

Researching livelihoods and
services affected by conflict

Provincial tribalisation

The transformation of ethnic
representativeness under
decentralisation in the DR Congo

Working paper 61

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July 2018

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Calderón, 2017.

About us



The Secure Livelihoods Research Consortium (SLRC) is a global research programme exploring basic services, and social protection in fragile and conflict-affected situations. Funded by UK Aid from the UK government (DFID), with complementary funding from Irish Aid and EC, SLRC was established in 2011 with the aim of strengthening the evidence base and informing policy and practice around livelihoods and services in conflict.

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SLRC's research can be separated into two phases. Our first phase of research (2011 - 2017) was based on three research questions, developed over the course of an intensive one-year inception phase:

- State legitimacy: experiences, perceptions and expectations of the state and local governance in conflict-affected situations
- State capacity: building effective states that deliver services and social protection in conflict-affected situations
- Livelihood trajectories and economic activity under conflict

Guided by our original research questions on state legitimacy, state capacity, and livelihoods, the second phase of SLRC research (2017-2019) delves into questions that still remain, organised into three themes of research. In addition to these themes, SLRC II also has a programme component exploring power and everyday politics in the Democratic Republic of Congo (DRC). For more information on this work, visit: www.securelivelihoods.org/what-we-do

Acknowledgements



Research for this paper was made possible by the Secure Livelihoods Research Consortium (SLRC) of the Overseas Development Institute (ODI) through funding provided by the United Kingdom's Department for International Development (DFID). The authors are grateful for the support of Yi Feng and Eliana Leon at the Claremont Graduate University, and for the assistance in the field provided by Balthazar Ngoy Kimpulwa, Georges Kasongo Kalumba and Eric Nday Nonga. Kevin Dunn and Theodore Trefon offered thoughtful and useful feedback

on an earlier version. Tom De Herdt and Wim Marivoet facilitated access to the data set. The article has also benefitted from discussions with the members of the Congo Consortium at the SLRC and with participants at a Congo panel of the International Studies Association annual meeting in San Francisco (March 2018). The views presented in this paper are those of the authors and do not necessarily reflect the UK government's official policies or represent the views of SLRC or other partner organisations.

Acronyms and glossary



BERCI	Bureau d'Etudes et de Recherches Consulting International	PPRD	Parti du Peuple pour la Reconstruction et la Démocratie
CONAKAT	Confédération des Associations Tribales du Katanga	RCLU	Rassemblement des Communautés du Lualaba
CRG	Congo Research Group	UDPS	Union pour la Démocratie et le Progrès Social
DRC	Democratic Republic of Congo	UNADEF	Union Nationale des Démocrates Fédéralistes
INS	Institut National de la Statistique		
MPR	Mouvement Populaire pour la Révolution		

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Executive summary



Research questions

In 2015, the Democratic Republic of Congo (DRC), henceforth Congo, expanded the number of its provinces from 11 to 26. Given the importance of ethnicity in Congolese politics, we investigate how this process, known as *découpage*, has affected the ethnic distribution of populations and governments by province, and the extent to which it has changed the autochthony status of provincial residents. We then ask whether our findings have implications for identity reconfigurations among the Congolese and for the foundations of the country's political system.

Definition of key concepts

- *Découpage*. This literally translates as 'cutting up' in French. The term refers to the 2015 process by which six of the previous 11 provinces were partitioned into 21 new ones, bringing the total number of the country's decentralised provinces to 26.
- Representativeness. This is *Représentativité* in Article 90 of the Congolese constitution. This term refers to the norm that national and subnational governments should be broadly proportionally representative of the distribution of ethnic groups or territories in the relevant population.
- *Originnaire*. This term is equivalent to the notions of autochthonous, indigenous or 'original inhabitant'. Irrespective of where she is born or resides, every Congolese person is deemed to be *originnaire* of a specific chiefdom or sector in a specific province, where she presumably traces her ancestry. Chiefdoms normally contain only one tribe, while sectors have several, but some chiefdoms also have several.
- Tribe. In this paper, we use the terms 'tribe' and 'ethnic group' interchangeably, as explained in the section on Terminology and methods.

Methods

Findings in this paper are based on fieldwork in Congo in May, June and October 2017. In addition, we used information on the ethnic identity of some 108,000 respondents to a nation-wide survey to estimate ethnic distributions by provinces.

Main findings

Our principal finding is that *découpage* has led to a process of provincial tribalisation across the country. This process has three dimensions. First, the new provinces are ethnically more homogeneous than both the previous ones and the country as a whole, which reduces the appeal of representativeness for larger groups and the claims for representativeness of smaller ones. Second, because of the limited supply of provincial positions and the ambitions of some dominant groups, provincial governments and assemblies tend to be even more homogeneous than the provincial populations, with some ethnic groups monopolising positions of power and access to resources. And, third, the multiplication of provinces has increased the proportion of people who are *non-originnaire* of their province of residence by about four million nationwide, weakening their entitlement to representativeness.

