the Swiss Catholic Portal.

⁷⁷ “Document,” 12.

⁷⁸ “Document,” 13.

⁷⁹ “Document,” 12.

⁸⁰ A fringe of the rebellious Congolese army, supported by the regular Rwandan army, has been identified as the sponsors and executors of this human butchery. For more information, we can read with interest these few documents : Ministère des droits humains de la RDC, *Livre Blanc: La guerre d’agression en RDC. Trois ans de massacres et de génocide à huis clos*, octobre 2001, 11-13; Requête introductive d’instance à la Cour internationale de Justice de la RDC contre le Rwanda du 28 mai 2002, 4; CADDHOM, *Massacres de Kasika au sud- Kivu* , 1998; COJESKI, *Rapport du 20 novembre 1998*, 1998, p. 2 et 3; COJESKI, *Rapport de janvier 1999*, 26; Christian Hemedi Bayolo, *L’Église profanée, chronique et violation des droits du clergé pendant la guerre d’agression 1998-2000*, février 2002, 21-23; Jean Migabo Kalere, *Génocide au Congo ? Analyse des massacres des populations civiles*, Broederlijk Delen, 2002, 47-48.61-67 ; Ambroise Bulambo, *Mourir au Kivu, du génocide tutsi aux massacres dans l’est du Congo RCD*, L’Harmattan 2001, 87.98-99 (photographies); Groupe Jérémie, « Parole à la base », 1999, 21-30; AI, « RDC: La guerre contre les civils non armés », 1998, 8 et 11; HRW, *Casualties of war*, 1999, 30 ; Mapping Report, 183.

⁸¹ “Document,” 12.

⁸² “Document,” 12.

tied them up with their clothes before killing them. They then killed over 200 people following the same method.⁸³

Between August 23rd and 24th, on a journey of 37 miles (60 km), between *Kasika* and *Kilungutwe*, passing through *Kalama*, more than 1,200 people⁸⁴ (men, women, children, and the elderly) were savagely murdered and their deaths silenced at the national and international levels. It seems important to us then to ask ourselves about the motives of these atrocities. Perhaps this will help us to lift the veil on such violence.

Indeed, Amnesty International reports that a few days before the dates of 23 and 24 August, the RCD and RPA army was ambushed by the *Mai-Mai* resistance. During this attack, RCD and RPA troops lost approximately 30 militia soldiers. The local population was immediately singled out and accused of espionage and complicity with the *Mai-Mai*.⁸⁵ This population had to be punished for their "treachery" and a commando was sent to carry out the punishment. They did not realize the gulf that exists between the desire for justice and the pursuit of revenge. We can highlight two elements that remove from this expedition any suspicion of justice and turn it into a horrible and repressible carnage.

First, the failure to respect international conventions on the treatment of non-combatant targets. By leaving the *Mai-Mai* adversaries and attacking the civilians, we are clearly dealing with a campaign of terror rather than a reaction of self-defense. Secondly, the disproportion between the damage suffered by the military and the punishment inflicted on the civilian population is beyond comprehension. For every 30 soldiers killed in an ambush, more than 1,200

⁸³ "Document," 12.

⁸⁴ These statistics come from an ICRC report that will later be confirmed by CADDHOM, the Mapping Exercise, HRW, and other human rights NGOs as Groupe Jérémie, COJESKI and the CEPAS.

⁸⁵ Amnesty International, *République Démocratique du Congo, La guerre contre les civils non armés*, AFR 62/36/98, Londres, 23 Novembre 1998, <https://www.amnesty.org/download/Documents/148000/afr620361998fr.pdf>

civilians were simply massacred in an ambush. Having no means of defense, these populations could not even react to save themselves.⁸⁶ The violence with which these murders were committed is also an element of the real intentions of these soldiers: to silence the population and send a message to the Congolese government and all the militias that supported it. Thus, although the RCD⁸⁷ political-military authorities lately acknowledged these atrocities and promised to open investigations, nothing was ever done.⁸⁸ Even though, they knew the names of those who ordered and carried out this human butchery.⁸⁹ Unfortunately, the victims have been voluntarily thrown into the dustbin of history. They belonged to the collateral damage of a conflict of which they understood almost nothing.

4.2. The Makobola Massacres⁹⁰

"It's hell. The smell of the corpses pollutes the air". It is with these words that Father Albanese described the spectacle which was offered to his eyes in this region of Makobola.

⁸⁶ "Document," 12. Amnesty's report points out that a young teenager who had the courage to ask the question of at least knowing the motive for this violence was strangled without any other form of trial.

⁸⁷ The president of this movement was then Mr. Ernest Wamba Dia Wamba, a Congolese man.

⁸⁸ The RCD, through the voice of its military leader Jean Pierre Ondekane, "recognized" through a press release the responsibility of its soldiers in these massacres. It promised that an investigation would be opened and that the culprits would be severely punished. Since August 31, when the communiqué was issued, we have found no trace of any investigation or legal proceedings. There were even plans to create a special commission to shed light on the massacres committed in the Kasika region. But here again, a thick veil was cast to cover up and make these innocent souls forget. On the contrary, the soldiers, as justified by this inaction of the hierarchy, continued to commit atrocities in the other villages, always with the same accusation: punishing the traitors.

⁸⁹ The Congolese Ministry for Human Rights, corroborated by the delegates of the civil society of South Kivu invited to the National Conference on Human Rights, organized in Kinshasa from 24 to 30 June 2001, quote without emblem the names of the authors, co-authors and sponsors of these murders. They are the commanders MUHIRE, MUKARAYI and MACHUMU, who are the executors of the orders that would have been given by the vice-governor of yesteryear, Benjamin SERUKIZA, who may days before had presided over a security meeting of the province.

⁹⁰ The city of Makobola is located about 9.3 miles south of the territory of Uvira, on the border with the territory of Fizi. We propose a map of the region in the index of this work.

Questioned by Reuters, he said: "We are gradually receiving the names of the victims. We can't stop counting them."⁹¹

When we decide to forget history, it takes on the task of reminding us that it is not a relic, but a dynamic, for which, the present constitutes a bridge toward a horizon for which it has already set a scenery. Kasika's story, which we described above, had been ignored. The dead had been forgotten. The Blood of the Innocent had been covered by a veil of lies, contempt, neglect, and false promises. Both national and international authorities had chosen to look away and trivialize the cries of the poor who asked for justice.⁹²

On December 30, 1998, four months and seven days only after the *Kasika* and *Kilungutwe* massacres, a cry arose again: it was *Makobola* who was crying for her sons and daughters; she did not want to be consoled because they were taken away from her.⁹³ As for the *Kasika* and *Kilungutwe* massacre, we will describe the facts and introduce the sponsors. The account that we are going to report here comes essentially from Father Jacques Bulambo.⁹⁴ It will

⁹¹ These words were reported in an article by Ian Fisher, published in the New York Times on January 6, 1999. Voir <https://www.nytimes.com/1999/01/06/world/500-are-massacred-in-congo-missionaries-report.html?auth=login-googlel1tap&login=googlel1tap>

⁹² Charles Onana, *Ces Tueurs Tutsi: Au Coeur de La Tragédie Congolaise* (Paris: Duboiris, 2009), 19-31. In these pages, the author questions the silence and inaction of the international community despite all the reports and files that have been issued by organizations such as Amnesty International, which we have cited in this work. The UN Special Rapporteur, Robert Gareton, following an investigation in the Congo, revealed the discovery of mass graves hiding the bodies of Hutu refugees and Congolese civilians killed by the RPA troops. His report was never acted upon. On 29 June 1998, the United Nations Secretary General, Kofi Annan, in a report to the Security Council, affirmed the responsibility of RPA troops in the massacres of civilians in the Congo and qualified these massacres as crimes against humanity. He also underlined the denial of adequate humanitarian assistance to these populations Elisabeth Umutesi also describes in her book, *Flee or Die in Zaire*, the silence of the international community in the face of the human catastrophe that was taking place in the forests of Congo. In the United States, letters from Cynthia McKinney, former candidate of the Green Party in the 2008 US presidential elections and special envoy of President Clinton to the Great Lakes of Africa in 1997, reproached Bill Clinton for the guilty silence and even complicity of the US government and the international community in the face of the massacres of the Congolese population by the RPA troops Let's also mention the Mapping report which details the various human rights violations and which has never been exploited and which the Congolese Nobel Prize winner Denis Mukwege asked to be implemented.

⁹³ I am paraphrasing here the passage from Mt 2:18-20.

⁹⁴ "Livre blanc sur les violations massives des droits de l'homme et des règles de base du droit international humanitaire.," n.d., 13–14. Father Jacques Bulambo Wilondja is a member of the National Observatory of Natural Resources in Congo and works on behalf of the National Episcopal Conference of Congo (CENCO). He was present

be completed and enriched by the testimonies of other survivors and by local and international human rights organizations.

The new "liberator", the RCD, who wants to regain the power in Kinshasa, mostly supported and framed by Rwanda and Uganda, had control over almost the entire Eastern part of Congo, especially the North and South Kivu. As the population of the city of Makobola I (the city is divided by river in Makobola I and II) posed no danger to the APR and the RCD military, the latter decided to withdraw their base from Makobola I toward Makobola II, shortly before the 1998's Christmas and 1999's New Year celebrations. The population felt satisfied and relieved not to always have these weapons pointed at every corner of the city. The population had therefore celebrated Christmas, in the joy of a rebirth, a new beginning. Yet as in the Bible and the Catholic liturgy, the joy of Christmas is immediately followed by the bitterness and sadness of the murder of the innocent, the holy martyrs. *Makobola* will also experience the drama of the killing of the innocent less than a week after celebrating Christmas.

The *Mai-Mai*, once again ambushed RCD and RPA soldiers. They were camped in Makobola II's forests. By moving their headquarters from *Makobola I* to *Makobola II*, a few days before Christmas, the RCD soldiers entered the territory of the *Mai Mai* militia who interpreted this action as a provocation and an affront and as was to be expected, the *Mai-Mai* reacted.

We are in *Makobola II*. In the evening of December 29, 1998 (around 5.00 pm), the *Mai-Mai* sent a message summoning their opponents (the RCD soldiers) to empty the place under the pain of an attack. But without waiting for the answer, the *Mai Mai* had carried out their threat

in Makobola when the tragedy occurred and reported his testimony to investigators from the Congolese Ministry of Human Rights.

and attacked the RCD positions, killing some soldiers. On *Makobola I*, calm reigned,⁹⁵ interrupted by the feverish preparations for the New Year's Day celebrations. The population did not imagine that they were just hours away from the apocalypse and that many would not see the last year of the second millennium. Around 10 am, on the 30th, a rumor circulated in the city announcing the arrival of Rwandan army troops from Uvira, 9.3 miles away from *Makobola*.

As in *Kasika*, the soldiers arrived at *Makobola I*, left their vehicles at about 3 miles from the city and entered the city on foot. They then devoted themselves to an inhuman carnage. The first victim was a woman, Nabyocucwa, who was shot at the entrance of the city without any other form of trial. The soldiers went door-to-door, killing, raping, mutilating, burning people in their homes, cutting women open after inserting pieces of wood or logs into their genitals and burying people alive. The Council of the Catholic Apostolate of Congo gave the number of more than 600 people killed (mainly women and children). The final report of the participatory consultations for the development of the Poverty Reduction Strategy Document (DSRP) produced in December 2004, gives the number of 630 people killed, while the Mapping report counts more than 800 people killed in Makobola and in the neighboring villages of Bangwe, Katuta, Mikunga and Kashakezi.

There was general surprise and total panic. The inhabitants barely realized the nightmare that was happening to them, they could not even flee, tetanized by the cruelty and violence of these killings. The shock was so violent that some even after so many years still cannot recover (we can call here the case of the case of Bwashali, the vice director of Makobola primary school, who witnessed the murder of his friend and catechist of the village, Ndama Rusangiza and his

⁹⁵ The attack was only reported to the RCD headquarters in Uvira late in the day by RCD soldiers who had escaped from the attack and managed to get away.

family. He is still traumatized by the violence of those killings).⁹⁶ On the other side of the bank, was *Makobola II* where the *Mai Mai* attack took place. The *Mai Mai* heard the few shots and withdrew in the mountains abandoning the populations to these "monsters with the human faces" as would say, Martin Gray. The "cleaning" which started on Makobola I, continued as the soldiers crossed into Makobola II. With the same fury and the same murderous rage, they will shave Makobola II, leaving behind them a desolate and empty city. A real hecatomb. In two days, more than 818 people (essentially from the Babembe, Bayira and Bifulero congolese tribes) were torn from life with unheard-of fury and violence.⁹⁷ The rest of the people who had found refuge in the surrounding forests and that the number is not well known were found and murdered in the days that followed, thanks to a strategy of deception and sequestration. It consisted of sending one person at gunpoint to call the others out of the woods under the pretext that calm had returned. As soon as a group went out, they were immediately captured and beaten to death. This would be repeated several times.⁹⁸

Like Kasika, the instigators of these massacres are identified and known as soldiers of the Rwandan Patriotic Army (APR), with elements of the Congolese National Army (ANC) in rebellion against the central government in Kinshasa. Moreover, these reprisals go beyond the

⁹⁶ "Rapport Final des Consultations Participatives de la Base Pour l'Élaboration du Document de Stratégies de Réduction de la Pauvreté (DSRP) Territoire de UVIRA - Province du Sud - Kivu," n.d., 173. In 2004, the population of Makobola was estimated at 4,333 inhabitants, distributed as follows: 975 men, 1,205 women, and 2,147 children including 642 boys and 1,505 girls. It was difficult for us to have data on the population of Makobola in 1998. This lack of data also reinforces our conviction of an unacknowledged but palpable desire of national and international political actors to ignore this human tragedy.

⁹⁷ "Livre blanc sur les violations massives des droits de l'homme et des règles de base du droit international humanitaire.," 16.

⁹⁸ "Livre blanc sur les violations massives des droits de l'homme et des règles de base du droit international humanitaire.," 15–16. A young boy named Nyakungu will be captured and those who were in the bush are summoned to tell them that calm has returned. Those who went out were killed. He himself was beaten and left for dead. He was saved by the other villagers hours later after having dragged himself into the bush. another young man, Bulenge, reports how he was the only one to come out of his burning family home. all other members of his family perished in the fire.

positions attacked and the damage caused. They target the civilian populations that they exterminate them just like they use to do in Rwanda.

Otherwise, how can we account for such fury, such relentlessness on innocent and unprotected civilian populations? Many theories can be developed to find not a meaning but at least an explanation for this sabotage of humanity. Some of the statements made in 1998 in Butembo, in the North- Kivu, by senior military officers alluded to a deliberate desire to exterminate⁹⁹ indigenous peoples to install Rwandan (Tutsi in particular), Ugandan and Burundian colonies.¹⁰⁰ These remarks open the way to a key question that may be the main key to this eternal conflict in Eastern Congo: what promises did Laurent Désiré Kabila make to his Rwandan, Burundian and Ugandan peers in exchange for their military support? We know that the second Congo war, which began on August 2nd, 1998, was triggered when President Kabila asked his allies to withdraw their troops from Congolese territory and to return to their homes. We are going to analyze an element that could shed light on this violation of the fifth commandment of the Decalogue, thou shalt not kill: the lack of distinction between war and

⁹⁹ In the collection of testimonies on the massacres committed in Eastern Congo by the armies of Rwanda, Uganda and Burundi, we read the following statement made in Butembo by the commander Aboubakar on the motives for these mass killings: "There is therefore no more pity. It is therefore a question of killing, of massacring, from the baby to the snake. (...) We will sweep everything away, we will even call on our army in Goma. Afterwards we could then build our own city. (...) We are ready to chase every person wherever they are, outside, inside, in their house or in the bush, we will do everything to exterminate the enemy. " (My translation). These words tend to resurrect another theory, that of the creation of the Republic of the Great Lakes, which would include the three countries and the eastern region of the DRC under Tutsi hegemony. Moreover, in late April 1994, while the east of the country was breaking up, the Sovereign National Conference denounced what the Congolese historian Isidore Ndaywel called the pseudo Tutsi project of detachment from Kivu in Congo, with a view to the creation of a "Republic of Virunga". A report about refugees and displaced populations in the regions of North and South Kivu had even spoken explicitly of a certain Kabila who would organize incursions by attacking localities in the Beni. (See Isidore Ndaywel e Nziem, *L'histoire du Congo, des origines à nos jours*, Bruxelles, LeCri, 2009, 233-34.)

¹⁰⁰ In its letter of January 22, 1999, the Council of the Apostolate of Lay Catholics in the Congo, a powerful organization in the promotion of human rights, denounced the silence and denial of the international community regarding the DRC. The CALCC questioned in these terms: "Rwanda and Burundi are overpopulated. Is it necessary to massacre Congolese people to turn the Congolese territory into a drain on the demographic surplus of these countries? see, Cour internationale de Justice, Livre Blanc, Affaire relative aux activités armées sur le territoire du Congo, Tome I et II, 23 juin 1999, 34.

retaliation¹⁰¹ This results in the establishment of a reign of terror and the violation of the basic principles of a just war, namely the just cause.

5. From “Liberation” to Retaliation: evidence of an Unjust war

After the declaration of liberation of 17 May 1997 by Laurent Désiré Kabila's movement AFDL, the Congolese people aspired to a new beginning, a new era, far from the nightmares of the last decade of President Mobutu. But this dream was quickly swept away by divisions within the AFDL and its former allies. The outbreak of the second Congo war on August 2, 1998, led by Rwanda, Burundi, and Uganda, was pointed out as a war of occupation and strongly criticized by the population. Thus, President Kabila called on the people to take charge of themselves, to resist the oppressor, and to drive the enemy out.¹⁰² This slogan will have the merit of triggering a "hunt for Tutsis" in several cities of the country and above all a mistrust of the populations of Kivu conquered by these new masters of the place. Small groups of pro-government defenses will be created throughout the region to face the invader. Practices such as the sabotage of equipment, ambushes, and kidnappings will multiply on the military forces of the RCD (essentially Tutsi), which will result in reprisals. Unfortunately, these reprisals are carried out not on the armed adversary, but the civilian population. This will completely discredit the entire struggle of the RCD, transforming it into an ugly, repressive and violent machine. Those who claimed to want to overthrow the dictatorial power in place, found themselves no longer at war

¹⁰¹ Gregory M. Reichberg, Henrik Syse, and Endre Begby, eds., *The Ethics of War: Classic and Contemporary Readings* (Malden, MA ; Oxford: Blackwell Pub, 2006), 333. We will see that RCD soldiers attacked civilian targets under the pretext of complicity with their enemies, thus violating all the principles of a just war.

¹⁰² Yeba Tv, Discours de Laurent-Désiré Kabila Sur Les Agressions Au Congo (Bruxelles, 1998), 2012, <https://www.youtube.com/watch?v=MLUnDMUSxUs&t=1s>. In his remarks, Laurent Désiré Kabila takes the Congolese people to witness and castigate Rwanda, Burundi and Uganda which according to him are enemies who kill and massacre the Congolese. Their armies, mono-ethnic by the way (Tutsi ethnic group) do not want to leave the Congo after having tasted the wealth of this country. For Kabila, an appeal is launched to the Congolese people to defend themselves against the Tutsi aggressor. He clarifies the difference between the Tutsi aggressor and those who live peacefully. Therefore, the Congolese people's view of the Tutsi will be marked by mistrust, even hostility.

with the government, but in a human butchery that did not respect any morality. They could no longer distinguish war from punishment.

Also, the rise of "anti-Tutsi" sentiment placed these soldiers in a defensive posture. They knew that they were not loved by the population. They had therefore decided to reign by terror. The massacres had the objective of petrifying the population and forcing its cooperation. If the cause of the beginning of the rebellion, the failure to respect the agreements, seemed just, the cause of the massacres of the civilian population, on the other hand, lacked a basis. The harm caused to the civilian population was in no way the result of an evil caused by the population. So, we were not in the perspective of an offensive war, but rather amid a kind of vindictive justice, a logic of gratuitous violence.¹⁰³ It is by pointing out the possible modes of offensive war that Molina allows us to clarify the mobilization of the actions of these rogue soldiers. Let us see what Molina says about the different types of offensive warfare and how to punish when they are at fault. In this way, we could better grasp the absurdity of this license to inflict harm on non-combatants that these soldiers have granted themselves. Under no circumstances can war be waged as a form of punishment, Molina reminds us.¹⁰⁴

First, we recognize with Saint Augustine and Francisco de Vittoria that the first motive of war is harm. One wage war to repair a prejudice¹⁰⁵ or to correct evil, to punish a nation or a government that refuses to repent of an evil inflicted on its people, or to return a good taken

¹⁰³ Reichberg, Syse, and Begby, *The Ethics of War*, 333. Unlike Cajetan, who supports a firm connection between offensive warfare and vindictive justice, Molina reminds us that one can go without the other. An offensive war can be waged without a punitive intention, as when it is a question of recovering arbitrarily occupied territory. Likewise, we add that an army can carry out vindictive justice disguised as an offensive war. Indeed, in the cases of our work, there is no war but a massacre, that the target is not the armed adversary but an unarmed population. One cannot even grant the benefit of collateral damage to this RCD army.

¹⁰⁴ Reichberg, Syse, and Begby, 334

¹⁰⁵ Reichberg, Syse, and Begby, 334.

unjustly.¹⁰⁶ This definition undermines the actions of RCD soldiers. What harm were they repairing by massacring civilian populations? This is absurd. If Rwanda, Burundi, and Uganda wanted to punish the Congolese government, they would not have obtained reparations by attacking civilians. On the other hand, in the vein of St. Augustine, it seems to us that the Congolese government had neither wronged its population nor unjustly taken what was rightfully theirs and that the rebels, supported by the three countries mentioned above, wanted to return to the people.¹⁰⁷ Moreover, let us remember with Saint Thomas that for the cause of an offensive war to be just, those who are attacked must deserve the attack for a fault committed.¹⁰⁸ Now, we see that the men, women, and children who are attacked are attacked arbitrarily because no-fault weighs on them. This element reinforces the denial of an offensive war, much less a just war, by the soldiers of the RCD and their Rwandan, Burundian and Ugandan allies.

On the other hand, these military expeditions were aimed at punishing and creating fear that would lead to servitude for those who did not choose the path of exile. This manifest intention to terrorize a population that had become distrustful deprived these soldiers of the support of invincible ignorance that would have mitigated their actions. In fact, as in the case of Makobola, the soldiers arrive and, without asking questions, kill, burn, and rape. If they wanted

¹⁰⁶ Reichberg, Syse, and Begby, 334. Luis de Molina takes up the Augustinian definition of a just war. See *Decretum Gratiani*, II, 23, question 2,

¹⁰⁷ We will not enter this work in the debate around the so-called *Banyamulenge* population whose Congolese nationality has been and still is a subject that unleashes so many passions. Their case was used as a cover for the Rwandan invasion of Congolese soil. Indeed, it was about the protection of a martyred and mistreated civilian population. But can the protection of one population be justified by the massacre of another? Is this not the pattern of the Rwandan genocide that was being repeated on Congolese soil? For more information on the thorny issue of *Banyamulenge*, we can read David Van Reybrouck, *Congo, une Histoire*, Actes Sud, 2012 ; Leonard Kambere Muhindo, *Après les Banyamulenge, voici les Banyabwisha aux Kivu, la carte ethnique du Congo Belge en 1959*, Kinshasa, YIRA ; Leon de Saint Moulin, « Conscience Nationale et Identités Ethniques », in *Congo-Afrique*, n.330, Kinshasa, Décembre 1998 ; Van Bulck, *Commission Centrale de l'Atlas, General du Congo, Institut Royal Colonial Belge*, Bruxelles, 195422 Willame Jean Claude, *les Banyarwanda et les Banyamulenge*, CEDAF, Bruxelles, 1997 ; Mahano Ge Mahano, *Existe-il des Rwandais Congolais ?*, Kinshasa, Sophia, 1998 ; Charles ONANA, *Ces tueurs tutsis au cœur de la Tragédie Congolaise*, Duboiris,

¹⁰⁸ Reichberg, Syse, and Begby, *The Ethics of War*, 334.

to carry out an offensive, to correct an injustice committed against their people, they could have investigated, questioned, spied on, and finally acted. Their ignorance of the facts was therefore vincible. Yet they deliberately chose to terrorize the population knowing that the enemy they were looking for was not among the population.

It is for all these reasons, and especially for the fact that this approach was neither to avenge an inflicted injury¹⁰⁹ (the guilt of the population having never been proven) nor to recover property when it is held because of unavoidable ignorance¹¹⁰ (these populations were owners of their land and the military knew this very well. There was no reason to drive them off their land through violence). It was mobilized by the installation of power through terror. As a result, this war was unjust and condemnable.

Conclusion

In this first chapter, we wanted to set the precise framework for our work. This framework is that of the history of wars and of a political, economic, and cultural conflict that has been ravaging the eastern region of the DRC for nearly three decades and that has wiped out nearly 12 million people from the face of the earth. To understand this conflict, which is both complex and diverse, we have proposed to dissect it. It would have been pretentious for us to present all the arcana in a work such as this. The anatomy of this conflict consisted first of all in choosing the space in which to work: for this work, we chose the cases of the Kasika and Makobola massacres. Then we chose our endpoints: between 1996 and 2002. With these prerequisites being established, the work could begin. We began by offering a panoramic view of the conflict in Eastern Congo, the background of which was the Rwandan crisis that reached its

¹⁰⁹ Reichberg, Syse, and Begby, 336. The Rwandan military has never at any time gone to war against Mai Mai militias or other self-defense forces.

¹¹⁰ Reichberg, Syse, and Begby, 336.

climax in 1994 with the genocide and the civil war. We wanted to present the political, military, and the diplomatic role played by the Congo, Zaire at the time, of President Mobutu, which later (from 1996) cost the Congo the wrath of the Rwandan government led by President Paul Kagame. But whoever speaks of war or conflict also speaks of the protagonists. We have presented the main ones, describing their impact on the general situation in Eastern Congo. Having set the scene and introduced the actors, we told the story of the Kasika and Makobola massacres as clearly as possible, using documentation from the United Nations (the Mapping Project), the Congolese government, and the writings of some authors who have worked on the issue and human rights NGOs. The outcome of this narrative led us to an obvious conclusion: the war in the Congo is an unjust war. Why is it unjust? What are the causes that support our assertion? The second chapter sets out to answer these questions, to find the causal agents of this injustice.

CHAPTER II: THE FAILURE OF HUMANITY FACING THE TEST OF RESPONSIBILITY

Introduction

The massacres we described above, and the whole catastrophic socio-political situation in the Eastern Congo region is a fact that everyone knows about and whose cause is evident: failure at different levels of decision and action to protect civilians. The local authorities and the central government point the finger at the neighboring countries (Rwanda, Uganda) as well as at the international community. The international community, in turn, aware of the chaos it may have caused, blows hot and cold air, and seems to be passing the buck to the first two. Faced with this game which has cost the lives of millions of people, this sarcasm that continues to feed the insatiable appetites of predators and this vicious circle that locks thousands of men and women in terror, trauma and despair, we decided to uncover the culprits, to designate the causes as well as the causal agents of this Congolese drama.

We will first describe the failure of the international community's military intervention in the Congo, whose ineffectiveness is one of the causes of the proliferation of armed groups and the massacres of the civilian population. This international community, through MONUSCO (United Nations Stabilization Mission in the Congo)¹¹¹ spends most of its time observing, reporting and condemning with the utmost vigor the atrocities committed in the Congo without

¹¹¹ On November 30, 1999, the United Nations sent a mission to Congo under the name of United Nations Observer Mission in Congo (MONUC). But on July 1, 2010, by resolution 1925, the Security Council changed MONUC to MONUSCO (United Nations Organization Mission for Stabilization in the Democratic Republic of Congo). This changed MONUC from an observer mission to a stabilization mission with the authority to use all necessary means to fulfill its mandate, which includes ensuring the protection of civilians, humanitarian personnel and human rights defenders under threat of physical violence and assisting the DRC government in stabilizing and consolidating the peace. However, MONUC has had this mandate since 2004, when Resolution 1565 of the UN Charter authorized it to act under Chapter VII.

any active intervention, despite its mandate under Chapter 7, which authorizes it to use armed force to defend itself and the civilian population.¹¹²

Then we will tackle the failure of the Congolese government. This failure can be understood at two levels: the origin of the form of the Congolese state and the regime of governance, and the complicity of the state authorities in the plundering and massacre of their own populations. Finally, we will charge the Congolese army which since independence has not been trained in the service of the defense of the people. The failures at these three levels constitute for us the undeniable cause of the suffering of the people. Knowing these causes will enable us to find an effective remedy, a theory able to get us out of this infernal circle. This theory is that of social justice that we will develop in the third chapter as well as its concrete applications to restore these forgotten memories. Once again, it should be noted that the space and time frame in which we will develop our thinking in this chapter is essentially situated, as in the previous chapter, between 1996 (the official start of the first Congo war) and 2002 (the official end of the second Congo war). This choice is justified by the case studies we have chosen for this work: the massacres of Kasika and Makobola, which took place between 1998 and 1999, and whose immediate causes are situated around 1996 and whose consequences are felt until 2002. However, we will not hesitate to go beyond this field of definition in order to bring more light and clarity to our work, if necessary.

¹¹² The provisions of this chapter also imply the complete or partial interruption of economic relations and of rail, sea, air, and postal communications, ... If the Security Council considers that the measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as it deems necessary to maintain or restore international peace and security. Such action may include demonstrations, blockades and other operations by air, sea or land forces of Members of the United Nations.

1. The failure of International Community's military intervention in the Eastern Congo Conflict

The images of the populations of Eastern Congo that we have on the media are those of people stripped of everything, uprooted from their living environments, torn from life. In this region, women, men, children, the elderly, the rich, the poor, the religious, the notables, etc., in short, everyone has been tortured, raped, and killed. Everything was taken away from them, even their lives. All these people have been deprived of speech either because they are dead or because they are subjected to pressures, traumas and reprisals that plunge them into an almost permanent mutism.

In view of what has just been described, the ambiguous and hypocritical attitude of the international community's military intervention leaves us perplexed. The visible inability of its troops to solve the problem of the killings in Eastern Congo is so disturbing, especially when we know that UN peacekeepers have been present on Congolese soil since July 16, 1960.¹¹³ They never leave this country since, until they becomes the most financially and logistically costly mission,¹¹⁴ and this for the results we described in the first part. The question that still arises today is what the real purpose of the UN military forces in the Congo and how effective is its action.¹¹⁵ Chapter I of the United Nations Charter defines the purposes of the creation and the principles of action of the United Nations. the charter emphasizes that its purpose is to

¹¹³ Isidore Ndaywel, *Histoire Du Congo, Des Origines à Nos Jours* (Bruxelles: Le Cri, 2013), 187–88. In fact, the week following June 30, 1960, the date of the DRC's independence, unrest broke out throughout the country (mutinies, secessions, divisions in the political class, collapse of public enterprises, etc.). This crisis, which led to fears of civil war, reinforced the strong tensions between the Congolese and Belgian authorities and forced the Congolese government to cut off relations with Belgium, whose military troops were repatriated and replaced by those of the United Nations. It is thus officially since July 16, 1960 that the international community to put its bags on the Congolese ground.

¹¹⁴ Marc-André Lagrange, "Réflexions sur 17 ans de présence de l'ONU en République démocratique du Congo," n.d., 4. More than 20,000 men on the ground with an annual budget of 1.4 billion dollars to fight rebellions that are barely a thousand strong and that often have knives and a few Kalashnikovs in their arsenal.

¹¹⁵ By this term we are referring to MONUSCO (United Nations Mission for the Stabilization of the Congo), the United Nations Security Council and the United Nations Secretariat with all its branches.

To maintain international peace and security and to this end to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.¹¹⁶

This beautiful statement seems never to have found an echo in the Congo and yet in its statement it carries a lot of hope. The Congolese people have, over time, become disenchanted with a passive, naïve and borderline complicit international community military forces. Its military presence in the east of the country has not improved the situation of the civilian population. On the contrary, the more it increases its numbers, its logistics and the length of its mandate, the more things become complicated and bogged down in the country, especially in the East. In the following lines, we will describe this military failure of UN peacekeeping forces, which in one way or another has contributed to the chaos in eastern Congo.¹¹⁷ The first military mission authorized by the United Nations in the Congo after the fall of Mobutu was signed on November 30, 1999. It was resolution 1279 that decided to deploy "up to 500 United Nations military observers, with a view to facilitate future rapid deployments of the United Nations, as authorized by the Council."¹¹⁸ In a country where other nine countries (Rwanda, Burundi, Angola, Uganda, Zimbabwe, Tchad, Namibia, Soudan and Libya) were fighting on its soil,¹¹⁹ in violation of its sovereignty, human rights, and the very charter of the United Nations, and this for

¹¹⁶ "Chapter I," June 17, 2015, <https://www.un.org/en/sections/un-charter/chapter-i/index.html>. The Translation is mine.

¹¹⁷ Thierry Vircoulon, "Ambiguïtés de l'intervention internationale en République démocratique du Congo," *Politique africaine* N° 98, no. 2 (2005): 79–95. We are inspired by much of the data in this article, but also by other reports from the UNHCR and the Sub-Saharan Africa Program, which in 2016 published a reflection on 17 years of UN presence in the Democratic Republic of Congo.

¹¹⁸ <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/DRC%20SRES1279.pdf>, 3.

¹¹⁹ David Van Reybrouck and Sam Garrett, *Congo: The Epic History of a People* (New York: Harper Collins, 2015), 444–46. Van Reybrouck explains in great detail the political, economic and strategic implications of all these countries in this new Congo war. Rwanda (the new protégé of the United States and Great Britain), Burundi, and Uganda form a bloc against which all the others are united, headed by President Laurent Desire Kabila.

at least a year, it seems incomprehensible to us that the United Nations sent only "observers" and a multidisciplinary team composed of experts in the field of human rights, humanitarian affairs, public communication and medical support, child protection, and political and administrative advisers as "first aid". In comparison and paradoxically, a few years earlier, when, on August 2nd, 1990, Saddam Hussein's Iraq invaded Kuwait, the UN gave the green light to the United States and its allies (France, the United Kingdom, and about twenty other countries) to deploy a military force and to carry out offensive actions to repel the Iraqi army. This was Operation Desert Storm. This vast operation, which also included a military, commercial and financial embargo (Operation Desert Shield), was implemented between August 1990 and January 1991. It seems that we are dealing with an international community that uses double standards even when we are facing the same situations or worse.¹²⁰ In his speech, the president of the United States, George H.W. Bush, speaking on behalf of all the allied countries, evoked the concern of all the nations involved in this offensive to come to the aid of the defenseless civilian populations who are exposed to a dangerous and merciless invader seeking to destroy everything.

We note that an almost similar situation is happening in the Congo, between 1996 and 2002, the Security Council limits itself to observation missions, negotiations, supply of humanitarian aid, and production of resolutions (1999: resolution 1279; 2000: resolutions 1291, 1304, 1316, 1323, 1332; 2001: resolutions 1341, 1355; 1376 and in 2002: resolutions 1399, 1417, 1445) whose impact will remain minimal on the ground. Why does it not subject Rwanda and Uganda to economic, military, and financial sanctions as was the case with Iraq? On the contrary, in November 1999, the UN deployed a larger observation mission (MONUC) which, over the years, the more it increased its manpower, logistics, and the duration of its mandate, the

¹²⁰ History.com Editors, "Persian Gulf War," HISTORY, accessed April 7, 2021, <https://www.history.com/topics/middle-east/persian-gulf-war>.

more the conflict became bogged down and the more victims it caused. What did they have to observe? It was established that not only the ceasefire agreement signed in Lusaka in July 1999¹²¹ was violated, but the new actors, well known to the UN agencies, had entered the conflict for economic reasons,¹²² while at the same time using the argument of securing the borders against rebels from their countries who had taken refuge on Congolese soil and were organizing themselves there.

In addition, armed groups that had been created during the conflict, either as self-defense groups or terrorist groups, were not invited to the Lusaka peace accords (some Mai-Mai groups and the so called FDLR-*Interahamwe*). Consequently, the withdrawal of the regular armies of the countries involved could not by itself solve the problem. On the contrary, this withdrawal inaugurated the transposition of the Congolese conflict to a more complex field. The conflict had just gone underground, the government had lost all control over the conflict, and this under the aegis of the United Nations, the OAU and SADEC. Why did they leave out armed groups that were, depending on their tendencies and regions, subcontractors of certain countries?¹²³ These groups constituted a much greater and more complex danger, because they escaped all control, operated in the shadows, and could therefore serve as cheap labor for all the powers or multinationals that wished to exploit the Congolese wealth at lower cost.