Implications

Découpage has led to some reconfiguration of collective action by ethnic groups. Contrary to the predictions of constructivist theories of ethnicity, the limited supply of official positions in new provinces seems to be leading towards a concentration of tribes or tribal coalitions at the provincial level. While some ethnic groups have become politically and materially more vulnerable, others enjoy greater appropriation of the state and its resources, with a lesser sense of political alienation, which stands to boost the legitimacy of the state. Altogether, the changes brought about by *découpage* are of sufficient magnitude to question whether they are bringing about a new social contract based on local tribal monopolies. Either way, *découpage* has affected the very foundations of collective representativeness in Congo.

1 Introduction



The DRC embarked upon a significant reform of its political system in 2015 by increasing the number of its decentralised provinces from 11 to 26. Three years down the road, this process, known as *découpage*, has led to a dramatic but as yet largely unexplored reconfiguration of the role of ethnicity in Congo's political system. This paper attempts to assess the empirical extent of this reconfiguration and to analyse its implications. It is based on fieldwork in the former Katanga province and on the manipulation of a largely neglected ethnic variable in a large nationwide dataset. It provides original estimates of ethnic distributions among new and old provincial populations and political institutions, as well as of the new and old proportions of people who can claim to be ethnically autochthonous to their province of residence. Both of these dimensions—provincial ethnic distributions and autochthony—lie at the core of the Congolese system of political representation and have been dramatically upended by *découpage*. Our paper suggests that these changes are likely to result in further adaptations of ethnic identity in the coming years and might represent a fundamental transformation of the Congolese social contract.

We begin in the next section by explaining and documenting the system of tribal representativeness in Congolese politics, a legally endorsed norm that calls for the proportional representation of ethnic groups at different levels of government. We then describe the process of *découpage* that took place in 2015 and highlight the degree to which it reconfigured the institutional set-up within which tribal representativeness unfolds. After a methodological section explaining the concept of tribe and its measurements, we present evidence for our argument that *découpage* has led to a process of provincial tribalisation, by which we mean that:

- 1 *découpage* has produced more ethnically homogeneous provinces
- 2 many of these provinces have been taken over by dominant ethnic groups in contrast to past practices of balanced tribal representation
- 3 an increased number of citizens belong to ethnic groups deemed non-autochthonous of their province of residence, which has further increased social tensions.

We follow this with a discussion of the implications of our findings with respect to the possibilities of ethnic identity adjustments and assess the possibility that the evolution we document represents the beginning of a new social contract underpinning the Congolese political system.

2 Collective representativeness in Congolese politics



Political representation in the DRC is twofold. On the one hand, since the adoption of the 2006 Constitution, the Congolese political system has been formally based on individual representation through local, provincial, legislative and presidential elections. Local elections have never taken place, however, and there have been no elections for the Senate and provincial assemblies since 2007. The last legislative (national assembly) and presidential elections took place in 2011. As a result, all Congolese elected officials have exceeded their mandate since December 2016 (and some since 2011). Presidential and legislative elections are scheduled for December 2018.

The shortcomings of the electoral representation system are partly alleviated by a system of collective representation, whereby people expect to have some individuals from their province and ethnic group, which the Congolese call a tribe, selected to positions of public authority, irrespective of the political party in power. This norm finds its expression in the concept of *représentativité* (representativeness), which demands a degree of proportional ethnic or regional representation at different levels of government and administration in order to prevent the monopolisation of state positions by specific regions or groups at the expense of others.

While individual representative democracy is relatively new in Congo, representativeness is a well-established norm that dates back to the early days of the Mobutu regime in 1965 when national governments began systematically incorporating members from all provinces (see Omasombo and Bouvier 2014). The norm of representativeness came then as a response to the crises of the first few years of the country's independence, when exclusion of some groups from government participation, like the Southern Katangese, contributed to conflict and state breakdown. Crawford Young and Thomas Turner (1985: 151) documented its practice in governments from 1965 to 1975. Aundu Matsanza (2010) shows that it also applied to the *Mouvement Populaire de la Révolution* (MPR) single party under Mobutu, to the *Union pour la Démocratie et le Progrès Social* (UDPS) opposition party and to the governments of the first transition period (1990–97). However, representativeness does not seem to have applied at the provincial level under Mobutu, who rotated provincial administrators throughout the country and increasingly appointed people from his own province, Equateur, in the latter stages of his regime.

Representativeness is more than just a 'practical norm' (de Herdt and Olivier de Sardan 2016). Since 2006, it has become the law, as it was enshrined in Article 90 of the Constitution, which states 'The composition of the government takes national representativeness into account.' Similarly, Article 23 of the 2008 law on decentralisation stipulates that 'the composition of the provincial government takes provincial representativeness and women into account.' The meaning of these articles is not further elaborated in these texts, but they are widely understood (and frequently invoked) to refer to the necessity of regional and ethnic balancing in the formation of national and provincial governments, irrespective of political alliances.¹

Representativeness is a fundamental component of the Congolese social contract. For Aundu Matsanza (2010), it confers legitimacy to a state known for its dysfunctions and predation, allowing political parties to function at the national level despite the country's high level of ethnic heterogeneity. This legitimacy might be redistributive, as representativeness guarantees access to the state by ethnic elites, who are then presumably under some obligation of redistribution to their group (see Platteau 2014). In this manner, it structures and organises practices of patronage and constrains the predatory opportunities of elites, as captured by the notion that 'you can eat in peace when you share' (field interview 51). The legitimacy provided by representativeness might also derive from symbolic or emotional utility, as expressed by opinions like 'tribal representation makes you proud' (field interview 34).

Although ethnicity is often seen as an impediment to national unity in Africa, representativeness may function more as a mechanism of belonging in the nation than as a challenge to it, explaining its compatibility with strong nationalist sentiments (see Bureau d'Études de Recherches et de Consulting International (BERCI)/Congo Research Group (CRG) 2016). The paradoxical salience of national identity and nationalism in Congo has been well documented (Englebert 2002 and 2003; Carayannis and Weiss 2004). That it comes simultaneously with strong and often polarised local identities suggests that representativeness plays a role in diffusing the potentially balkanising effects of ethnic heterogeneity.

Representativeness is reminiscent of Nigeria's 'federal character principle' (Osaghae 1988), which calls for

balanced representation of the federation's states in the nation's institutions and alternation of the main regions in power. Its underpinnings are similar to those of consociationalism (Lijphart 1977). However, its implementation differs greatly from the latter. While consociationalism is an institutionalised form of group-based power-sharing, with quasi-corporatist balancing mechanisms, representativeness is fluid, practiced informally and often shadowy, with an implication of sharing access to the state and its resources more than sharing power. It appears more as a mechanism of legitimation than one of genuine participation. And, although it is recognised in law, it remains devoid of any specific mechanism of implementation.

At the national level, the units of representativeness tend to be regions or provinces, while at the provincial level, they tend to be tribes. To some extent, this aggregation is necessary given the high number of ethnic groups in Congo, which, by some estimates, exceed 350 (Ndaiwel è Nziem 1998). It also derives from the somewhat flexible nature of tribal identity, which scales up in larger arenas and becomes more parochial at the local level (see Green 2013). As a result, people who might find themselves in different groups and may be in competition with each other at the provincial level might act more collectively at the national one. For example, while there has historically been and continues to be significant competition between the Lubakat and the Bemba of former Katanga at the provincial level, their two main leaders—Gabriel Kyungu wa Kamanza and Moïse Katumbi—allied to lobby at the national level for the province to remain united in 2015 (see below on the provincial break-up). Similarly, while there are local tensions between Kanyok, Kete, Luba and Songye in the Lomami province, these groups tend to be seen and act as 'Kasaïans' at the national level. The aggregation of identity suffers some exceptions, however, as it did when the majority of communities of North and South Kivu allied to exclude the local Tutsi from national representation during the Sovereign National Conference in 1992–94.

Figure 1 illustrates the practice of representativeness at the national level, comparing the provincial distribution of the 59 ministers in the 2017 Tshibala government with the corresponding provincial population distributions. It uses the 11 provinces (minus Kinshasa) that were in existence until 2015 and which continue to carry significant weight for representational purposes.