¹²¹ This agreement was signed by the Congolese, Angolan, Namibian, Rwandan, Ugandan, Zimbabwean and Zambian governments, representatives of the OAU (Organization of African Unity), the UN and SADEC (South African Development Committee).

¹²² Van Reybrouck and Garrett, *Congo*, 442.

¹²³ The Lusaka peace agreement cites armed groups that are not signatories to the agreement and yet have been sowing death and destruction in Congo. These include the ex-FAR (Rwandan Armed Forces), the ADF (Alliance Defending Freedom), the FDA (Forces Démocratiques Allies), the FDD (Forces de la Défense de la Démocratie), the FNUA (Ancienne Armee de l'Ouganda), LRA (Lord's Resistance Army), UNFR II (Ugandan National Rescue Front), Interahamwe militias, WMBF (West Nile Bank Front), NALU (National Army of Liberation of Uganda), UNITA. Alongside these, there were other, smaller and often local groups.

Moreover, the military force, which was deployed with great fanfare in February 2000 with the signing of resolution 1291 was composed of 5,537 people and this number will continue to grow until it reaches 22,016 uniformed personnel in 2016,¹²⁴ was shining a hope. Here again, it was a desolation. Even in the configuration of the "mandate under chapter VII, authorizing the use of the force, the UN did not succeed in imposing the peace to the East of the Congo and that for a reason that Thierry Vircoulon describes to us: one had to deal with a military force and not an army.¹²⁵ This UN apparatus deployed in the Congo lacked the configuration of an army (headquarters, command center, tactical observation and intervention units). Therefore, despite the large logistical resources, which also depended on the contributing countries (in the case of Gulf war we noticed how country were almost directly involved), there was a dissonance in the chain of command. Coordination of forces was hampered by a doctrine of passive deterrence, the difficulty of coordinating contingents with long-standing enmities (for instance: the Pakistanis and the Indians soldiers were not cooperating on the ground because of the hostilities of the two countries, same case between Uruguayans and Argentinians. This situation sometimes made the application of Chapter 7 almost impossible. Each contingent demanded, for example, that the other go to the front lines for confrontations. None of them wanted to lose their men. As a result, intervention was delayed, and civilians were sometimes killed just a few feet from a peacekeeper camp (as in Bunia). When operations were conducted jointly with the Congolese armed forces, the latter were always on the front line), a deliberate lack of information capacity that some countries (USA, UK, France, Russia, etc.) refused to provide to the United Nations, and a system of dual command (soldiers first obeyed the orders of their respective countries before submitting to the orders of the UN authorities, which complicated the coordination and effectiveness of

¹²⁴ Lagrange, "Réflexions sur 17 ans de présence de l'ONU en République démocratique du Congo," 5.

¹²⁵ Vircoulon, "Ambiguïtés de l'intervention internationale en République démocratique du Congo," 81.

interventions on the ground). Once, some soldiers from the Uruguayan contingent told us clearly that their mission was not to die in the Congo. They came to get their money and return to their country. They saw no direct interest either for themselves or for their country in dying in the Congo. On the contrary, some of them were in clubs, nightclubs or brothels. others had developed romantic relationships with some Congolese girls and sometimes went as far as physical violence. The secretary-General of the United Nations had condemned these acts and had promised to punish undisciplined soldiers. A code of conduct had even been produced for peacekeepers. But the difficulty here was that the united nations could not initiate criminal proceedings against peacekeepers or condemn them for misconduct. It was up to each government to decide whether or not to punish its nationals. this situation undermined the authority of those in charge on the ground.¹²⁶

This puzzle, full of pieces that hardly or sometimes do not fit together, made this force a hoax. The means deployed were disproportionate to the impact on the ground. Passive deterrence was more like an illusion of deterrence. The rebel groups eventually understood this and were no longer afraid to even attack the civilian population in the presence of UN troops.¹²⁷ Another failure was in the lack of independence of this UN military force. Indeed, it has been observed that the countries providing troops and financial means impose conditions on the UN that make it almost impossible to act effectively on the ground. In the Sierra Leonean conflict, for example, the British Army, whose troops were part of the UN mission, retained autonomy of command.

¹²⁶ "Tough UN Line on Peacekeeper Abuses," Africa Renewal, April 15, 2005, <https://www.un.org/africarenewal/magazine/april-2005/tough-un-line-peacekeeper-abuses>.

¹²⁷ The Lusaka peace agreement cites armed groups that are not signatories to the agreement and yet have been sowing death and destruction in Congo. These include the ex-FAR (Rwandan Armed Forces), the ADF (Alliance Defending Freedom), the FDA (Forces Démocratiques Allies), the FDD (Forces de la Défense de la Démocratie), the FNUA Former Ugandan Army), LRA (Lord's Resistance Army), UNFR II (Ugandan National Rescue Front), Interahamwe militias, WNBF (West Nile Bank Front), NALU (National Army of Liberation of Uganda), UNITA. Alongside these, there were other, smaller and often local groups.

Similarly, the U.S. Army in the Somali conflict had autonomy of command over its troops. These include loss aversion, a chronic reluctance to place the best military elements under international authority, and financial considerations. Depending on how important economic and geostrategic interests are in a region, donor countries adjust their strategies.

Thus, for example, we are now witnessing a kind of "division of labor" between rich and poor countries. The former provides the funding and the latter provide the troops.¹²⁸ These elements have very often contributed to the corruption of the UN mission in Congo and stirs up the distrust and anger of the civilian population, who see a large arsenal of warfare with the UN initials on it every day, and who continue to lose lives every day. In September 2003, as an example, a contingent of 5,000 blue helmets was deployed in the Ituri region to impose peace. But despite their presence, civilians were massacred in Katchele and Gobu, without the UN troops intervening, even though they had a Chapter VII mandate. Attacks of this kind multiplied in several regions of the East (Bunia, Kasinzi, Mongwalu,). It was necessary to launch Operation Artemis in Bunia to restore security because the Uruguayan contingent that had been in place was unable even to ensure the safety of the population. The peacekeepers had even been summoned by the UPC (Union of Congolese Patriots) rebels to leave the city. The capture of the city of Bukavu from May 16th to June 8th, 2004 by Colonel Jules Mutebusi and General Laurent Nkunda nearly put an end to the United Nations mission in Congo. The blue helmets withdrew from the city, leaving the rebel troops to take over. When asked about this, the spokesman for the Secretary General, Fred Eckhard, gave this answer, which for us confirms the idea of the UN's military inefficiency in the Congo and questions the organization of the UN structure itself. He replied to BBC News: "The mandate was not to wage war. It was based on a peace agreement.

¹²⁸ Vircoulon, "Ambiguïtés de l'intervention internationale en République démocratique du Congo," 83.

This agreement has been violently challenged and it is up to the parties to the conflict to resolve this problem.”

All in all, we can see that there has been a military failure of the United Nations in the Congo. The peacekeeping mission can only be effective if the peace has been imposed, the rebels have been disarmed and the refugees repatriated. The UN came to maintain a peace that it had not previously imposed, hence the failure of an action that gave the illusion of a great success. Today, the pretext of understaffing and lack of resources can no longer hold water. With an allocation of 1.4 billion dollars per year and 20,000 well-trained men, an army can overcome the militias that disturb the peace of the people. The problem is therefore to be found elsewhere.

2. A Predatory National Policy: "bellyaching" against Patriotism

A popular adage in the Congo states that “the enemy of the Congo is the Congolese himself”. The history of the country since its independence tends to give credence to this statement. The interminable conflicts that the country has been experiencing for years and that have cost the lives of millions of citizens, are attributable to greedy and avaricious leaders whose interests have almost never been in favor of the people. The beautiful speeches on nationalism, patriotism and solidarity have been lullabies that for years have put the people to sleep, leaving the field free for their leaders to plunder the country for the benefit of those who covet the wealth of the Congo from within and without. In this part we will highlight three elements that account for the failure of the Congolese state, since the origins, that is to say since the very day of independence. We will analyze the failed departure of the Congolese political class against a background of regional and economic quarrels. Then we will expose the carelessness and the complicity in the evil of the leaders who succeeded one another at the head of the country since the coup d'état of November 24, 1965, and finally we will fall on an essential element in the

defense of a nation and which always made lack in Congo: the army. These three elements are sufficient proof that the atrocities in the east of the country are ongoing.

2.1. A failed start in the form of government and the state regime

Any new beginning is subject to adjustments, improvisations, adaptations and a search for a certain stability. For African countries in general, and for the Congo in particular, the attainment of independence was a renaissance. Although General Janssens¹²⁹ had recalled the police force¹³⁰, on July 05, 1960, that "before the independence is equal to after the independence",¹³¹ Lumumba, in his impromptu speech of June 30, 1960, emphasized that this new beginning was possible and should be realized as soon as possible. He saw a new struggle, one that would lead to peace, prosperity and greatness. He wanted social justice to be established, the promotion of principles such as the universal and equitable distribution of the country's wealth, the suppression of the oppression of free thought, of all forms of discrimination, of international cooperation that respected the sovereignty of the Congolese. etc.¹³² All this vision of a great and prosperous Congo was without counting on those whom the first part of this speech had offended (the Belgian and American authorities as well as Congolese

¹²⁹ David van Reybrouck, *Congo: une histoire*, 1. éd, Lettres néerlandaises (Arles: Actes Sud, 2012), 308. He was the commander in chief of the Public Force. It was he who on January 04, 1959 ordered a bloody repression of the people who had gone out to demand independence. He is described by Van Reybrouck as the most Prussian of Belgian officers. For him military discipline was sacred, dissent was a fault, chaos a sign of weak character. He is fiercely opposed to Lumumba, prime minister of Congo, whom he describes as a man without moral personality, superficial, nervous, more feline than human.

¹³⁰ Name of the Congolese Army during the colonial period

¹³¹ Reybrouck, *Congo*, 309–10. Indeed, following a refusal by some soldiers to be reviewed by Belgian officers in one of the barracks of Leopoldville (now Kinshasa), General Janssens came to inquire about the situation and decided to punish the recalcitrants. This time, instead of provoking fear and a return to order, his decision provoked discontent and revolt. Some 500 soldiers then got together to send a memo to the general, denouncing the racism, the bad treatment and the lack of promotion. The general's response was summed up in this famous sentence that he wrote in capital letters on a blackboard. As one can imagine, this will contribute to the situation and will taint the relationship between the army and the government.

¹³² Cf. "SPEECH AT THE CEREMONY OF THE PROCLAMATION OF THE CONGO'S INDEPENDENCE by Patrice Lumumba June 30, 1960," accessed March 4, 2021, <https://www.marxists.org/subject/africa/lumumba/1960/06/independence.htm>.

leaders opposed to the political vision of Lumumba as Kalondji, Tshombe, Kasavubu) and on the communist cliché which made Lumumba from now on an enemy of the whole capitalist block.¹³³

This was the first source of dissension in the political class. Already between the two heads of the executive, Lumumba (elected Prime Minister by universal suffrage) and Kasavubu (elected President), an opposition is felt. This opposition was already rooted in the structure established by the Brussels Round Table Conference of January and February 1960 and the resulting law of May 1960.¹³⁴ Indeed, the resolution of the Round Table Conference had taken sides, to the detriment of the Congolese who did not understand much about it, for the traditional European parliamentary regime characterized by a duality of the Executive. This duality distributed the roles as follows:

An irresponsible Head of State whose acts can have effects only if they are countersigned by a minister of the Congolese government, who is the only one responsible, and a Prime Minister whose task consists, among other things, in conducting the State's policy in agreement with the Council of Ministers, in directing the action of the government, to submit to the Head of State, the proposals relating to the exercise of regulatory power and the execution of laws.¹³⁵

This trick of the metropolis, the imposition of executive duality and a unitary structure,¹³⁶ will be the first background of dissension between a nationalist Lumumba – elected by direct universal suffrage and unitarian, who advocated a presidential regime, had with him the majority in the parliament and demanded a re-foundation of the fundamental law on the structure of the

¹³³ Let's remember that the Congo gained independence in the middle of the Cold War and the Westerners did not want to lose this territory whose wealth, and in particular uranium, should not in any case end up in the hands of the communists of the East who were for the most part friends of Lumumba (China, the USSR, Cuba).

¹³⁴ François Perin, "La Crise Congolaise et Les Institutions Politiques Africaines / INSTITUTIONAL CAUSES OF THE CONGO CRISIS," *Civilisations* 11, no. 3 (1961): 281–95.

¹³⁵ Cf. Perin, 281. In his article, the author refers to Resolution 3 of the Brussels Round Table Conference.

¹³⁶ At the Brussels roundtable conference, many agreed that one of the biggest mistakes of the Belgian government was to impose a unitary structure on a country like the Congo, which is so huge and complex, in the Belgian way. On the other hand, some thinkers believe that the country, in the state in which it was at independence, was not ready for a federal system that would have faced two major obstacles: tribalism and economic neo-colonialism.

state – and a rather moderate Kasavubu who had been elected by the parliamentarians and not directly by the people. Lumumba therefore felt more legitimate than Kasavubu in the eyes of the Congolese people. However, Lumumba will have to face a denigration, sometimes voluntary, often imprudent on behalf of Kasavubu and of the Belgian mentors, which will cause a real split at the head of the country. As examples, let's mention:

- On June 27, 1960, during the investiture of President Kasavubu in front of the Chambers (National Assembly and Senate), Lumumba was robbed of the limelight by Kasavubu, who presented a unilateral government program, even though this role fell to the Prime Minister.¹³⁷
- Lumumba had requested an amnesty for political detainees on June 30, as a sign of political relaxation and a new beginning. This request was rejected.
- The irreparable was committed when in the celebrations of independence, no role was reserved for Lumumba as prime minister, even though the country was under a parliamentary regime. He had not officially received a copy of the speeches of President Kasavubu and the Belgian king (Baudouin)¹³⁸, and he had not been given any space for a speech. Faced with this affront, probably too much to bear, he will improvise. After Kasavubu's speech, while everyone was getting ready to leave the hall of the Nation Palace to start the festivities, Lumumba, went to the front and gave the famous speech of June 30.¹³⁹ His speech had the effect of a wave. He was

¹³⁷ Ndaywel, *Histoire Du Congo, Des Origines à Nos Jours*, 183.

¹³⁸ Isidore Ndaywel tells that it is Jean Van Lierde, a friend of Lumumba's, who will secretly inform him of these two speeches. These speeches were written in a paternalistic tone and bore the seeds of a new form of colonization, as the country became independent. Kasavubu's speech was that of a vassal thanking his Lord for all the benefits he had achieved and for the independence he had been granted and asking him to always be there to guide and direct him. That of the King of the Belgians praised the merits of Leopold II, the builder and civilizer, and presented Belgium as a father who had finally decided to give a little freedom to his son while keeping a vigilant eye on him. For Lumumba, this sounded like an insult and he had to resolve to speak, to restore the truth at his own risk.

¹³⁹ In the evening of that day, Lumumba made another speech at the dinner with Belgian officials to clarify the intentions of his speech of the day. His idea was not to minimize the Belgian government, much less their work, he justified. But the die had been cast. The trial he had made to colonization, his socialist and unitarian ideas had already earned him a communist connotation. In this context of cold war, it was clear that his fate was sealed.

applauded for many minutes by thousands of listeners, but at the same time he opened the door to a crisis whose consequences are still palpable today.

The Congo had two leaders, one of whom (Lumumba) was considered a hero, an anti-colonialist in the world of the communist left, and a devil, an enemy to be destroyed in the opposite direction. The other (Kasavubu) was considered by the capitalist bloc and the imperialists as a wise and moderate man, but also as a perfect "servant of imperialism" for the other camp. These stereotypes will unfortunately spread throughout the political class and divide Congolese politicians. The climax of this opposition will be reached on September 5, 1960, when on the national channel, President Kasavubu announces in a brief speech, the dismissal of Prime Minister Lumumba who "betrayed the task that was entrusted to him and threw the country into an atrocious civil war. Thus, I have deemed it necessary to dismiss the government immediately. The same day, Lumumba will produce in turn a communiqué revoking the president Kasavubu.¹⁴⁰ For each of them, the fault was to be found in the other. This bad start will be crowned by what history has called the first Congolese crisis.¹⁴¹ This crisis presents the following picture: the massive flight of the Belgians who remained in the Congo after independence and who now feared for their lives because of the mutinies, the invasion of the Belgian army, the military intervention of the United Nations, the political support of the Soviet Union which will make the Congo a real ground for the cold war, a serious constitutional and state crisis, two major secessions (that of Katanga with its governor Moïse Tshombe, on July 11, 1960 and that of South Kasai with Albert Kalondji, on August 9, 1960) and above all the imprisonment, the escape, the capture, the torture and the assassination of the Prime Minister, on January 16,

¹⁴⁰ Van Reybrouck and Garrett, *Congo*, 303–4.

¹⁴¹ We will leave the crisis concerning the army for the point on the disintegration of the Congolese army after independence.

1961.¹⁴² All these events were experienced by the Congolese people within 6 months of independence.

The country was almost non-existent, decomposed, and fell into a civil war with rebellions that it could not control, ethnic conflicts set fire to the administration, creating scenes of killings (in Katanga, in Kivu). The first republic was a fiasco. Between 1960 and 1965, the president, the prime minister, the army, the rebels, the Belgians, the United Nations, the Russians, and even the Cubans and the Chinese, each adopted a logic that was secretly coherent and understandable but openly contradictory to those of the others. And as always it was the people who paid the price.

2.2. Carelessness and complicity in evil of Congolese authorities (1965 -2002)¹⁴³

Since the slippage and disorder that prevailed in the management of the country between 1960 and 1965, the Congo has never fully recovered from the chaos. The advent of Joseph Desire Mobutu¹⁴⁴ at the head of the country by a military coup on November 24, 1965, certainly put an end to a period of disorder at the head of the state, restored national unity, and opened the country to the era of the second republic. But behind this fanfare, which was a typical African pattern of the independence years,¹⁴⁵ was a hidden manipulation of the Western powers which

¹⁴² Reybrouck, *Congo*, 306.

¹⁴³ This period is so long and complex that we will simply mention the part that concerns the years in which we situate the present work, i.e., between 1994-2002, that is, the evening of Mobutu's reign and the reign of Laurent Desire Kabila and the dawn of Joseph Kabila's (son of Laurent Désiré Kabila) arrival in power.

¹⁴⁴ Before working as a journalist for the liberal daily newspaper of Leopoldville, *L'Avenir* (now Kinshasa), Mobutu pursued military training in the public force. He obtained a certificate as a secretary-accountant before being assigned to the General Staff of Leopoldville in 1953. In 1956, he met Patrice Emery Lumumba, thanks to Antoine-Roger Bolamba, his mentor. He never left him and became increasingly close to him, joining Lumumba's party, the MNC (Mouvement National Congolais). He participated in the Round Table in Brussels where his qualities put him under the spotlight of Larry Devlin (see Larry Devlin, Chief of Station, Congo: Fighting the Cold War in a Hot Zone, (New York, PublicAffairs, 2007), who later played an active role in Mobutu's seizure of power as a CIA liaison officer. In July 1960, he was appointed Secretary of State in the government of Patrice Lumumba. As the only member of Lumumba's entourage to have experience

¹⁴⁵ Zone International- ICI.Radio-Canada.ca, "En Afrique, 200 coups d'État en 70 ans | Les cartes week-end," Radio-Canada.ca (Radio-Canada.ca), accessed March 23, 2021, <https://ici.radio-canada.ca/nouvelle/1147040/coups-etat-putsch-afrique-amerique-sud>. Bernard Barbeau has listed, in this article, 200 coups in 70 years on the African

were in the middle of the Cold War. The so-called capitalist bloc (led by the United States) and the so-called communist bloc (following the policy of the USSR) were fighting each other for the control of the resources of the African continent. The Congo, whose uranium had already contributed to the manufacture of the first atomic bomb,¹⁴⁶ was now the central issue of the Cold War.¹⁴⁷ The control of the *Shinkolobwe* Uranium mines in the Katanga province could determine the outcome of the war between the USA and the USSR. Both were aware of the power of this bomb as a weapon of deterrence and also of mass destruction. It was therefore necessary to have at the head of the Congo, a leader dedicated to safeguarding the interests of one or the other camp. Finally, the United States, helped by Belgium, succeeded in ousting Patrice Emery Lumumba¹⁴⁸ – the hero of the independence and the first prime minister of the independent Congo who made the crisis of the secession of the rich province of Katanga by soliciting the support of the Russians and as a result making himself enemy of the Americans – and pushed aside president Joseph Kasavubu, to the profit of Joseph Desire Mobutu of which they made the savior of Congo.¹⁴⁹

continent. Between 1960 and 1970, Africa experienced 36 coups of which 23 succeeded and 13 failed. This was the darkest decade on the continent in terms of governance. Further details can be found in the article by Patrick J. McGowan, "African Military coups, 1956-2001: Frequency, Trends and Distribution, in, *The Journal of Modern African Studies*, Vol. 41, No. 3, Sep. 2003, 339-70.

¹⁴⁶ "The Legacy of the Involvement of the Democratic Republic of the Congo in the Bombs Dropped on Hiroshima and Nagasaki," *MIT Faculty Newsletter* (blog), February 27, 2021, <https://fnl.mit.edu/january-february-2021/the-legacy-of-the-involvement-of-the-democratic-republic-of-the-congo-in-the-bombs-dropped-on-hiroshima-and-nagasaki/>. In this article, Professor Jean Bele, member of the Hadronic Physics Group, MIT Nuclear Weapons Education Project, Laboratory for Nuclear Science in the Department of Physics at MIT, revisits the revelations of Susan Williams' book, *Spies in the Congo: America's Atomic Mission in World War II*, and shows how not only was the Congo at the heart of the geopolitics of the time, but more importantly, how in the name of control of the Congo's uranium mines, Congolese lives have been and continue to be lost.

¹⁴⁷ Susan Williams, "How a Rich Uranium Mine Thrust the Congo into the Centre of the Cold War," *The Conversation*, accessed March 23, 2021, <http://theconversation.com/how-a-rich-uranium-mine-thrust-the-congo-into-the-centre-of-the-cold-war-64761>.

¹⁴⁸ Larry Devlin, *Chief of Station, Congo: A Memoir of 1960-67*, 1st ed (New York: PublicAffairs, 2007), 94–99. Devlin recounts how President Eisenhower himself authorized the physical elimination of Lumumba.

¹⁴⁹ Yeba Tv, *MOBUTU KING OF ZAÏRE - CONGO - VOST EN - Belgique*, 2019, https://www.youtube.com/watch?v=OpCb_Yg_qJA.

All the Western powers encouraged Mobutu to quell rebellions throughout the country, reunify the country, revive the economy, improve the social conditions of the people and build a strong army (the military was trained in the USA, France, Israel or the instructors came to Zaire). At the same time that his "friends" (the powers of the capitalist bloc) glorified him for these exploits, they turned a blind eye to all his dictatorial excesses (he spent 32 years at the head of the country), his authoritarian governance (only one political party existed in the Congo and there was no room for the opposition), the hanging of opponents (on June 2, 1966), the squandering of state assets, corruption and human rights violations, cult of personality (he proclaimed himself Marechal and president for life). Mobutu could even stand up at the United Nations to reproach Western countries for their unhealthy imperialism, vilify colonialism and break diplomatic relations with Israel in favor of Egypt, all in a satire lasting more than two hours. No power reacts. As long as Mobutu protected their interests, they tolerated and sometimes even covered up all his excesses.¹⁵⁰ Mobutu was thus at the head of Zaire, not for the sake of the people but as a steward of the West. He served as a shield against the communism that had taken over neighboring Angola, Mozambique and Zimbabwe. Thus, over the years, the intoxication of power, the race to have and the taste for appearances, took away the one who was called the Eagle of Kawele (from the name of the hill of his native village where he had built a sumptuous residence to welcome his distinguished guests) and Zaire sank into an ever-deeper abyss. The end of the Cold War sounded the death knell for the Marechal's reign.

Little by little, the West began to abandon him. The pressure inside the country and the protests of a people tired of 32 years of essentially dictatorial power, pushed Mobutu to make a speech on April 24, 1990, in which he promised an opening to a multiparty system, a transition

¹⁵⁰ Reybrouck, *Congo*, 361–65. We also have Larry Devlin of the US Secret Service who details in his book "Chief of Station Congo.

that would lead to elections and the end of the state party, which left him still in charge. The country was disintegrating, inflation was rising, rebellions were beginning to surface in the East and the Americans had already found a new successor. Thus, on April 29, 1997, Bill Clinton sent a letter to Mobutu to signify the end of "the long history of close friendship between the United States and Zaire."¹⁵¹

As Charles Onana noted, between 1994 and 1996, the Americans, against the advice of the French, delayed, through the Security Council, the intervention of United Nations agencies in the Hutu refugee camps in the East of the country in order to separate the ex-FAR soldiers and the Hutu Interahamwe militiamen from the civilian population. The Zairian army, already weakened and infiltrated, gangrened by corruption and tribalism, without motivation and deprived of ammunition, could not ensure security either at the borders, let alone throughout the national territory. Tribal and ethnic struggles took on serious proportions. The RPF rebels took advantage of this chaos, brandished the Hutu threat to Rwanda and played the card of allies who came to the rescue of a liberation rebellion that they had created by putting a Congolese figure in the limelight: Laurent Désiré Kabila. Indeed, history will show the true face of the RPF and its military wing, the RPA: the massacre of Congolese civilians and Hutu refugees. Mobutu himself, threatened with death by the rebels whom he knew would not give him a chance, left Zaire and went to Morocco to die of a prostate cancer. His remains are still there today.

2.2.1. Laurent Désiré Kabila and the trap of liberation

Like his predecessor Mobutu, Laurent Désiré Kabila came to power through a military coup. Kabila was already known by the American secret services as being ideologically close to Lumumba and therefore nourished by communist ideas. However, he was not immediately

¹⁵¹ Onana, *Ces Tueurs Tutsi*, 81–83.

perceived as a threat to American interests, especially since the West thought that Kagame could control him and bring him to cooperate with the Western powers. His fight against Mobutu, which dated back to the 1960s with the ousting of Lumumba and his assassination, his forced exile and guerrilla life, and his hatred of Mobutu made him the ideal recruit to cover up Rwanda's invasion of the Congo. The war seemed to be waged by the Congolese, for the Congolese and against the Congolese. It is surprising that the international community did not condemn the recruitment of young children as soldiers by the AFDL, or the massive human rights violations along the march to Kinshasa.

Another element that made Kabila an easy prey was what Professor Isidore Ndaywel describes in his book as the negligence of the *Conférence Nationale Souveraine* (CNS). It was supposed to put all the political tendencies of the country on the same table. Unfortunately, the conference made the mistake of not inviting Laurent Désiré Kabila, whose political party had claimed to be part of the conference and who had since been fighting against the government. Kabila therefore felt ignored by Mobutu and took this as a sign of rejection. He was therefore ready to take revenge on Mobutu. As with Kagame and Habyarimana a few years earlier, Kabila and Mobutu were called to a negotiating table mediated by President Nelson Mandela. While a ceasefire was being negotiated, AFDL troops were advancing and Kabila gave no hope of an amicable agreement, feeling that his victory was already close. From the AFDL spokesman, Kabila proclaimed himself president and finally president of Zaire, which would become the Democratic Republic of Congo once again. He had just taken his friends from Rwanda, Burundi, Uganda and the United States by surprise. He had ousted Mobutu, whom he had been fighting since the 1960s, and now he wanted to sit in the presidential chair. He had just accomplished his dream, to crown his struggle. His first objective was not the people. However, he will

immediately, like Mobutu in his beginnings, proceed to reforms and to the revival of the economy.

Still like Mobutu, he will muzzle opponents, eliminate his comrades-in-arms and reign supreme. The most serious mistake will be to chase away his former allies (Rwanda, Burundi, Uganda). By touching Rwanda, he alienated the USA, Great Britain and France. Moreover, he was quick to show himself intransigent towards the Americans, reminding them whenever he could that they could not manipulate him as they had done with Mobutu. He had just alienated not only his former allies, but above all the United States under Bill Clinton. Thus, in 1998, only one year after his accession to power, his former allies started two wars in the east and north of the country: Rwanda took over the Kivus and Uganda took over the Eastern Province and Equateur. At the same time, investors boycotted his campaign to raise funds for his three-year plan to revive vital sectors of life for the Congolese people. The plan was valued at \$3 billion. He refused to accept the conditions that accompanied this aid: the repayment of the debt contracted by Mobutu, the respect of the mining agreements signed at the time of the conquest of power, and the acceptance of an independent investigative mission on the massacres of Rwandan refugees in the Congo, the idea being to expose him to the world as a murderer. He understood the game and instead began to expose Rwanda and denounced the cruelty of the RPA soldiers. He even called on the population to rise up and drive out the Tutsi invader.¹⁵²

The country was once again plunged into war. Kabila spent his last years, between 1998 and 2001, fighting the RCD and MLC rebels (supported by Uganda). The state's money was absorbed into the war effort, and Congo's mines were exploited to support the illegal purchase of

¹⁵² Yeba Tv, *Discours de Laurent-Désiré Kabila Sur Les Agressions Au Congo (Bruxelles, 1998)*, 2012, <https://www.youtube.com/watch?v=MLUnDMUSxUs&t=1s>.

arms and ammunition. In fact, the country had, in the midst of the war against the RCD and MLC rebellions, been placed under a military embargo that had begun with Mobutu, but also under an economic embargo. On the other hand, Kagame benefited at the same time from a loan of 95 million dollars from the IMF. Kabila tried not to lose the confidence of his people by bringing about economic reforms. The people were divided between recognizing the courage of the man who had chosen to emancipate himself from his former allies, to stand up to the West and to show the will to bring about a radical change in the course of the country. But the war was costly and the misery that overwhelmed the people, soon got the better of his courage to stay behind the leader. He himself became obsessed with the war and its arm wrestling with the Western powers. He will come out a loser of this struggle in which he will lose his life, on January 16, 2001, assassinated in his office. More than Mobutu, he left a country torn in four, whose army was almost non-existent. He also made the mistake of dismissing almost all the soldiers of the old regime, who would have been the nucleus of a new army, and who had been trained at a high price in the world's largest military academies.

3. The Congolese Army: Portrait of a giant with feet of clay

One of the greatest causes of the perpetuation of conflicts in Eastern Congo is the weakness of its army. General Douglas McArthur said, "Training distinguishes an army from an armed mob." Throughout its history, the Congolese Army has always had difficulty in finding its own personal mark and in forming a real corps around serious leaders. In this sense, it will be what Aristotle calls a routed army, that is, an army whose warriors have been scattered by the enemy. But suddenly one of them stops. The others imitate What they see seeing. Then they

reform the ranks and return to the attack.¹⁵³ Since the country's independence on June 30, 1960, the army has navigated between flight, desertion and mutilation on the one hand, and courage, loyalty and sacrifice for the nation on the other. We are going to spread our analysis over two major periods which sufficiently demonstrate this handicap of the Congolese army which, over the years, has become a real paralysis, preventing it from overcoming the rebel groups in the East of the country. It should be noted at the outset that this inability to build up a strong and disciplined army is rooted in tribal recruitment, the lack of competent senior officers and managers, the poverty of the budget allocated to defense and armament, and finally the infiltration of the Congolese army by foreign forces (in particular, elements of the Rwandan army).

3.1. The Congolese Army at independence: a body deprived of its head (1960-1965)

Only four days after independence, on July 5, 1960, the first Congolese crisis broke out. It came from the army, from the soldiers installed in the camp of Thysville (now Mbanza-Ngungu in the province of Bas Congo). This great mute, as the Congolese historian Isidore Ndaywel calls it, wanted to speak out against what it described as unjust and humiliating. Indeed, during the period of colonization, the Congolese troops, supervised by Belgian officers¹⁵⁴ in general had proven their courage and fighting spirit in the battles of the first and second world wars to defend the interests of the Allies against the Axis forces.¹⁵⁵ However, all the veterans of

¹⁵³ This image, Aristotle uses it in his *Second Analytics* to explain a notion that at first sight does not fit with war or the army: it is knowledge. But we will take the analogy at the first degree, i.e. as it is given.

¹⁵⁴ Reybrouck, *Congo*, 308–9. The Congolese troops were estimated at 25,000 men with a thousand Belgian officers. No Congolese were officers or even non-commissioned officers.

¹⁵⁵ The Congolese troops, known at the time as the *Force Publique*, won important battles against the then German Cameroon, Rwanda, Burundi and Tanzania (including the victory of Tabora, a town in the northwest of the country, and Mwanza) under the command of Belgian officers. During the Second World War, the Public Force, commanded by General Major Gilliaert, entered into a campaign against Italian troops in the East Horn of Africa. With a strength of 150,000 men, they conquered Asosa (a city in Ethiopia), Gambela (still in Ethiopia) and Saio. Proud of these victories, the troops advanced northwards and reached Sudan, Egypt and even Burma (in South East Asia)..

these wars will never be rewarded to their rightful title (medals, rise in rank, improvement of the salary, new houses, transfers, etc.). On the contrary, they wrote a letter to their Belgian hierarchy to stigmatize the abuses they were subjected to. The feeling of equality towards their Belgian comrades, which they boasted of after the first two world wars, created a mistrust in the Belgian authorities' leaders. The latter then created a superior command of the metropolitan forces of Africa (COMETRO) to monitor the military and the Public Force and to ward off any hint of insurrection.

The arrival of independence was therefore an opportunity for them to finally be put forward and rewarded by the republic. Faced with the inertia and silence of the new Congolese authorities, the military rose up to express their anger.¹⁵⁶ This mutiny forced the Belgian army to intervene to protect the Belgian nationals still there and to disarm the Congolese military. This act sounded like an affront and an attack by a foreign army on a sovereign territory. Mutinies multiplied because the army lacked leadership and officers. Some corporals formed themselves into gang leaders and wreaked havoc (looting, sequestration of Belgian citizens, seizure of foreigners' property). These soldiers in search of the "fruits of independence" did not hesitate to sell their services to secession movements such as Tsonbe in Katanga or Kalondji in Kasai. The political authorities were no longer able to control the army. Mobutu forced the UN to demand the withdrawal of Belgian troops from the Congo (from July 28 to August 31, 1960) and the dispatch of Blue Helmets from July 16.¹⁵⁷ This first breach in the Congolese army was the beginning of the crises to come in the Congo. Indeed, this army did not have a soul, a solid core of officers around whom it could gravitate and orient itself. We understand better than Nigel Hamilton when he says: "An Army is a creation of its commander, not the sum of its units". This

¹⁵⁶ Ndaywel, *Histoire Du Congo, Des Origines à Nos Jours*, 186–87.

¹⁵⁷ Ndaywel, 187.

soul Mobutu will try with the help of the Americans and the Belgians to give it to the Congolese National Army but once again some flaws will make of this army a weakness rather than a strength for the Nation.

3.2. Privatization and corruption of the Zairean Armed Forces (1965 à 1997) ¹⁵⁸

One of the main reasons for the fall of President Mobutu and the carnage of the Rwandan and Ugandan armies on Congolese soil is certainly the disintegration of the Zairean Armed Forces. The troops of the AFDL (made up mainly of young teenagers without any serious military training) supported by those of the RPA (driven by the desire for revenge and the thirst for extermination) and the NRA (eager to demystify the great Mobutu), had succeeded in taking control of the 2,345,000 km² that is the Congo in only 7 months and by moving generally on foot with a medium armament. And for good reason, in many places the military had deserted the battlefield, or negotiated their surrender, or put up resistance but due to lack of means were defeated. How to account for the debacle of one of the most powerful armies in Africa in the 70s and 80s? Let us begin by understanding what we mean by armed forces. The U.S. Army website offers this definition: "the army is one of the largest and most important government organization in a Country. Its function is to defend the people from aggressors with a force of qualified, skilled, and dedicated soldiers."¹⁵⁹ Mobutu made this definition his own, obviously with the help of Americans. The context of the Cold War during which he took power, the rebellions that raged throughout the country, the risk of aggression by states with communist allegiances (Angola or Zambia) with the consequence of gaining control of strategic minerals,

¹⁵⁸ Kisukula Abeli Meitho, *La Désintégration de l'armée Congolaise de Mobutu à Kabila*, Mémoires Lieux de Savoir (Paris: L'Harmattan, 2001). This book constitutes in our opinion a reference document for the understanding of the disintegration of the Congolese army, which became Zairean under Mobutu (1971) and became Congolese again in 1997 with the seizure of power by President Laurent Desire Kabila. We draw much inspiration from it in this part.