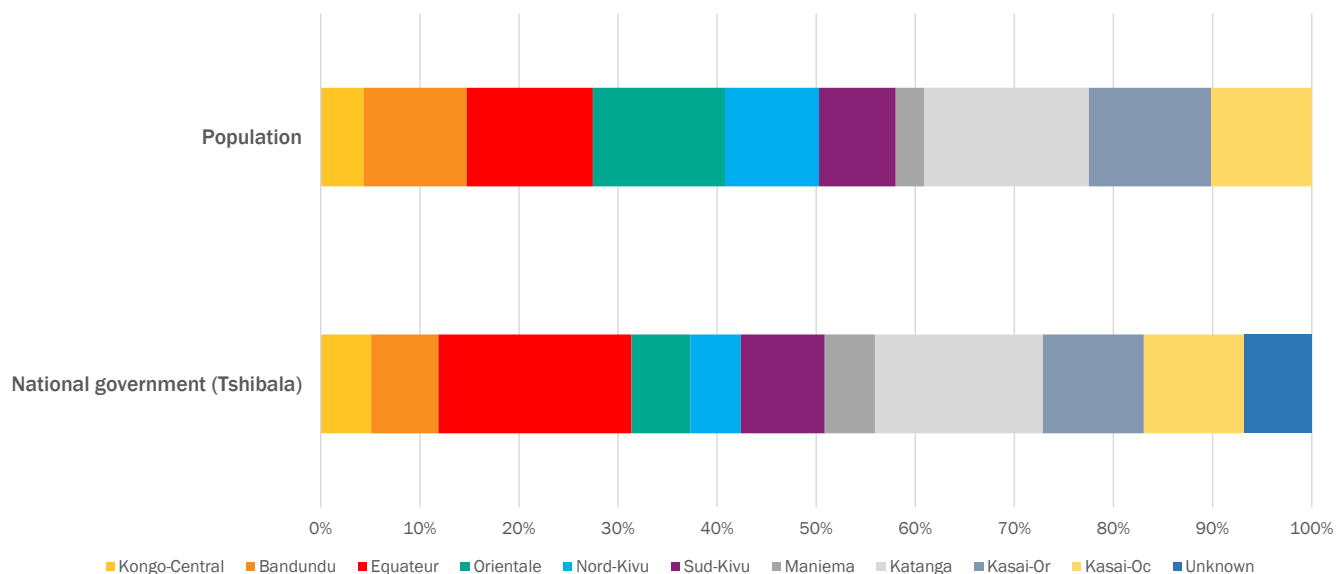
¹ Despite the inclusion of women in the 2008 law, they rarely constitute more than 20% of provincial governments.

The figure makes it clear that, at the national level, representativeness by provinces is a robust dimension of Congolese politics, as the proportion of ministers by province by and large corresponds to their share of the total population. Some provinces are somewhat over-represented, like Equateur (which contains several important tribes at the national level, such as the Mongo, Ngombe, Ngbaka and Ngbandi, all of which are probably large enough to demand some representation). Others are somewhat underrepresented, like Province Orientale (that lacks dominant tribes) or North Kivu, but, by and large, the two distributions match well.²

Using the example of former Katanga province, which contains almost 17% of the country's population, Figure 2 illustrates the application of tribal representativeness at the provincial level, looking both at the provincial assembly and the provincial government (as of 2010). In the assembly, the Lubakat have been somewhat over-represented, but not at the expense of other large groups, which all appear close to their population distribution, with the exception of the Hemba who appear very over-represented in the provincial government. However, our coding of Hemba includes Kunda and Zela (as per Vansina 1966: 187), and thus they might be underrepresented in the population sample. By and

large, however, the representation of all large groups in the assembly have tended to slightly exceed their distribution in the population, with the effect that smaller groups have been somewhat underrepresented. This might have been partly a mathematical consequence of the minimum threshold of representation, as groups with fewer than 1/102 of the population do not have enough for a seat in the 102-member assembly. But it is likely that some of these smaller groups find representation within larger ones (e.g., the Lwena and Minungu with the Lunda). The ethnic fractionalisation index for the province and the provincial assembly shows 0.85 and 0.80 respectively³, with 11.5% of the province's population belonging to unrepresented ethnic groups, but we have been unable to account for the ethnicity of six députés. At the provincial government level, the Lubakat have been underrepresented (though they had held the governorship for almost every year between 1998 and 2006), while the Hemba have been over-represented. Most of the other large groups have been represented, some above their population proportion because of the lumpiness of individual representations when there are twelve posts for many groups. While the governor's own ethnic group, the Bemba, has only had the governor to represent them, his district (and future province) of Haut-Katanga had six out of 12 positions while each other district only had two.