¹⁵⁹ "About the Army," goarmy.com, accessed March 27, 2021, <https://www.goarmy.com/about.html>.

pushed Western collaborators to help Congo-Zaire build an army according to international standards. From the start, it was already clear that the soul of the Zairean army, or rather, the intention behind the formation and foundation of the army, was not primarily to defend the national territory and its people. These two elements were a corollary of the defense of the interests of the Western powers (especially American, Belgian, French, etc.). Thus, many Zairian soldiers received quality training in the great military academies of the world (USA, Belgium, Israel, Morocco, etc.). Even on the national territory, large military training centers such as Kibomango, Kitona, Kamina, were created. Training in the most diverse military fields was provided by Israeli (paratrooper training) and American (army and special forces) instructors. To avoid any risk of secession, Mobutu resorted to mixing soldiers from different regions of the country, to transfers and especially to financial treats¹⁶⁰ (loyalty was obtained at a high price). The problem with this system is that it contributed to creating a chasm within the army between the very rich and opulent officers and the sometimes-miserable subordinates whose discontent grew slowly but surely. Thus, he was able, but often with the help of mercenaries (Bob Denard and Jean Schramm for example), or Belgian paratroopers, to subdue the various rebellions and thus clean up the country and open it up to business. Unfortunately, the military officers who were already used to taking bribes to remain loyal became more and more greedy. They were unknowingly one of the sources of the country's future misery. All the rebels hid in their dens, waiting for the right moment, when there would be more money to ensure their loyalty, to go to war against the Marechal.

¹⁶⁰ Van Reybrouck and Garrett, *Congo*, 345–46. With the Vietnam war, the world price of copper had risen and Mobutu had enough money to stifle all revolts and to ensure the loyalty of all officers, apart from terror of course

If at the beginning of his reign, Mobutu had presented himself as a patriotic military man, concerned with restoring order and defending the integrity of the national territory,¹⁶¹ over the years, he became an unbearable dictator (he had all those who could become potential adversaries killed)¹⁶² whose actions contradicted the propaganda words he had fed the people. With a political class bogged down in endless power struggles, political and administrative authorities that showed their inability to control the country and respond to the expectations of the people, rebellions that divided the country (Pierre Mulele in Kwilu and Laurent Desire Kabila in the East) and an economic fabric that was disintegrating at a glance, Mobutu, then Chief of Staff of the army, appeared to everyone as the savior of the Nation. His military coup of November 24, 1965, although it broke a cacophony at the top of the state, had just opened a breach that would not be closed again during his entire reign: the politicization of the Army. The army, which was supposed to remain apolitical and subject to the civil authority, became politicized and took the place of the civil authority.

These faults of the Zairian army were to emerge with the end of the Cold War and the weakening of Mobutu's reign. Abandoned by the Americans, rejected by the Belgians, and abandoned by the French, he was cut off from all funding. No longer able to bribe officers, many of those who had been loyal to him did not hesitate to betray him and sell the country. Thus,

¹⁶¹ Onana, *Ces Tueurs Tutsi*, 66–69. The American and Belgian secret services had decided to turn their spotlight on Mobutu because they realized that Moïse Tshombe (the leader of the Katangese secession with the help of Belgium and the USA and prime minister at the time) was no longer meeting their expectations. The rebellion that was born in the east of 1961 would grow and gain ground. It was supported by the Chinese and African countries that were fighting against imperialism (Ethiopia, Algeria). The USA and Belgium were afraid that this revolution would set the country ablaze and that the government would collapse, leaving the Communists in charge of the Congo. The panic became complete when some Congolese leaders decided to invite Cuba into the dance. As Tshombe proved no longer to be carrying out the orders given to him by the West, he became a danger. A more docile and cooperative replacement had to be found. The CIA, through Larry Devlin, chose Mobutu.

¹⁶² Van Reybrouck and Garrett, *Congo*, 341–42.

when AFDL troops invaded the country in 1997, even the formidable DSP was no longer able to fight, nor to ensure the security of President Mobutu, who was forced to flee to Morocco.

3.3. The Disintegration of the Democratic Republic of Congo Armed Forces 1997- 2002)

On May 17, 1997, when AFDL troops took the Congolese capital, Kinshasa, ending Mobutu's reign, the country had almost no armed forces left. The Rwandan and Ugandan armies that had helped him take power would eventually have to withdraw. His own troops were mostly made up of young teenagers (*Kadogo*) whose place was on the school bench and not in the armed forces. One of the great reforms that Kabila gave himself was to rebuild the army. He began by changing the name of the *Forces Armées Zaïroises* to *Forces Armées Congolaises*. If his intention was good, his implementation will suffer from certain decisions that will prove to be suicidal for the Congolese army and will destroy it even more.¹⁶³

Kabila's first mistake was to surround himself with Kadogo, frustrated and embittered former Mobutu soldiers, those who did not receive crumbs from the tables of the officers and non-commissioned officers, ex-Katangese tigers, Tutsi soldiers from Rwanda and Banyamulenge civilians (Tutsis from Congo) who had enlisted to defend their community. We did not have an army, but rather small groups, each of which obeyed its own commanders.¹⁶⁴

This appointment was received as a humiliation by many ex-FAZ soldiers, who saw it as a hostage-taking of the Congolese Army. Indeed, many of the officers of the Congolese Army and the intelligence services were Tutsis from the RPA,¹⁶⁵ Angola had denounced this situation

¹⁶³ Cf. Onana, *Ces Tueurs Tutsi*, 132–35. The ex-FAZ soldiers refused to obey commanders of Rwandan origin, the Banyamulenges were more concerned with their ethnic community than with national unity, and the Tutsis wanted to accomplish the mission for which they had agreed to accompany Kabila

¹⁶⁴ The ex-FAZ soldiers refused to obey commanders of Rwandan origin, the Banyamulenges were more concerned with their ethnic community than with national unity, and the Tutsis wanted to accomplish the mission for which they had agreed to accompany Kabila.

¹⁶⁵ aujourd'hui, "Enquête Infiltration Rwanda Au Congo," 4–5, <https://fr.slideshare.net/aujourd'hui/enquete-infiltration-rwanda-au-congo>.

to Kabila. But Kabila, obsessed with his meteoric rise to the supreme magistracy, did not pay attention to these warnings, thus leaving the Congolese army in the hands of Rwanda. The killings that these soldiers carried out in peace in the east of the country were covered up by Kabila, who blamed them on the Interahamwe in front of the media and human rights NGOs. But dissension and tension within the army itself forced Kabila to take leave of his Rwandan allies, a decision that was certainly good but unwise in its timing and that would cost the country and its people a second, more violent war. But it was too late. They were already very well established to agree to leave. He nevertheless dismissed James Kabarebe as head of the Congolese army, which triggered a manhunt against the Tutsis in the army. In response, we saw the creation of the RCD rebellion in the east of the country. The Rwandan military wanted to take revenge on Kabila. By occupying the east of the country, by securing the services of certain Congolese and by killing civilians, they humiliated Kabila and proved to him that they were the masters, his godfathers, the very ones who had brought him to power. The population was once again paying for the mistakes of its leader.

Let us also emphasize Kabila's refusal to work with the former military officers of the ex-FAZ, some of whom wanted to help rebuild the national army.¹⁶⁶ For the old maquis, Kabila, all the officers of the Mobutu regime were corrupt and could not serve in his army. He was encouraged in this decision by his Rwandan colleagues in the RPA who knew the strength of these men (remember the defeat they inflicted on the RPA in October 1990). Kabila himself closed the door to the construction of a Congolese army by Congolese officers who had been well trained and who knew the RPA very well. Many officers will flee to Brazzaville (in neighboring Congo) and others to Angola and other neighboring countries.) Soon Kabila will

¹⁶⁶ Onana, *Ces Tueurs Tutsi*, 132.

realize his mistake, because his allies will, as he himself will say, behave like conquerors, trying to impose their way of governing and leading the army. This situation pushed Kabila to the decision that will lead to the second Congo war.

Conclusion: A possible way out of the crisis: social justice

Our analysis of the root causes of the conflict in Eastern Congo has opened our eyes to a dimension of our humanity that we have always taken for granted and which must always be questioned and updated: social Justice. When millions of people are killed, not by weather, or natural disasters, or in the normal course of life, or accidents of daily life, but by others who from far and wide, plan, finance, and encourage murder, rape, and terror, it is important to seriously question the social justice of the human race and the rights that are vested in every human being.

Along with Jenna Reinbold, we have the bitter impression that the notion of human rights, that lead to social justice, is more myth than reality. The conflict in Eastern Congo and the behavior of the actors involved further reinforces our hypothesis. The guilty and palpable heaviness of the UN machine through MONUC (now MONUSCO), the impression of powerlessness that the UN Security Council transmits to us, which produces documents describing the situation and condemning with the utmost energy the gravediggers of the Congolese civilian population, the hypocrisy and greed of neighboring states in the cooperation between states aimed at eradicating the rebel groups in Eastern Congo,¹⁶⁷ the naivety or

¹⁶⁷ Onana, 134. The countries bordering the Congo have always shown themselves almost incapable of respecting the agreements of non-aggression and interference in the internal politics of the Congo. On several occasions, troops from the Rwandan, Ugandan, Angolan, Zambian and Burundian armies have found themselves on Congolese territory without prior invitation from the Congolese government and for reasons that the Congolese government itself has never clarified. The Lusaka peace agreements have been violated several times by Rwanda and Uganda, the Dar es Salaam agreements, the Sun City peace agreements, etc. We finally wonder about the naivety of the Congolese government or its complicity.

complicity of the Congolese authorities in the lack of media coverage of this conflict, the lack of firm interpellation of international partners and the lack of realism on the ground due to a failing political and military organization.

The difficulty of the human community (we insist here on the international and national institutions whose mission are to fight for social justice) to consider the Congolese crisis as a global emergency, In September 2003, as an example, a contingent of 5,000 blue helmets was deployed in the Ituri region to impose peace. But despite their presence, civilians were massacred in Katchele and Gobu, without the UN troops intervening, even though they had a Chapter VII mandate. Attacks of this kind multiplied in several regions of the East (Bunia, Kasinzi, Mongwalu,). It was necessary to launch Operation Artemis in Bunia to restore security because the Uruguayan contingent that had been in place was unable even to ensure the safety of the population. The peacekeepers had even been summoned by the UPC (Union of Congolese Patriots) rebels to leave the city.

The lack of social justice which is only a slogan whose content has been emptied by the race of individualism, capitalism and personal enrichment, and cultural alienation whose result is the rejection of one's own identity have made the Congolese conflict a puzzle whose resolution rests in the knowledge and the implementation of certain principle and moral values that we are going to evoke in the following chapter. But first we will engage the ethical element that will serve as a discharge to break the locks of amnesia that has led humans to forget the sacred principle and thus condemn more than 10 million people to oblivion: social justice theory.

CHAPTER III: SOCIAL JUSTICE TO RESTORE FORGOTTEN MEMORIES

Introduction

The problem of the conflicts in Eastern DRC, which we described in the first chapter by evoking its Rwandan background, its national and regional protagonists, and by illustrating them with two specific cases, raises the necessary question of social justice. Then the description we have given of the main causes of this conflict, namely the state crisis, the selfishness and greed of politicians, and finally the disintegration of the national army, obliges every soul who is keen on peace and social justice, to reflect, discuss, plan and act at all levels (social, economic, political, religious and cultural) to promote collective well-being. Today, perhaps more than ever before, the urgency of a more just, equitable, and charitable society is expressed in the voices of all those who are crying out that they are sick and tired¹⁶⁸ of seeing humans compete in massacres and gratuitous violence.

Over the centuries, during the great conflicts that have shaken humanity, various moral theories have been formulated and solutions envisaged, to give human beings a framework for the development and expression of their rights and freedoms, regardless of their class, racial origin, religious denomination, and political convictions. However, it is clear that despite these efforts, human beings remain a conflicting subject due to their complexity and singularity. Therefore, the question of social justice remains relevant, especially in a modern society disrupted by political change, the expansion of a predatory capitalist economic model, and all the other ills that Pope Francis describes in the first chapter of his encyclical *Laudato Si*.¹⁶⁹

¹⁶⁸ Examples include Nobel Peace Prize winner Denis Mukwege, elected deputies from the Eastern Congo region, NGOs such as LUCHA, FILIMBI, writers such as Charles Onana, Judith Rever, David Van Reybrouck, Cinthya McKinney, Pope Francis, etc.

¹⁶⁹ “Laudato Si’ (24 May 2015) | Francis,” 17–61, accessed May 9, 2020, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_encyclica-laudato-si.html. The pope goes into detail about pollution and climate change, the issue of water, the loss of biodiversity, the

The post-World War II era was an important turning point in the evolution of the issue of social justice. Humanity realized the horrors it was capable of if it neglected the issue of social justice. It, therefore, wanted to lay the foundations of a just society by declaring universal human rights (on December 10, 1948). However, this was not enough to prevent the long and costly Cold War, the Vietnam War from 1955 to 1975, the nuclear conflict of 1966, apartheid in South Africa, post-colonial imperialism in Africa and Asia,¹⁷⁰ the great waves of social protests in Latin America and the resulting bloody dictatorships and military coups, the genocide in Rwanda in 1994 and the conflict in the Congo that has lasted since 1996. The intellectual elite is therefore once again confronted with its failures and called to think of new forms of living together in justice and social harmony.

About 40 years ago, on September 14, 1981, Pope John Paul II, writing the encyclical *Laborem exercens*,¹⁷¹ was convinced that work was a key, and probably the essential key, to the whole question of social justice. In meantime, John Rawls had already 10 years before presented the primary object of justice as to how the most important social institutions allocate fundamental rights and duties, as well as how the distribution of the benefits derived from work and social cooperation is determined. Today, such a discourse is no longer sufficient. The profound changes that society is undergoing bring new injustices that go beyond the economic and political framework. The development of private property, excessive individualism, and the

deterioration of the quality of human life and social degradation, global inequality, the weakness of reactions and the diversity of opinions

¹⁷⁰ We are referring here to concepts such as the Commonwealth, France-Africa, Belgian cooperation and the CFA Franc. All these elements allow the former metropolises to keep a grip on the political and economic life of their former colonies.

¹⁷¹ “*Laborem Exercens* (14 September 1981) | John Paul II,” accessed April 1, 2021, http://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091981_laborem-exercens.html. This encyclical, published on the occasion of the 90th anniversary of the encyclical *Rerum Novarum* of Pope Leon XIII, poses the problem of work as the key to the social question from the introduction of the document.

dictatorship of economic liberalism have created cracks that undermine social institutions and seriously impact the lives of millions of people. Consequently, boosting the economy is no longer sufficient for human happiness. It has even become, for many, a place of injustice and exploitation. The issue of minerals in the Congo is a perfect example to illustrate the predation and sadism of the modern economic model.

The exploitation of Congo's mineral resources escapes to the Congolese government control and is concentrated in the hands of groups of individuals who set market prices, define the laws of supply and demand and exploit their employees. In a report dated February 2021, the Carter Foundation evaluated the achievements of mining companies operating in Kivu at 4.9/10, which means a failure to improve the living conditions of the local population, given the turnover generated by their mining activities. Companies mentioned include Lugushwa Mining, The Sino-Congolaise des Mines, Frontier, Twangiza Mining, Tenke Fungurume Mining, Kamoto Copper Company, Kibali Goldmines, Mongbwalu Gold Mines (formerly Ashanti Goldfields Kilo).¹⁷² Most of these companies make huge profits from the chaotic, unsupervised or lax and corrupt environment of the Congolese government, but also from the financing of armed groups (THAISARCO, Afrimex, Trademet were involved in this financing) as highlighted by Global Witness in a report published on July 20, 2009.

In this situation of insecurity, war, terror, and economic misery, the weakness or absence of institutional power reinforces the affirmation and imposition of individual powers, opening the door to serious injustices. It is therefore urgent to think of a new theorization of social justice. Alongside the call to contain socio-economic inequalities (although some are considered

¹⁷² “Répertoire Des Entreprises Minières et Carrières En RDC,” accessed April 8, 2021, <http://congominer.org/reports/1450-repertoire-des-entreprises-minieres-et-carrieres-en-rdc>.

tolerable according to Rawls¹⁷³), increasingly strong voices are being raised against all other forms of inequality (cultural discrimination, religious oppression, or ecological destruction). In both secular and religious circles of reflection, an undeniable concern to find a receptacle for all these voices and to bring out a homogeneous synthesis for the good of all is reflected in various debates and writings.

This chapter will then focus on the theorization and application of social justice theory to restore forgotten memories in the Congo. We will therefore have two main parts: the first, theoretical, will put into dialogue the visions of social justice according to the model given to us by two modern thinkers: Nancy Fraser¹⁷⁴ and Pope Francis.¹⁷⁵ Then, with the help of the insights drawn from the dialogue between these two authors, we will make practical proposals to enlighten local, national and international decision-makers on how to restore the memories of those who have been and continue to be victims of social injustice.

1. Rethinking Social Justice: Nancy Fraser and Pope Francis in dialogue

1.1. Why Nancy Fraser and Pope Francis?

Nancy Fraser's democratic approach to social justice constitutes a major advance in the construction of a more balanced and just modern society. Fraser points out that the emergence of the paradigm of identity-based recognition overturns the traditional paradigm of redistribution as the matrix of social justice.¹⁷⁶ Between these two paradigms (redistribution and recognition) which seem irreconcilable in their approach to social justice, Nancy Fraser shows on the contrary

¹⁷³ For John Rawls, inequalities would be tolerated as long as a part of the benefits generated by the activity of the most talented went to the least favored, or if they were to the advantage of all.

¹⁷⁴ Nancy Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," n.d., 29.

¹⁷⁵ We will consider the references of Pope Francis in his encyclicals *Evangelii Gaudium*, *Laudato Si* and *Fratelli Tutti* made public on October 4, 2020.

¹⁷⁶ Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," 1.

that true social justice will come from the combination of these two paradigms and not from their opposition. Redistribution and recognition must be two sides of the same coin, that of social justice.¹⁷⁷ In other words, the cry for social justice must combine both the recognition of identity differences and the eradication of socio-economic inequalities through the respect of the universal destination of goods. The way to reconcile these two theories, Nancy Fraser finds in a new paradigm: that of equal participation, which finds an echo in the worldview of Pope Francis.

Pope Francis proposes to think of social justice, which he calls integral development in his encyclical *Laudato Si* or the best politics (chap. 5) in *Fratelli Tutti*, as a symbiosis of all aspects of human life. Human development is no longer to be confined to an exclusively economic, cultural, or religious sphere. All these dimensions must enter into dialogue to open the world to what Pope Francis calls the social pact.¹⁷⁸ The Pope goes even further by integrating the ecological dimension to the construction of a just society (the notion of integral ecology is very much linked to that of social justice and the well-being of humanity in the encyclical *Laudato Si*).

Convinced, on our part, that the new approaches to social justice of these two thinkers are one of the keys to the restoration of forgotten memories in the Congo, the dialogue between Nancy Fraser and Pope Francis will allow us to better orient our proposals and make our actions more concrete and effective. Without dwelling on the divergences of these two authors, we will rather point out their approaches to the theory of social justice and then the convergences and the richness that they bring to our struggle for the restoration of forgotten memories for the construction of a new Congolese society that is just and harmonious.

¹⁷⁷ Fraser, 1.

¹⁷⁸ “Fratelli Tutti (3 October 2020) | Francis,” 218, accessed April 2, 2021, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_enciclica-fratelli-tutti.html.

1.2. The Urgency of Social Justice Paradigm Change.

1.2.1. Nancy Fraser and the rise of new paradigm

The philosophical and political controversy between Axel Honneth and Nancy Fraser in 2003¹⁷⁹ sounded the death knell for major developments in social justice theories. The main reason for this debate, which opened up social justice thinkers to the reality of the changing social question, allowed them not only to see societal changes more clearly but above all to accept to think differently about social justice. Careful observation of the new social configuration shows that since the 1970s and 1980s, humanity has taken a new step towards social justice. It has indeed moved from the first form of justice built around the theory of redistribution¹⁸⁰ (which constitutes the traditional paradigm held and defended by thinkers such as Charles Taylor or Axel Honneth, who considers it in terms of self-realization¹⁸¹), to a new conception of justice built on the recognition of identities. Indeed, the compartmentalization of a monetary economy, centered on the market and production, is no longer the absolute thermometer of social well-being. Moreover, Fraser understands the notion of the redistribution paradigm beyond the simple problem of "relations between social classes" such as can be found in the liberalism of the New Deal, social democracy, or socialism; it (the redistribution paradigm) also includes all the searches for remedies to certain injustices such as those related to gender, race or ethnicity. From now on, the institutions in charge of the management of the *Res publica* must give a place to identity claims, that is to say to the paradigm of recognition. This is to be understood not only in terms of movements that seek to re-evaluate unjustly devalued

¹⁷⁹ Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (London ; New York: Verso, 2003). In this debate, one of the great theorists of the social question on redistribution or recognition was a precursor of Nancy Fraser's reflection on the third way (parity participation).

¹⁸⁰ Nancy Fraser, "Justice sociale, redistribution et reconnaissance," *Revue du MAUSS* no 23, no. 1 (2004): 154.

¹⁸¹ Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," 3.

identities and that find expression in cultural feminism, black cultural nationalism, the gay identity movement, or, in the context of this work, perennial victimization, but also in terms of all the deconstructivism tendencies that run counter to the essentialism of traditional identity politics.¹⁸² Fraser recognizes the relevance of both paradigms but also recognizes the need to be vigilant about the danger of reducing these large, deep, and significant social movements to a mere class feud in the great arena of social welfare.¹⁸³

She is therefore opposed to any epistemological shortcut in the approach to such a complex and dynamic issue. For her, redistribution and recognition "are dimensions of justice that can be found in all social movements."¹⁸⁴ Thus, in her approach, she seeks rather to identify, question, and propose a comprehensive solution to cases of social injustice and inequality as well as to the evolution of social paradigms. For Nancy Fraser, the solution lies in a new paradigm: equal participation of all in the debates of society, be they economic, social, or cultural. But how did we get there? More profoundly, how can we analyze the eclipse of a socialist imaginary with interest, exploitation, and redistribution as its themes? What can we do with the new political imaginary articulated around identity, difference, cultural domination, and recognition?

According to Fraser, the decline of communism, the triumph of neoliberal ideals, and the prevalence of essentialist visions of social justice are the underlying reasons that paved the way for the celebration of subjective singularity.¹⁸⁵ This singularity quickly developed in parallel with the idea of redistribution, and dissociated itself from it, until it became almost its opposite. There is thus today a real dualism between the paradigm of redistribution and that of recognition.

¹⁸² Fraser, "Justice sociale, redistribution et reconnaissance," 154.

¹⁸³ Fraser, 153. Fraser objects to this dangerous presumption that simplifies the politics of redistribution to the politics of class, and the politics of recognition to a debate about sexuality, gender and race. This epistemological shortcut is simply wrong from his perspective.

¹⁸⁴ Fraser, 154.

¹⁸⁵ Fraser, 153.

The feminist movement, for example, is, for Fraser, an eloquent illustration of this oscillation and the debate of primacy between the two paradigms. In the case of the Congolese conflict, the question would be raised, for example, about the exploitation of women's bodies as shields, commercial funds, and weapons of war, or the mass killings of civilian populations, the tribal instrumentalization, and the exploitation of children in mining areas.

These are cases with both socio-economic and cultural ramifications. However, for radicals on both sides, there is a mutually exclusive relationship between the two paradigms, and if one tries to bring them together, one side will always be subordinate to the other. For the proponents of the redistributive paradigm, the claim to identity is "a false consciousness," a kind of social malaise that impedes the achievement of social justice. To this affront, defenders of the recognition paradigm denounce unhealthy materialism of the entire architecture of redistribution theory that jeopardizes social justice. While acknowledging that the two paradigms (redistribution and recognition) offer very different remedies to the question of social justice¹⁸⁶ and that they also diverge on "representations of victim groups," Fraser persists in believing that the two paradigms must be taken from the perspective of a dialectic and not a contradiction. The reason is that all these quarrels, far from resolving the question of social justice, crystallize it.

The polarization of positions, the permanent oppositions, plunges the society into a useless dilemma. It is as if one had to choose between redistribution and recognition, which for Nancy Fraser is absurd and dichotomous. Social justice cannot be reduced to an entity of social life. The human person is a complex and plural whole, their blossoming and happiness are found

¹⁸⁶ Fraser, 155. Redistribution seeks to remedy social injustice through economic restructuring by redistributing income, reorganizing the division of labor or transforming other fundamental economic structures. As for the recognition, it proposes to answer the injustice by the symbolic or cultural change through the revalorization of the despised identities, the valorization of the cultural diversity, or the complete transformation of the societal models of representation, interpretation and communication

in the symphony of all the aspects of their life, in this case, the economic, social, and cultural aspects. It is therefore imperative to formulate "a bivalent conception" of social justice,¹⁸⁷ Fraser emphasizes, that takes into account the claims of both sides. Such a conception would avoid reducing the politics of redistribution to class warfare and the politics of recognition to issues of sexuality, gender, and race. At the theoretical level, Fraser believes it is important to formulate a "two-dimensional" conception of social justice. She points out that "a bivalent conception treats distribution and recognition as distinct perspectives on, and dimensions of, justice. Without reducing either one of them to the other, it encompasses both dimensions within a broader, overarching framework."¹⁸⁸

This theoretical side should also be coupled with a practical programmatic basis that, while valuing political processes based on redistribution, favors mechanisms of identity recognition (we will give some examples in the second part). Fraser's concern is both to enrich normative philosophical thinking about justice and to provide a useful complement to "grassroots structures" in their efforts to build a just society. She wishes to consider Rawls' and Habermas' insights on social justice, Charles Taylor's and Axel Honneth's reflections, and then to propose a revised, corrected, and expanded approach as we will see later.

1.2.2. Pope Francis and the Urgency of New Social Justice Thinking

Nancy Fraser's concern for a new social justice paradigm is widely shared by the Catholic Church and especially by Pope Francis. Since Pope Leon XIII's encyclical dealing explicitly with social issues (*Rerum Novarum* 1891), the Catholic Church has been very actively engaged in promoting social justice. Responding to her mission to teach humanity to do good and to avoid

¹⁸⁷ Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," 5.

¹⁸⁸ Fraser, 5.

evil, to work for social justice (cf. Mt 28:19-20), the Church has for years endeavored to walk alongside those who struggle for social justice.¹⁸⁹ This struggle, until recently (with the rapid and relevant emergence of certain social issues, placed the question of social justice on the broad political-economic terrain, considering justice more in its distributive¹⁹⁰ and commutative¹⁹¹ assertions. Pope Francis, more than any of his predecessors, has opened the Church to a new perspective on the social question. It is first of all that of recognition. To deal with this question and to allow for a proper understanding of it, the Pope resorts to the traditional approach of the Church's social teaching, the trilogy "See-judge-act". This trilogy resembles Fraser's ethical approach in many ways. Indeed, instead of being satisfied with grand declarations, this scheme of reflection takes on the mission of analyzing and dissecting the subject to provide serious answers to relevant questions (for example, to those who reduce the encyclical *Laudato Si* to a "green" encyclical, we can object by showing that this encyclical is indeed a social encyclical which calls humans to ecological awareness starting from the observation of the current state of our planet and human behavior concerning this situation. The recognition of the evil that is inflicted by man to himself through ecological destruction (the case of hectares of forests cut

¹⁸⁹ The decree of the Second Vatican Council on the missionary activity of the Church in the world, *Ad Gentes*, returns not only to the catechumenal mission of the Church, or to the role of the traditional missionary institutes as principal agents of evangelization, but it returns especially, and already in No. 2, to the pilgrim aspect of the Church. She is missionary by her very nature, since she draws her source from Christ and her breath from the Spirit, and is drawn to the Father, in that impulse of love which keeps her constantly on mission.

¹⁹⁰ We find a detailed analysis of distributive justice in Aristotle, notably in Book V of the *Nicomachean Ethics*, but also in *Politics* (III, 9, 1208 and III, 12, 1282 b). According to Aristotle, who analyzed the question of justice, distributive justice consists in the respect of the law and the pursuit of equality. This equality is not absolute but proportional, which implies, for example, that the distribution of burdens in a society will be done according to the proportion of the merits and personal relationships of each citizen. The danger that is perceptible in this form of justice is the introduction of inequality in the proportional distribution. The respect for the law that dictates distributive justice can sometimes upset the moral sense on which justice is based. The crystallization of this form of justice can be found in the adage of the Roman jurisconsult Ulpian: *Suum cuique tribuere* (give to each his due).

¹⁹¹ Unlike distributive justice, which considers the respective value of persons and their unequal merits, commutative justice establishes an equivalence between things and gives the same share to all. Thomas Aquinas returns to this question in the *Summa Theologica* (ST IIa-IIae, 61).

down, water pollution, mining in the background of armed conflicts, etc.) reinforces the idea of the richness of this encyclical.

Moreover, in the Catholic Church, the question of the recognition of identities is posed on several levels. Social changes such as the rise of secularism and its generalization, demands for the possibility of same-sex marriage, denunciations of the treatment of women in Catholic institutions, the question of women's ordination, demands for recognition of indigenous peoples, migratory movements, debates on abuse, have obliged the Church to decompartmentalize the debate, to show itself more open to dialogue and discussion. From the beginning of his encyclical *Laudato Si*, Pope Francis underlines this tension between redistribution and recognition, between the diktats of economic models and socio-cultural demands. Today, the traditional redistribution paradigm has shown its limits. Forged in a capitalist system that has now become predatory, this paradigm leaves aside or worse still destroys identity claims. As an illustration, indigenous peoples (in this case those of the Amazon in America) are being driven off their land by companies that exploit the forest. In the conflicts in Eastern Congo, civilians are killed by militias maintained by multinationals or politicians who want to exploit the Congolese soil and subsoil without any control.¹⁹² The Pope believes that to take into account the most vulnerable and to achieve true social justice, humanity needs to communicate "to discover the richness of each person and to value that which unites and to see differences as opportunities for growth in respect for all."¹⁹³ Therefore, the much-touted economic theory of "favorable relapse"¹⁹⁴ or trickle-down theory is here beaten down by the Pope, supported by Nobel Prize

¹⁹² Cf. "Fratelli Tutti (3 October 2020) | Francis," 125. The Pope echoes the cries of the people who suffer in the mining areas of Eastern Congo.

¹⁹³ "Fratelli Tutti (3 October 2020) | Francis," 134.

¹⁹⁴ The pope explains this theory as one that assumes that every economic growth, fostered by free markets, succeeds in itself in producing greater equity and social inclusion in the world. For him, this view has never been confirmed in fact and expresses rather a crude and naive trust in the goodness of those who hold economic power and in the sacralized mechanisms of the dominant economic system. (*Evangelii Gaudium*, 54).

winner Joseph Stiglitz, with whom he reminds us that the market alone is largely insufficient to guarantee true social security.¹⁹⁵ Like Nancy Fraser, with the women's movement, Pope Francis takes as an example the indigenous peoples who suffer from both a denial of recognition and economic injustice. However, from a broad point of view, recognition for pope Francis is recognition of each person's dignity, which is a transcendent value. Also, then recognition of identity differences. Thus, to do justice, implies to combine redistribution and recognition. To reject one in favor of the other would be to perpetuate an injustice. In other words, without leaning towards oppressive redistribution or fanatical recognition, the Pope invites a frank dialogue that leads economy and culture to a social synergy. This dialogue will then lead to an ethical course of action that will serve as a light for concrete initiatives in the field of social justice.

1.3. The ideal solution for social justice

We have just seen that Nancy Fraser and Pope Francis are aware of the mutations of modern society, of the rise of identity claims, of the dichotomies and absurd oppositions that tend to place the paradigms of redistribution and recognition at the antipodes of each other. They then demonstrate, using certain groups as an illustration, how an opposition between these theories would contribute to widening the gap of social injustice rather than to building a fair and balanced society. They, therefore, agree on the need to find an alternative that brings these two paradigms closer together and that guarantees structures and individuals true social justice on both a theoretical and practical level. This section will explore the notion of equal participation proposed by Nancy Fraser as the conjunction of redistribution and recognition. Pope Francis, on

¹⁹⁵ "Fratelli Tutti (3 October 2020) | Francis," 168.

the other hand, will address the sense of integral conversion and universal brotherhood proposed to show the main way of economic and cultural integration towards social justice.

1.3.1. Equal participation: Nancy Fraser's bi-dimensional conception of social justice

Nancy Fraser is aware of the efforts of redistributive thinkers to incorporate the issue of recognition. However, for her, their efforts are mitigated by the fact that they are a threat to the question of identity as a mere outgrowth of the problem of redistribution. She also points out that the disregard for identity is not only the result of deficiencies in the system of economic redistribution and legal discrimination.¹⁹⁶ By sticking to her general thesis that social justice requires both redistribution and recognition, she then takes up the intellectual and practical challenge of finding the emancipatory aspects of these two paradigms that will need to be integrated into a general framework, or rather, a two-dimensional conception.

This dimension is underpinned by a basic principle which, for Nancy, is the starting point for true social justice: egalitarian participation, that is, equal participation in the life of the community.¹⁹⁷ It is this form of social justice that could guarantee both easy access to resources for all and greater recognition of identity. But to achieve this, two conditions must be met: a first "objective" and a second "intersubjective" one.

These two conditions are essential for parity of participation.

Neither is sufficient on its own. The objective condition emphasizes the concerns associated with the theory of distributive justice, particularly concerning the economy to the economic structure of society and class differences.

The intersubjective condition emphasizes the concerns of recognition, particularly those related to the economic structure of society and class differences of recognition, particularly those related to the statutory order of society and of society and culturally defined status hierarchies.

¹⁹⁶ Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," 4.

¹⁹⁷ Fraser, "Justice sociale, redistribution et reconnaissance," 161.

Thus, a two-dimensional conception of justice that focuses on the norm of parity of participation encompasses both redistribution and recognition without reducing one of them to each other.¹⁹⁸

In this way, society will be able to drown out tendencies that unjustly denigrate certain cultural expressions, their qualities, and their contributions to the life of society, and to contain economic tendencies that through an unbridled search for profit would crush the most vulnerable social strata.

With these conditions in mind, we will try to better understand the substance of Nancy's quest for a "two-dimensional" conception of social justice. In her normative thinking on social justice, Fraser considers the notion of recognition not as a condition of self-realization or singular (individual) identity but as a condition of parity participation.¹⁹⁹

The originality of Nancy Fraser is to present the question of identity not on an individual scale, as Charles Taylor or Axel Honneth would do, but on a vision of social status. Indeed, for Charles Taylor, the growth and social development of an individual come from this meeting of giving and receiving with others. In other words, the social value of an individual depends on those for whom he or she counts and those on whom he or she counts. As for Axel Honneth, basing his reflection on experiences of contempt, he supports the self-determination of everyone for his integrity. It is through this posture that the person imposes his recognition in his community. This means that it is in the value in which I recognize myself, that society will recognize me (Self-esteem, self-confidence, self-respect). Thus, the question of recognition presents itself as an opportunity for each person to form his or her identity.

Going against the grain, Nancy Fraser insists that recognition should instead be seen as a necessary condition for access to a social status that allows for equal participation in social life.

¹⁹⁸ Fraser, 162.

¹⁹⁹ Fraser, "Social Justice in the Age of Identity Politics. Redistribution, Recognition, Participation.," 27.

In other words, for Fraser, recognition is the enjoyment by all individuals or groups of individuals of their social status in equal participation in social life. From this perspective, the protection or promotion of cultural identity is only important if it contributes to the well-being of society as a whole. If it does not, it would be prudent to proceed with a normative-based casuistry. This last point is especially important because in some cases, for equal participation, it is useful to deconstruct some cultural differences to ensure equal participation for all.

Institutionalized cultural patterns "that prevent equal participation in social life"²⁰⁰ constitute a lack of recognition and become a social injustice.

It is clear, then, that a status-based approach to justice would be the best way to bring all parties together for equal participation, the normative basis for social justice. In this way, Nancy Fraser frees us from this dichotomy, this unnecessary dilemma of choosing between redistribution and recognition.

1.3.2. Pope Francis: integral ecology, Universal communion and Social Friendship

When the Pope issued the apostolic exhortation *Evangelii Gaudium* (EG) in 2013, he denounced two great evils that plague modern society and constitute a grave social injustice: the culture of waste and the globalization of indifference.²⁰¹ In the first case, which for Nancy Fraser would be equivalent to the excesses of redistribution policy, the pope castigated an economy of predation, "of exclusion and social disparity."²⁰² This economy, despite spectacular advances, has turned into an economy of predation, taking away all hope of well-being from masses of people,

²⁰⁰ Fraser, 29.

²⁰¹ "Evangelii Gaudium : Apostolic Exhortation on the Proclamation of the Gospel in Today's World (24 November 2013) | Francis," 53–60, accessed April 8, 2021, http://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html.