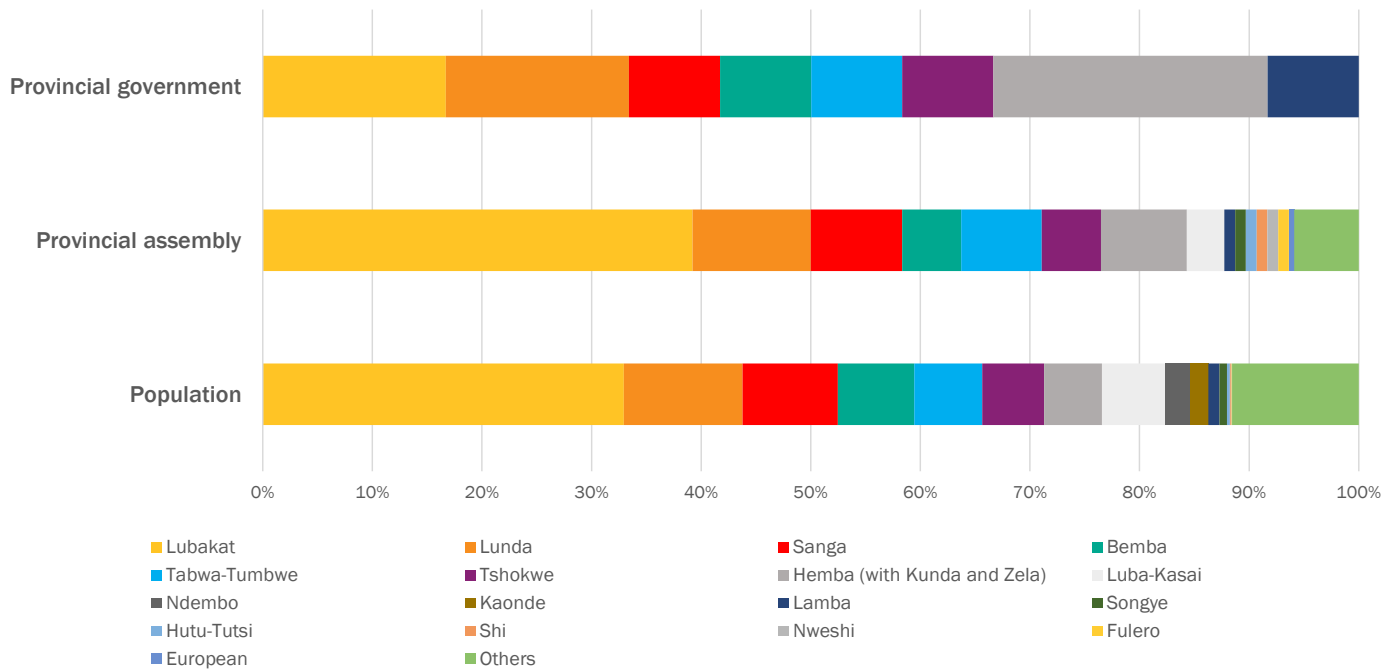
Figure 1: Representativeness in national government, by former province (2018)



² The variations in representativeness might also partly derive from the fact that we were unable to attribute four ministers to a province.

³ We calculated Herfindahl indices (the probability that two randomly selected individuals belong to different ethnic groups) using recoded INS (2012). The formula is $EF = 1 - \sum (n^2)$, where n is the size of each group in proportion of the province's population. See Figure 4 for more details about the fractionalisation index in the provincial assembly.(INS, 2014)

Figure 2: Representativeness in Grand Katanga



3 The context of provincial *découpage*

In 2015, six of Congo's 11 provinces were partitioned into 21 new provinces in a process known as *découpage* (or cutting up in French). These were divided in the following way:

- **Equateur**
Five provinces: Equateur, Mongala, Nord-Ubangi, Sub-Ubangi and Tshuapa
- **Province Orientale**
Four provinces: Bas-Uele, Haut-Uele, Ituri and Tshopo
- **Kasai Occidental**
Two provinces: Kasai and Kasai Central
- **Kasai Oriental**
Three provinces: Kasai-Oriental, Lomami and Sankuru
- **Katanga**
Four provinces: Haut-Katanga, Haut-Lomami, Lualaba and Tanganyika.