²⁰² "Evangelii Gaudium : Apostolic Exhortation on the Proclamation of the Gospel in Today's World (24 November 2013) | Francis."

in this case, the vulnerable. In the same vein, the Pope recalls the setbacks of the trickle-down theory, which naively and crudely throws a blanket over misery and hides all those shattered lives. Furthermore, the Pope condemns the idolatry of money,²⁰³ the servitude of those who engage in economic speculation, and violence in the name of money.²⁰⁴ These few elements evoked by the Pope sufficiently show how the paradigm of redistribution remains, despite efforts to improve it, insufficient to respond favorably to the demands of true social justice. On the cultural level, Pope Francis also notes some progress but many challenges. He would agree with Nancy Fraser while disagreeing with Charles Taylor and Axel Honneth when he states that a culture in which each person wants to be the bearer of his or her subjective truth makes it difficult for citizens to want to participate in a common project that goes beyond personal interests and desires."²⁰⁵

There is inevitably a lack of respect for equal participation in a culture that focuses on the short term, the quick, and the superficial. Thus, we see attacks on religious freedom against a background of hatred and contempt. The Pope will address this issue of recognition in his encyclical *Laudato Si*. The latter, which many call a green encyclical, is in fact, for the pope himself, a social encyclical. It has enriched *Evangelii Gaudium*. In addition to showing that the economic paradigm is not sufficient for social well-being, the Pope also points out cultural inadequacies. His goal was to find and propose a new way to make the economy and culture the basis for building a just society. In addition to the economic and cultural paradigm, the Pope adds the ecological paradigm. Returning to the recognition paradigm, the Pope uses the case of

²⁰³ “Evangelii Gaudium : Apostolic Exhortation on the Proclamation of the Gospel in Today’s World (24 November 2013) | Francis,” 55.

²⁰⁴ “Evangelii Gaudium : Apostolic Exhortation on the Proclamation of the Gospel in Today’s World (24 November 2013) | Francis,” 58.

²⁰⁵ “Evangelii Gaudium : Apostolic Exhortation on the Proclamation of the Gospel in Today’s World (24 November 2013) | Francis,” 61.

indigenous peoples (Fraser exploits the issue of feminism) to emphasize the link that must exist between the paradigm of redistribution and that of recognition. "The indigenous peoples of the Amazon have never been so threatened in their territory, by their brothers and sisters as now."²⁰⁶ This statement by the Pope opens our eyes to the problem of the social status of these people, which is being violated. While they are recognized as the first occupants of the Amazon region, they are not granted the economic rights that should go with their social status. Indigenous must be recognized as dignified, as full persons even if they don't participate directly in government decision making arena. Unfortunately, a semblance of theoretical recognition is denied by normative actions that grant more rights to logging companies, farmers, and industrial ranchers, to the detriment of indigenous peoples who often find themselves expelled from their territories. We have seen similar cases in the Eastern Congo region. The social injustice suffered by these peoples is thus "bi-dimensional" (we borrow Nancy Fraser's terms in comparison). It seems not only from a lack of recognition in the demarcation and titling of territories (respect for social status) but also from the invasion of large projects described as promoting development but which destroy the territories and their populations (...).

Social justice for these peoples and by extension for the whole community, especially the most vulnerable, will then come from considering the economic and cultural aspects in the ecological context of these groups. It is this life that the Pope calls integral ecology²⁰⁷ and which, in the case of Fraser, is defined under the theme of parity participation. For Pope Francis, recognition comes first through a relational dimension. This implies that any economic or cultural development must be inscribed in the register of community participation, which should be empowered through a "culture of encounter" that also includes, in this context, the environment

²⁰⁶ "Laudato Si' (24 May 2015) | Francis," 52.

²⁰⁷ Cf. "Laudato Si' (24 May 2015) | Francis," 137.

and God and lead to action for the most vulnerable.²⁰⁸ That is why, the Pope's integral ecology approach adds to the paradigm of redistribution and recognition, that of relationship. This is rather implicit in Nancy Fraser's parity participation. The relational paradigm provides the fundamental articulation of the connections that make true human development possible. It allows us to decompose integral ecology into socio-economic and environmental ecology and cultural ecology.²⁰⁹ It is the symbiosis of all these components that, within a relational framework, will open the door to true social justice. This notion of integral ecology reminds us that humans only live and thrive in a safe environment. There is therefore a relationship between man and his *sitz im Leben*. How he uses the resources around him can either improve his life or destroy it. This relation thus comprises an intersubjective dimension. We are not monads but social animals. This socialization becomes a source of well-being and prosperity when each individual while seeking his well-being, dignity, and respect in his/her difference, recognizes these same elements in those who are their fellow human beings. Such an attitude will not only open the way to the culture of encounter that revives the feeling of belonging to the same humanity, of fighting against the same challenges (the Covid pandemic has proven this to us). Thus, we realize the illusion of a power built on the selfishness and the rejection of the difference, whether it is at the individual, national or international level. It is through the culture of encounter that humanity will come to recognize itself as one in its diversity and think then of an encounter of differences for an equal participation. All social structures are called upon here

²⁰⁸ "For a Culture of Encounter (13 September 2016) | Francis," accessed April 19, 2021, http://www.vatican.va/content/francesco/en/cotidie/2016/documents/papa-francesco-cotidie_20160913_for-a-culture-of-encounter.html. According to Pope Francis, it is not enough to feel sorry for those who suffer, to make statements describing suffering and misery, or as we often hear, to condemn suffering or its causes with the utmost energy. We must do as Jesus did. That is, be merciful. Such an attitude consists in seeing misery and suffering, sympathizing with those who suffer and then approaching them. This presence should touch the heart of the suffering and bring hope. It is therefore an active and effective presence that restores hope and opens to life.

²⁰⁹ "Laudato Si' (24 May 2015) | Francis," 137–42.

to play their role as regulators of social relations by promoting and protecting the common good and by recognizing the dignity and status of all members of the community in their different cultural expressions.²¹⁰ This also implies the effective participation of all members of the community in the decision-making process on all matters that concern the economic, social, political and cultural life of the nation. For example, the practice of referendum should be part of the *modus governandi* of a country like Congo to allow the encounter and the exchange between the institutions and the citizens. Overall, we can see that the issue of social justice concerns all segments of society. It encompasses all aspects of life and requires, as our two authors point out, the involvement of all the living forces within the community. A just society is one in which the economy and culture are brought into dialogue for the good of all. Better still, a third element is added to these two: the environment. It is in a relationship of redistribution, recognition, and true dialogue with nature that can be summarized in “a culture of encounter”²¹¹ that equal participation will be built given universal brotherhood and true social justice.

At the end of this reflection, we are situated on a new vision of social justice. By placing Nancy Fraser and Pope Francis in dialogue, we have brought two voices that, through their immersion and their passion for justice, put us on the path of seeking a society in which all people will be treated fairly in terms of distribution of available resources, recognition of identity, political consideration, and participation in the promotion of a more fraternal and nature-friendly human community. In the second part, we will propose actions at the international, national, and military levels to embody this theory that we have developed above.

²¹⁰ Cf. “Fratelli Tutti (3 October 2020) | Francis,” 30.

²¹¹ “Fratelli Tutti (3 October 2020) | Francis,” 30.

2. Moral Recommendations for Social Justice and Restoration of Forgotten Memories

The journey we have just undertaken has shown us that one of the main keys to the restoration of forgotten memories for peace and development in the Congo is social justice. This was presented to us from a new perspective, that is, in terms of equal participation by Nancy Fraser, and integral ecology and universal brotherhood (social friendship) by Pope Francis. The synthesis of these two authors allows us to draw our definition of social justice in the context of our work. For us, social justice is an equitable redistribution of available goods and resources, respecting and recognizing the socio-cultural status of all segments of the population to create a healthy environment and to promote the communion of all in true social friendship.

With this new vision, we can give concrete moral recommendations at the international and national levels (including the government and the Army). This second part of our third chapter will therefore focus on moral recommendations to fight against the social injustices suffered by the civilian population in Eastern Congo. We will articulate our recommendations in two sections: first, to the international community in its interventions in the Congo, and second, to the Congolese government and military authorities to provide them with avenues for restoring the memories of those who have been consigned to history.

2.1. To the International Community

For years now, the Congolese population has been demonstrating and expressing its discontent with the presence of UN soldiers in the east of the country. These populations feel they are victims of serious injustice. The elements of the blue helmets do not protect them from rebel attacks, and yet this is one of their missions, and therefore the people cannot enjoy their most fundamental rights (including the right to life and security), let alone the benefits of their land and environment. Moreover, local populations are being driven off their land under the nose

of the UN military and deprived of their primary sovereign status. These populations realize that the UN soldiers do not consider them as their equals when it comes to rights and dignity, and that they are not ready to give up their lives for them. Families are separated, raped women are often excluded from their families, children are kidnapped and used as labor in the mines or as cannon fodder.

The passivity of the international community, and MONUSCO on the ground, reinforces the feeling of injustice and abandonment. As a result, the social friendship between the population and the international community is broken, with the consequence of a loss of communion and mistrust that can lead to real hostility. The demonstrations, sometimes violent, by the civilian population on the bases and offices of MONUC at the time and of MONUSCO today bear witness to this feeling of social injustice. To restore social justice for these lives lost – because of the laxity and irresponsibility at the material and formal level of the UN military forces – and for peace and universal communion, the international community should:

- Reflect on the conversion of military forces' structure, which has proven to be less effective in defending the distribution of goods for the well-being of all populations, but also in creating a viable environment for these populations whose land is destroyed by the exploitation of minerals and deforestation, whose waters are polluted by the presence of decomposing corpses and whose memories are destroyed by images of violence and atrocities. With a staff of more than 17,000 men and substantial logistics (warplanes, battle tanks, military helicopters, satellite assistance, sophisticated weapons, and a decent salary), the blue helmets should be able to provide the local population with a minimum of economic well-being, cultural development, human dignity, peaceful cohabitation, and social communion.

For that to happen, it would be appropriate for the UN, through the Security Council, to call on the great military powers (USA, UK, China, etc.) to intervene directly in the Congo as they did in Kuwait. The UN should send an army to the Congo to neutralize the rebellions, not soldiers to stabilize a region at war. Such a mission would be a just war from two points of view: that of *jus ad bellum* and that of *Jus in bello*.

In the first case, which first raises the question of the morality of the act, the fact of sending an army to stop the massacre of innocent people constitutes a morally just act. The reason for this justice is found in its circumstances²¹² which, in the case of the Congo, respond to a good, that of the restoration of peace and social justice.²¹³ And since other means of recourse have failed (negotiations, persuasion, amnesty, United Nations resolutions, verbal condemnations), the moral law is universal, it is also the universal responsibility to impose social peace, even if this implies the use of military force. Since the armed groups that are created with the slogan of the defense of the people have proven the immorality of their actions by destroying the population, it is legitimate that others wage war against them to restore harmony and social peace. Then, since the morality of the act has been established, the subject is therefore considered moral. As an example, the Congolese government has just invited the Kenyan army to help it resolve the issue of armed groups in the Eastern part of the country. The Kenyan army has the necessary authority and comes to fight for a just cause with the intention of legitimately defending civilian populations and restoring peace and social justice. This is a just war.

From the point of view of *jus in bello*, the UN troops suffer from a lack of coordination in their chain of command. The morality of the object, that is, the actions to be taken, suffer from a

²¹² Catholic Church, *Catechism of the Catholic Church*. (New York: Doubleday, 1995), 2309 & 2312, <http://api.overdrive.com/v1/collections/v1L2BaQAAAjCBAAA1M/products/007c2c39-f642-4998-896b-7677be4fb65c>.

²¹³ Catholic Church, 1754.

cacophony. There are several people in charge, which results in dispersion in the execution and the inability to be effective. Accountability also becomes difficult. Hence our preference for the invitation of a national and sovereign army whose chain of command is not subject to interference and to which one can be held accountable in case of immoral acts by the soldiers in the field. However, all these principles have their limits given the political and economic stakes that may be involved.

Also, social justice requires the imposition of economic and military sanctions, by the security council on all countries and mining companies and corporations that are rear bases or suppliers of arms and ammunition to rebel groups, in this case Rwanda, Burundi and Uganda. These sanctions will have the effect of cutting off the rebel groups from their sources of supply, weakening them and making it easier to eradicate them, of imposing on those countries a different way of access to the resources, that considers the dignity and sovereignty of the population. Also, these sanctions would force the neighboring countries to come to the dialogue table, to move toward a “culture of encounter”, to find lasting consensus on the mode of regional cooperation in the management of the wealth of the sub-region for the benefit of all.

Social justice means to fight for the recognition of the rights and duties of all the peoples of this region to the expression of cultural difference, raising awareness of the richness of the symbiosis of cultural differences and the value of collaboration in the expression of these differences. At the same time, the UN should be proactive in preventing dangerous cultural expressions that praise cultural supremacy or cultural superiority complex. Here, MONUSCO would benefit from working with civil society (especially traditional chiefs), religious denominations and administrative authorities to promote a culture of encounter with a view to reconciliation between cultures and true social justice. The goal is to create a universal

brotherhood and social friendship for peace. The format of the African palaver tree would be beneficial for such an undertaking. Furthermore, the promotion of responsible management of nature (soil, subsoil, lakes, and rivers, forests, etc.) would help each group not only to find what it needs for its well-being but also to take into account the benefit to the future generations who must inherit a healthy earth. Such work would lead to the creation of a true social friendship between the international community and the people of Eastern Congo, in which friendship is a guarantee of effective collaboration to end this cycle of violence and massacres.

- Social justice also requires the restoration of the dignity of those innocently massacred.

The sacredness of life and its promotion, which the UN Charter defends, would oblige the UN to create an International Criminal Tribunal for the Congo (ICTC), whose headquarters would be in the Congo, and whose mission would be to re-establish justice for the victims of the massacres and harmony between the victims and the perpetrators, hence fostering fraternal communion and the advent of peace in the Eastern Congo. Such an initiative would not only allow the victims to mourn and honor the cultural value of a dignified burial of the dead, but also allow the dead to rest in peace after having obtained justice. The logic behind this approach is that of awakening awareness of the permanent communion between the world of the living and that of the dead in the cultures of the populations of Eastern Congo. That is why doing justice to the dead by building memorial sites would ensure the living of the protection and benevolence of those whose world is larger and more complex than that of the living.

Such a tribunal should therefore not take on the appearance of an inquisitorial court, but rather of a court-inspired by the African palaver courts in which dialogue with respect for the other and the search for communion are the keywords. Victims and perpetrators should express themselves, tell their stories, the former to vent their anger, their pain, and even their hatred, and

the latter to express their sadism or their regret or to confess their remorse for the acts committed. It is only then that justice can be done. This justice will be rendered first to restore the victims (those who died and those who survived them) in their rights through reconciliation with themselves, with their environment, and in the long term with their executioners. The latter should, in turn, enter a process of reconciliation with their victims by asking for forgiveness from the living and the dead (traditional reconciliation ceremonies could be envisaged), by paying for the stolen goods in kind or cash, and finally by taking an oath of honor to ensure that such a thing never happens again.

Moreover, it will be useful that after confessing, they participate in the restoration of the memories that they have erased at the hands of their brutality. Their atonement should continue with a moral restoration of the sense of human dignity, of the universal destination of goods, of universal brotherhood, and respect for differences. Thus, they could, for example, be engaged, in charitable works in the areas they had destroyed (construction of mausoleums, cultivation of the land, burial of the dead who had been thrown into mass graves, request for public forgiveness and promise of conversion). This time of probation could be shortened or lengthened depending on the moral evolution and the ability of those on probation to give signs of conversion and desire to integrate into the human community. For this purpose, these courts should be composed of specialists in international law, positive Congolese law, and the habits and customs of the regions in which the court sits. Besides, a team of psychologists, pastors, sociologists, and moralists on an international scale would be of great help.

2.2. To the Congolese Government and the Congolese Army

We saw in the previous chapter how the Congolese government and its military forces have almost always favored squabbling for political positions, personal and illicit enrichment

(and here we cite the control of mining areas in the eastern regions of the country by maintaining militias or deserting combat zones and destroying the environment to prevent access to these areas), the misappropriation of national economic resources, corruption, and the promotion of tribalism and ethnic divisions. The consequence of this depravity of the Congolese political class and the Congolese military is that, over time, it has created, cemented, and institutionalized social injustice. Citizens have been left at the mercy of rebel groups who kill, pillage, rape, deport, and drive people away from their lands, thus robbing them of their human dignity. The irresponsible and morally reprehensible actions of these mafia-like and rogue politicians and military personnel undermine the cultural values of the Congolese people, break national cohesion, promote the destruction of the ecosystem, arouse indignation, and therefore call for restoration.

The communion that has been broken between the people and their political-military authorities has led to enmity and even hostility against the state in the eastern regions and has engendered within the people unhealthy complicity with evil. Unhealthy individualism has taken the place of community solidarity. It has been fueled by the deprivation of the enjoyment of the country's wealth, which has remained in the hands of the rulers and armed groups, the lack of recognition and respect for the status of the population, which has opened the way to tribalism, religious intolerance, xenophobia and bloody opposition between social classes. The solution to this state failure is a restoration of social justice according to the following scheme:

- A process of reconciliation with those who are in the afterlife. As written by the Senegalese writer Birago Diop:

Those who have died are never gone: They are in the Shadow that lights up and in the shadow that thickens. The Dead are not under the Earth: they are in the Tree that shakes, they are in the Wood that

groans, they are in the water that flows, they are in the water that sleeps, they are in the Hut, they are in the Crowd: The Dead is not dead.²¹⁴

This process of reconciliation between state institutions and the citizens who have died through their negligence and sometimes even with their complicity will begin with an accounting of the Congolese who have died since 1996. This first part responds to the moral requirement of any reconciliation process: the recognition of the undeniable identity of the other. The institution must be aware that those killed in Kasika, Kilungutwe, Makobola, and elsewhere were indeed complex and singular, unique and special, worthy and capable. Recognizing their identities is an act of justice and a reminder that these are particular lives that were violated and desecrated.

The purpose of this first step is to bring these people out of anonymity, not to count them simply as collateral victims of a senseless conflict, and also to restore their dignity as people with an identity, that is, a name, and address, and a history. The State will thus face its material and formal responsibilities and become aware of the consequences of its negligence and complicity with the evil that has cost millions of human lives and an ecological catastrophe. This collection of victims' identities also aims to allow the entire nation to mourn, which is a therapy and a path to healing and inner liberation, to reconcile with its dead and to rediscover the cosmic communion and social friendship that binds the living and those who are in the afterlife.

This step, which is also the recognition of the value and social status of those in the afterlife, could serve to seal social peace and rid the country of the curse of shedding innocent blood.²¹⁵ The blood of all these people still demands justice. The State will get credit for

²¹⁴ Birago Diop, *Leurres et Lueurs: Poèmes*, 4. éd, Poésie (Paris: Présence africaine, 2002), 1. The translation is mine.

²¹⁵ We will remember the curse pronounced on Cain after the murder of his brother Abel, or on Ahab after the murder of Naboth.

regaining trust among the population, strengthen the communion, and lay the foundations of a solid social friendship that will guarantee peace and development.

The stage that follows the recognition of identity is that of the equitable distribution of goods to which even those who have died are entitled. This economic restoration involves the construction of monuments and commemorative sites for all the victims of massacres. These places of remembrance, of mourning, but also meeting and communion with the living in the afterlife, must be erected at all the sites of massacres (such as Kasika, Kilungutwe, Makobola, etc.). These would be shrines for the country to restore the dignity of the dead Congolese, to preserve and update their memories, and to ensure their effective presence among their people. Moreover, it would constitute a posthumous compensation for those to whom the State did not allow to benefit from an equitable redistribution of the wealth of the country. On the ecological side, it would be the restoration of ecological life and natural harmony²¹⁶ that war and massacres had made obsolete.

Finally, these sites would constitute places of the revelation of the human being to himself, to the truth of the complexity of his nature, both peaceful and wild, and the need for moral formation so that the principles, values, and truths that favor equal participation, integral ecology and social friendship become permanent realities in the human community. These places could therefore take on the character of places of fraternal communion, where all humans, of all "races, people, languages and nations" would come to recall that nothing human is foreign to humanity, in other words, that we are all rings of the same cosmic chain that we must constantly restore. Thus, the Congolese and all humans will remain conscious of the drama that has taken

²¹⁶ The green spaces, the planted trees, the tended flowers and the atmosphere of contemplation that characterize the memorial sites, lead to a communion not only with the deceased but also with Mother Nature. This setting shows that the power of life cannot be destroyed by evil. In the ashes of burned land, burned houses and decomposed bodies, life can bloom, peace can return, and calm can reign.

the lives of millions of human beings but also of the danger of injustices in the distribution of goods, the recognition of identities, the race for minerals, and the destruction of the environment and divisions based on tribalism, regionalism or religion.

- The formation of conscience. For what we have described above to be possible, it is necessary to train consciences in parity of participation, which means that all members of the community must be able to take part to social, economic and cultural interactions as peers, integral ecology, and social fraternity. This formation could take the form of a moral awakening in the school, family, and church environments. In our opinion, it would be spread over three essential levels.

In the first place: To train the Congolese on the conscience of oneself and his Congolese being. This stage consists of bringing the Congolese to personal and intimate knowledge, to the discovery of their moral capacities, to a permanent analysis of oneself in the decision making, and the commitment to the service of the nation. The goal is to create self-confidence that would be an asset to the construction of a strong personality, not easily manipulated and capable of a greater vision and balance of oneself and the world.

A second level would be training in a special way the Congolese Army and police forces in the awareness of others (here we consider the people in and out of the country): at this stage, the soldiers becomes aware that their abilities can only reach their excellence when they are in synergy with citizens, when they work to protect the countries from its inside and outside enemies. Moreover, the awareness of their weaknesses opens the military to humility and solidarity by cooperating with the civilians and the political authority without compromising their own dignity and their honor. The military training will therefore include the presentation of the civilian as equal to them in dignity and rights, as different from them in their mission vis a

vis the country and complementary in the week for peace and stability of Eastern Congo. It is by looking at its encounter with the civilian population from this threefold perspective that the Congolese military will be able to avoid exactions, attacks against civilians, the exploitation of civilians as beasts of burden or cannon fodder, and corruption by politicians or greedy multinationals in order to do harm to the citizens they have sworn to protect. The correspondence between the "I" (military) and the "you" (civilian) will become commutative and enriching. In this way, social friendship between the two groups would enter the path of restoration.

The Congolese military will be formed also to respect the dignity of the deceased and the unborn. Becoming aware of the links that unite them to those others will open up respect for dignity, the promotion of communion (protection of sites of remembrance for those who have left and of those who will come). In this sense, killing for a Congolese soldier will only be a matter of self-defense or of protecting the weak who are threatened, because the promotion of the sacredness of life and its preservation will be part of the habitus of the Congolese soldier. The military court of justice will see to sanctioning any soldier who would harm life outside of the above-mentioned cases.

Finally, the Congolese military will learn to protect and defend the nature that surrounds him, supports him, and makes him able to live. Becoming aware of the importance and the role of nature would help the military to adopt a dignified and responsible ecological behavior even on the battle field. Excessive mining (which already beyond a military duty), deforestation, water pollution, regardless a war context, would sound like a self-flagellation based on the principle that the harm that is inflicted on nature will almost automatically be reflected on them and the civilians because of the relational circularity that links military, to their fellow civilians and to their mother earth (here Congo).

Politics, military and civilians) will be conscious of being heirs of the same history and bearers of the same destiny that is to pass to the next generation a better and healthy country as emphasized in our national anthem. They will thus be able to commit themselves to the promotion of social justice for the well-being of all and the advent of a peaceful and united society. This commitment to the Congo would also translate into concrete actions on the side of the Military Forces and the government such as the refoundation and restructuring of the Armed Forces of the DRC (FARDC) through recruitment and promotion based on skills and not on tribe or political affiliation, the revision of the country's military budget²¹⁷ for recruitment, the rehabilitation and construction of training camps, training at home and abroad, the equipping of the army and its deployment throughout the national territory Add to this the training of special units (special forces), border police and the purging of infiltrators in the chain of command of the national army, etc.

Conclusion

The best way to conclude this chapter is by remembering that “the call for us to listen to one who is suffering is not an easy one, for it presupposes that the sufferer can or will speak.”²¹⁸. The ability to listen to the sufferer, who sometimes has difficulty expressing his or her pain in ways we can understand, reminds us that we have a way to go in restoring forgotten memories

²¹⁷ “RDC : la loi de finances 2020 accorde 355 millions USD à la défense contre 330 millions USD en 2019, soit une légère augmentation de 25 millions USD,” Actualite.cd, November 21, 2019, <https://actualite.cd/2019/11/21/rdc-la-loi-de-finances-2020-accorde-355-millions-usd-la-defense-contre-330-millions-usd>. According to this article, the budget allocated to defense was \$355 million in 2020, or 3.7% of the general budget. Of this budget, 352 million were allocated to military operations. As for the research of the army, it received the sum of 291 thousand dollars. For a country of this size, with multiple and complex conflicts, and with an estimated 204,898 military personnel, this amount is derisory. With only about 17,000 soldiers in the field and all the personnel and logistics, MONUSCO spends more than a billion dollars a year with mixed results. Moreover, with an army that needs to be reformed, it must be said that this budget is a real injustice not only to the army. As a result, the military are easily corrupted, get involved in mining and logging and takes out their frustrations and anger on the civilians.

²¹⁸ James F. Keenan, *Commandments of Compassion* (Franklin, Wis: Sheed & Ward, 1999), 123.

and achieving social justice. Developing a sense of listening to and reading suffering by "revisiting the terrain of one's own suffering establishes the ground work for becoming a compassionate and perceptive listener"²¹⁹ of the motions of the suffering. This is what we have tried to propose through the analysis of the new vision of social justice proposed by Nancy Fraser and Pope Francis. This approach is expressed in parity participation, integral ecology and social friendship.

We then opened this new way of social justice to the situation in Eastern Congo by proposing moral recommendations that allow the victims, those who suffer, not to justify their suffering, but to express their rage, their anguish and their despair through the tribunal, the memorial sites and the dialogue with the authorities. On the other hand, we have shown that it is only through a willingness to act, or better yet, to act proactively, that the international community, the national political and military authorities, will allow the perpetrators to confess their wrongs, to ask for forgiveness, and to resolutely commit themselves to the path of conversion by working to restore the memories that they have destroyed. This process will also benefit the victims, who, in the face of the conversion process and the formation of the conscience of their executioners, and that of national and international decision-makers, will be able to begin their own path of restoration.

²¹⁹ Keenan, 123.

GENERAL CONCLUSION

At the end of this journey, it is clear that we have made enormous discoveries, but that this is only the beginning of a theoretical and practical path that must be deepened and constantly enriched. By setting the scene of the security situation in the East of the DRC while making a detour through the causal link between the Rwandan past and the Congolese conflict, we have paved the way for an exploration of a complex and diverse humanitarian disaster. This is why we have chosen to limit the scope of our work to find more conciseness and precision. We have therefore chosen to work on the cases of Kasika and Makobola as an illustration of the human and ecological tragedy that has ravaged the Congo for more than two decades. Here we presented the protagonists of this conflict, outlining their origins and their direct or indirect involvement in the massacres of civilian populations. With the scenery set and the actors presented, it was easy for us to point out the causes of this conflict that seem insoluble.

Aware that the causes, like the conflict itself, are multiple and complex, we have pinpointed three of them in the context of this work which, for us, represent a failure on the part of humanity to assume its responsibility. These are the errors and failure of the United Nations' military intervention in the Congo through MONUSCO, the failure of a predatory government whose foundation has been fragile since the country's independence, and finally, a disintegrated army that represents only a giant with feet of clay. These causes have made us realize that we can contribute to the issue of restoring forgotten memories, peace, and reconciliation in Congo. We discovered this solution in a new way of thinking about social justice. To do so, we turned to the innovative thinking of Nancy Fraser and Pope Francis on social justice. These two authors propose a new way of thinking about social justice that, while maintaining the traditional paradigm of economic redistribution, adds to it the paradigm of the recognition of cultural

identities. The synthesis of these two paradigms has led, in Nancy Fraser, to the notion of equal participation. For Pope Francis, it has led to an integral ecology, universal communion, and social friendship which are only possible in a culture of encounter.

This theorization found its anchor in the enumeration of certain moral recommendations to the international community, the Congolese government, and the Congolese Army so that social justice becomes a true reality. It is only at this moment that we could talk about a true restoration that would take into account the dignity of the people who were victims of war and atrocities, the respect of the dead through the construction of sites of remembrance, and finally the opening to peace and development through reconciliation between the living and the dead, the victims and the executioners, and finally humans and nature in frank and sincere dialogue.

All in all, we remain convinced that the work we have started is the starting point of a reflection and actions that must be completed and finalized. Social justice is not an entelechy but a dynamic that is enriched as the realities of society evolve. In Congo, and particularly in the East, we think that our work, associated with those of all the other researchers, will constitute a stone of more has the construction of the city of peace which would be a prefiguration of the true city of peace which it is celestial as it reminds us, Saint Augustin.

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2. Kivu Region in Eastern Democratic Republic of Congo



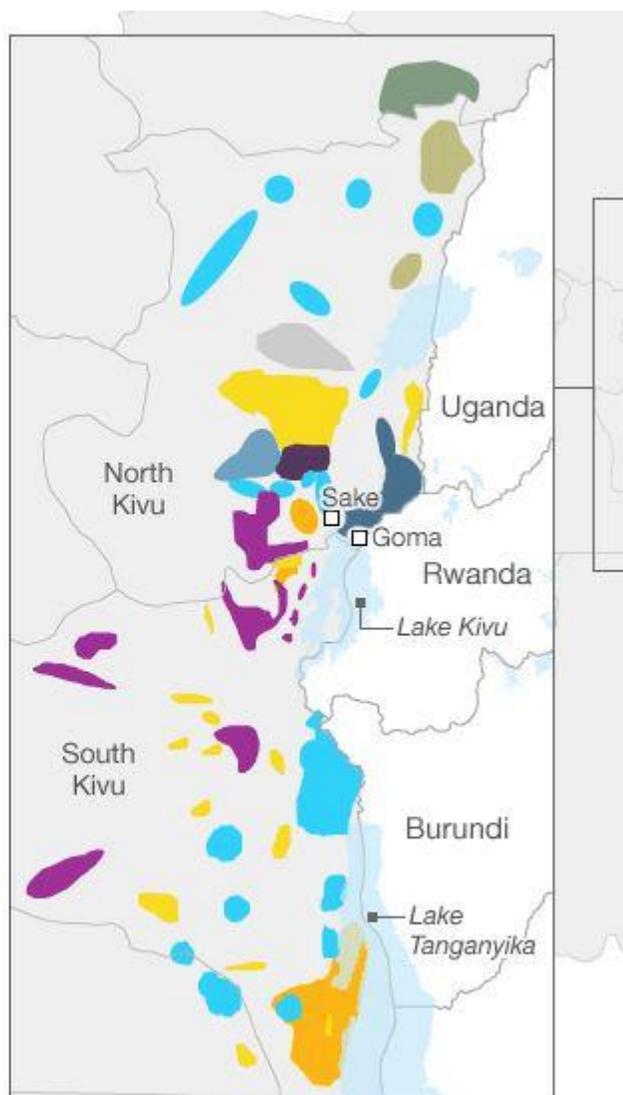
https://www.google.com/url?sa=i&url=https%3A%2F%2Fwww.researchgate.net%2Ffigure%2FMap-of-the-DRC-with-North-and-South-Kivu-provinces-in-red-Source-www_fig1_260293455&psig=AOvVaw3WjYugOkudbX--j09JLS3o&ust=1619543526271000&source=images&cd=vfe&ved=0CAIQjRxqFwoTCLCjz_-znPACFQAAAAAdAAAAABAU

3. Armed groups in the Kivu region

UN forces and the Congolese army are present in large towns

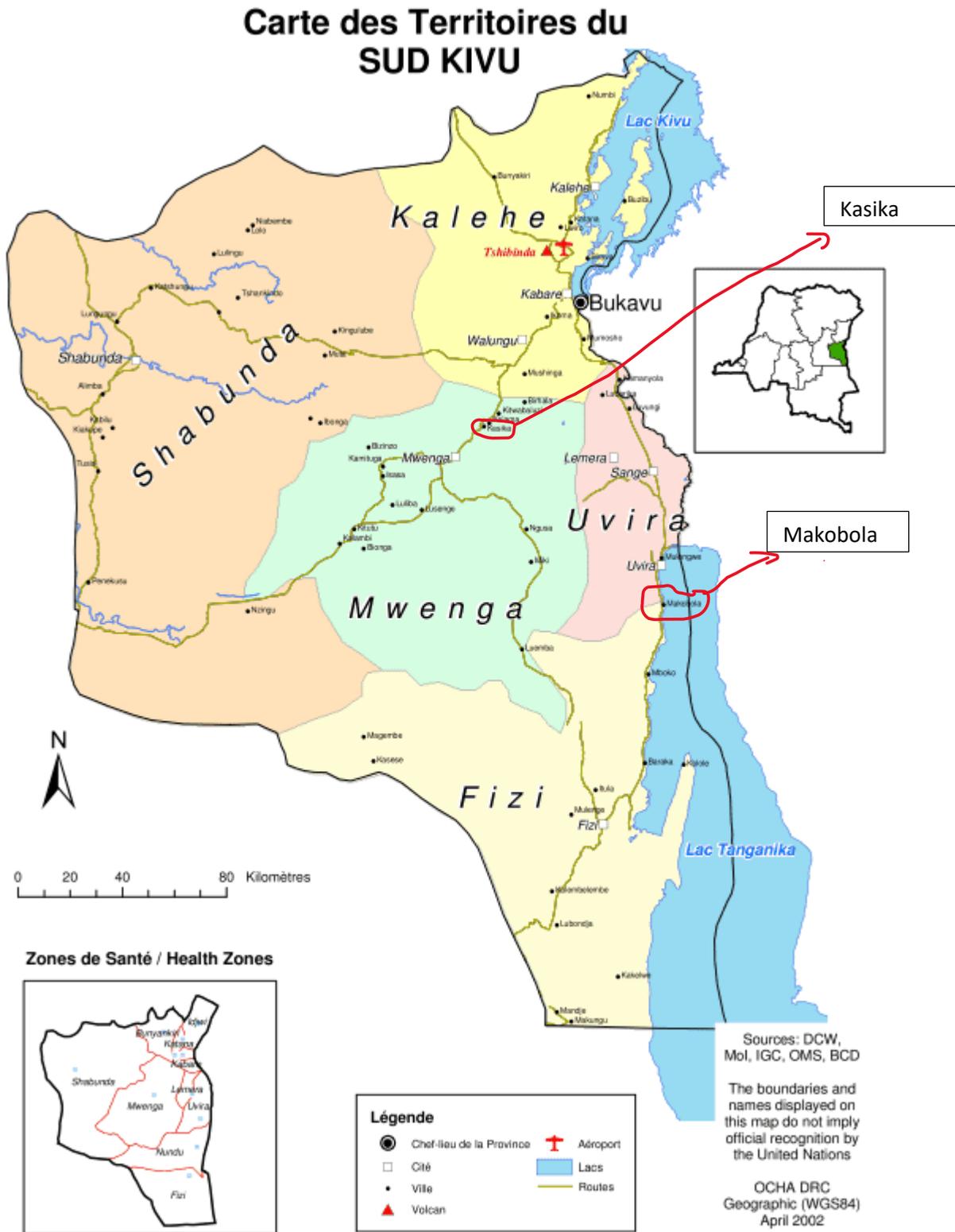
- ADF-NALU**
Ugandan-led Islamists
- APCLS**
Mai Mai group
- FDLR**
Mostly Hutu Rwandan rebels
- FRPI**
Based in gold-rich Ituri region
- M23**
Mostly Tutsi, said to be Rwandan-backed
- Rai Mutomboki**
Anti-FDLR group
- Sheka**
Mai Mai group
- UPCP**
Loose coalition of smaller nationalist groups
- Mai Mai groups**
Local forces claiming to act in self-defence
- Other armed groups**

Source: Oxfam



<https://www.google.com/url?sa=i&url=https%3A%2F%2Fdemocratiechretienne.org%2F2013%2F03%2F06%2Fconference-de-presse-de-lhon-diomi-ndongala-reportage-cntv-06-03-13%2F&psig=AOvVaw3Rh83SX2WpuUyeli7YkBE&ust=1619544080585000&source=images&cd=vfe&ved=0CAIQjRxqFwoTCLi22JS2nPACFQAAAAAdAAAAABBe>

4. Kasika and Makobola Region



<https://www.google.com/url?sa=i&url=https%3A%2F%2Freliefweb.int%2Fmap%2Fdemocratic-republic-congo%2Fdr-congo-carte-des-territoires-du-sud-kivu&psig=AOvVaw2MN1dCkiscpzKQRtrrNYsr&ust=1619545006512000&source=images&cd=vfe&ved=0CAIQjRxqFwoTCLD4pbq5nPACFQAAAAAdAAAAABAJ>