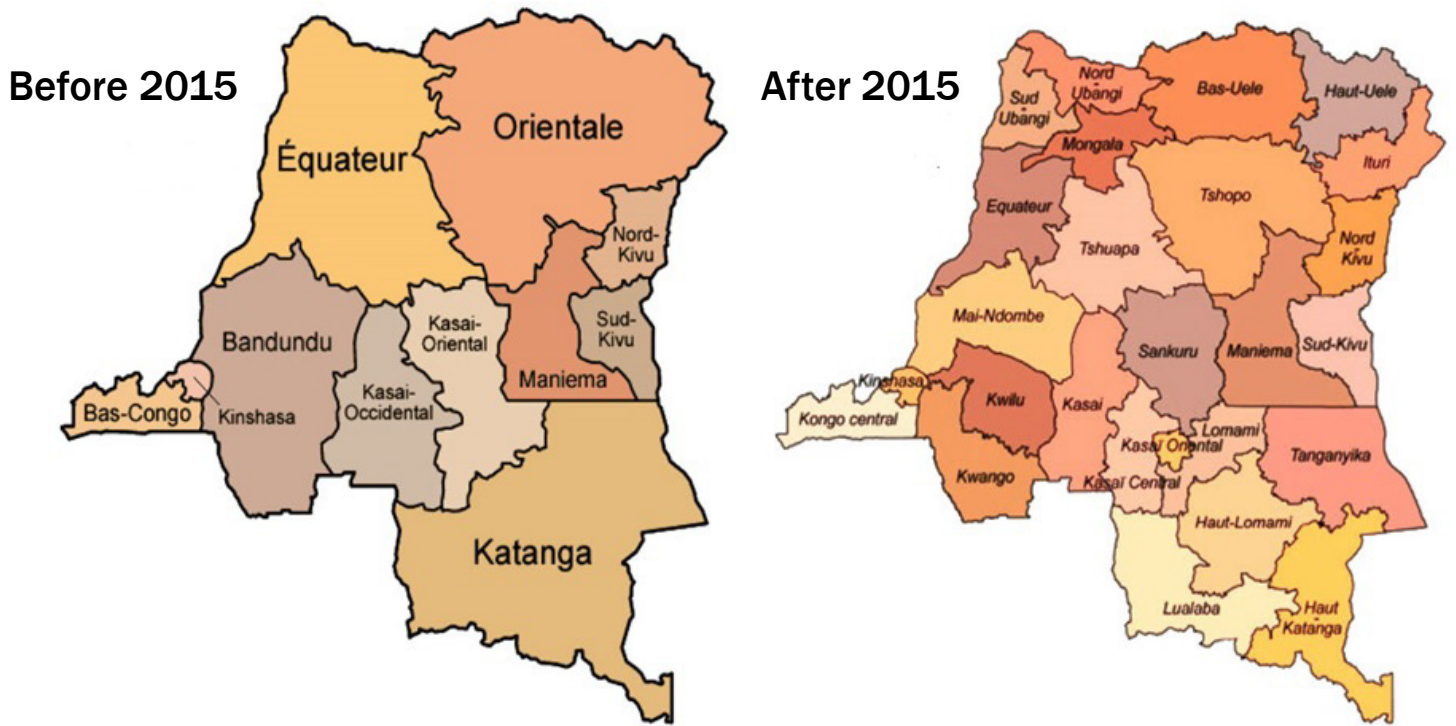
In contrast, Bas-Congo (renamed Kongo Central), North and South Kivu, Maniema and Kinshasa were not further subdivided (Figure 3).

Découpage was included in the 2006 Constitution and resulted from demands during the 2003–2006 transition and the 1992–94 National Sovereign Conference for a thorough decentralisation of the state and greater proximity between its institutions and citizens. Its implementation had been delayed as the regime appeared hesitant to diffuse its own power. But, in 2015, the Kabila regime found it expedient to implement the reform after the governor of Katanga, Moïse Katumbi, switched to the opposition, criticising the president's reluctance to leave power and declaring his intention to run for president. Breaking Katanga into four parts had the advantage of denying Katumbi his political base. Elsewhere around the country, creating new provinces also served as reward for allies who became their governors (some of whom were at first appointed as 'commissioners' by the regime, then elected by provincial assemblies).

Découpage did not change the substance of decentralisation reforms undertaken since the 2006 Constitution. Nor did it remedy the fact that Congolese decentralisation has been a largely failed reform in terms of its original intent of delegating governance downwards and increasing accountability (Trefon 2011; Englebert and Kasongo 2016). It merely multiplied the number of provinces affected by the reform.

Figure 3: Congo's provinces before and after *découpage*

Source: Africa Center for Strategic Studies 2016)



Members of existing provincial assemblies were reassigned to their new provinces as a function of the circumscriptions in which they had been elected back in 2006. The new governors appointed new provincial cabinets and recruited provincial staff. For the stump provinces, the process was one of shedding territory, staff, representatives and, often, resources too. Yet, in contrast to new ones, they inherited the physical and institutional infrastructure of the previous provinces. For new provinces, *découpage* sometimes required the creation, *ab nihilo*, of new institutions, agencies and positions.

Table 1 illustrates the demographic reconfiguration triggered by *découpage*, as well as one dimension of its political reconfiguration, namely the redistribution of provincial assembly deputies to new provinces. Not

visible in the table is the fact that each new province was also given a new executive and administration, built a tax agency, inherited the former district divisions of national deconcentrated agencies (such as the divisions of transport or of national tax agencies) and developed a significant administration around the provincial assemblies themselves.

By breaking up some of Congo's provinces, *découpage* has reconfigured the territorial mapping of state institutions and reshuffled provincial tribal distributions. We investigate how these changes have affected the practice and legitimacy of tribal representativeness. We focus particularly on changes in tribal distributions among provincial populations, assemblies and governments, and the extent to which these changes modify the Congolese social contract.

Table 1: Population, deputies and découpage

Old province	New province	Population (mn)	Députés
Bandundu		8.40	84
	Kwango	2.23	24
	Kwilu	4.46	36
	Mai-Ndombe	1.71	24
Equateur		10.30	108
	Equateur	2.18	24
	Mongala	2.25	24
	Nord-Ubangi	1.41	18
	Sud-Ubangi	2.56	24
	Tshuapa	1.89	18
Kasai-Occidental		8.22	54
	Kasai	4.09	24
	Kasai Central	4.13	30
Kasai-Oriental		9.98	66
	Kasai-Oriental	5.36	24
	Lomami	2.83	18
	Sankuru	1.78	24
Katanga		13.46	102
	Haut-Katanga	5.24	30
	Haut-Lomami	3.50	24
	Lualaba	2.01	24
	Tanganyika	2.71	24
Kinshasa		8.26	48
Kongo-Central		3.52	30
Maniema		2.32	24
North Kivu		7.69	42
Province Orientale		10.79	96
	Bas-Uele	1.15	18
	Haut-Uele	1.66	24
	Ituri	5.10	30
	Tshopo	2.87	24
Sud-Kivu		6.24	36
TOTAL		89.15	690
National assembly			500

Population data are estimates from OCHA (2017).

4 Terminology and methods



Studying tribal politics in Congo is not without obstacles. The first one is the use of the term 'tribe', which can be problematic. The second lies with the extent to which analysing tribalism in political representation contributes to a reification of ethnicity and reproduces polarising divisions. The third obstacle is one of measurement: how do we gain systematic and usable knowledge on the distribution of ethnicity across Congo and its provinces, and among its political elites when this information is not readily available?

Western social scientists usually eschew the terms 'tribe' and 'tribalism' in favour of ethnic group and ethnic competition. They stress that not only does tribe have pejorative connotations, but it is also a misnomer (Davidson 1992). Indeed, in an anthropological sense, many African ethnic groups are not tribes. Groups that are referred to as tribes in Congo range from acephalous societies without any degree of political centralisation, like the Twa, to large empires like the Lunda. However, the Congolese use the words tribe and tribalism without any apparent hesitation, as also seems true of many Africans, to refer to the ethnic dimensions of their social and political lives. They may have thereby assumed colonially-induced identities and display false consciousness (Lohata 2014), but these concepts obviously produce meaning and motivate political action for them. We do not find strong grounds to reject Congolese praxis in this regard. The word 'tribe' might have initially meant something else, but there are indications – e.g., the common practice of Congolese interviewees invoking the term – that it means ethnicity or socio-cultural identity for the Congolese. Substituting the term 'ethnicity', when studying Congolese politics, involves a certain degree of othering of the Congolese, and possibly a judgment of inappropriateness of their behavior, which we are not inclined to make. Nor is it clear how ethnicity is normatively better than tribe. For Africans to have ethnic groups while, say, Europeans have nations and nationalities, appears to contain its own form of bias. In this paper, we thus choose to use the words 'tribe', 'tribalism' and 'tribalisation' interchangeably with 'ethnic group', 'ethnic competition' and 'ethnification'.

Second, tribalism is usually seen as a problematic feature of African societies rather than as a legitimate mode of political representation. John Lonsdale (1994: 132), for example, contrasts 'political tribalism' or 'the use of ethnic identity in political competition with other groups' with 'moral ethnicity,' or 'the common human instinct to create out of the daily habits of social intercourse and material labour a system of moral meaning and ethical

reputation within a more or less imagined community.’ Bruce Berman et al. (2004: 5-7) also call political tribalism ‘essentially amoral,’ for it defines success, they argue, as ‘maximising the power and resources available to one’s group, whatever the consequences for other groups.’ Moreover, manipulation of ethnic identities can lead to violence (Hintjens 2001). Reproducing and formalising ethnic differences through scholarship might then provide fodder for those intent to use them for repression and conflict (INS 2014).

While we do not take these problems and our responsibilities as social scientists lightly, we do not share the concern that the practices assembled under the term ‘tribalism’ are immoral. We do not see political competition along identity lines as any worse than competition based on class or ideology. Stigmatising the self-interested political behavior of subnational African groups suggests a favourable bias towards the state or the ‘nation,’ which we also find problematic in the post-colonial African context (Davidson 1992). Finally, while we are aware that the empirical description and analysis of tribal representativeness that we offer here could be manipulated to feed grievances, we think it might equally contribute to more open conversations and policies to promote better representation.

The third obstacle is one of measurement. Studying tribalism requires, as a first step, a basic empirical identification of Congo’s ethnic groups, regional distributions and respective autochthony statuses by location. In turn, this exercise requires rigidly imputing unique identities to individuals, which stands in contrast to the now prevailing constructivist understanding of ethnic identities as fundamentally fluid and more discursive than material identities. (For a discussion of this conundrum, see Laitin and Posner 2001.) We do not have a solution to this conundrum, and recognise that in the process of capturing aggregate trends in collective representation, we surrender many nuances in the individual politics of identity. We take some comfort from the fact that, at the provincial level in which we study, the categories that we use seem to have significant and somewhat stable salience.

Yet, there is also the more mundane problem of finding data on ethnicity in Congo. Congo has not had a

population census since 1984. Population estimates vary from about 70 to 100 million (Marivoet and de Herdt 2017; Thontwa et al. 2017) and there are no official estimates of the size of ethnic groups. To remedy this problem, we use data from a 2012 nationwide household employment and consumption survey with about 110,000 respondents (*Enquête 1-2-3*), which contains a variable where respondents were asked to identify their tribe (Institut National de la Statistique (INS) 2012).⁴

When asked to identify their tribe, respondents chose multiple degrees of aggregation. Some mentioned large recognised entities like Mongo, Luba and Binza. Others referred to sub-categories like Ekonda (a Mongo subgroup), Bakwa Lonji (Luba) or Mbudja (Binza). Others still mentioned their clan, village, chief, ancestry or even some specific geographic location (e.g., by a river). As a result, *Enquête 1-2-3* produced several hundred tribal categories without scale or organisational consistency. In order to clean up the data, we used multiple ethnographic and historical sources, including Bruneau (2014), de Saint Moulin (2003), *Ethnologue* (2018), Ndaywel è Nziem (1998), Vansina (1966) and some of Belgium’s Royal Museum of Central Africa’s provincial monographs. With these sources, we were able to create a list of 84 larger ethnic groups, some of which we broke into sub-components. Not all these groups have many members but all of them constitute, culturally or politically, a tribe at a conceptually similar level and a degree of aggregation. In some cases, when culturally homogeneous groups are politically divided, we raised the smaller groups to the large-group category to reflect their proper political salience. (For details on methods and a list of all groups and their proportion by province, see Bezares Calderon and Englebort (forthcoming).)

Since this paper also looks at the question of autochthony, or the notion that people have provinces of ancestral origin irrespective of where they were born or reside, we coded this dimension by identifying the tribes that are *originnaire* of each of Congo’s 145 territories and 21 towns. When people belong to such a tribe in the relevant province, they are deemed *originnaire*; otherwise, they are not. We identified *originnaire* tribes by matching the scale of the ethnic maps in Vansina (1966) with the maps of Congo’s territories in de Saint Moulin’s (2011) atlas of Congo’s administrative organisation. This process

⁴ We also made occasional use of a smaller sample, a 7,200-respondent opinion poll regarding voting intentions that was produced by the Congolese polling institute BERCI, in collaboration with the CRG at New York University in November 2016 (BERCI/CRG 2016). While it also contained a “tribu” variable, its smaller size, missing observations from several territories and the absence of response by its main author to our repeated methodological queries precluded systematic usage of it.

was necessary because Vansina (1966) maps out Congo's tribes by 11 broad cultural areas as opposed to current administrative divisions. We supplemented this method with data from the *Cellule d'Analyse des Indicateurs de Développement* (www.caid.cd), which frequently mentions autochthonous groups by territory.

The data is not entirely reliable. Some of our assignments to ethnic categories might be mistaken (for example, some groups have similar names, and spelling variations can also be misleading). At times, there is not enough information to confidently impute an observation to an ethnic category. For example, if a respondent claims 'Luba' as her tribe but lives in Katanga, is she a Luba or a Lubakat? We made decisions as carefully as possible, taking territory of residence into account when it helped (see Bezares Calderon and Englebert (forthcoming) for detailed decision rules). However, within a reasonable margin for errors and despite a few possible glitches, we are

confident that our data represents a broadly accurate overview of the distribution of ethnic groups across Congo and its new provinces. To our knowledge, this is the only such estimate.

In order to assess ethnic representativeness, we also needed to code the ethnic identities of national and provincial elites. We did so from multiple sources, including the *Biographies des Acteurs de la Troisième République* (Omasombo 2009). In the cases of the former Katanga provinces, on some of which this paper focuses, we used material gathered during fieldwork to identify the ethnicity of provincial assembly and government members.⁵ Our fieldwork in Haut-Katanga and Lualaba took place in May, June and October 2017. During our visits, we carried out some 60 elite interviews with politicians, administrators, scholars and civil society leaders, collecting documents such as budgets or annual reports of provincial assemblies, all of which also contribute to the qualitative material in this paper.

⁵ We are particularly grateful to Georges Kasongo Kalumba, Balthazar Ngoy Kimpulwa, Claude Iguma Wakenge, and Emmanuel Kasongo Mungongo for helping us identify the ethnicity of these elites.

5 Findings: the three dimensions of provincial tribalisation



We find that *découpage* has triggered very significant adjustments in Congo's political system, with potentially far-reaching consequences for tribal representativeness and the implementation of the Congolese social contract. Specifically, we find that *découpage* has created provinces which are near-systematically more ethnically homogeneous than their predecessors. Second, based on former Katanga provinces, we find that provincial assemblies and governments further this homogenisation even more and tend towards the monopolisation of power by some tribes. Finally, we find that, for the country as a whole, the number and proportion of people who are not autochthonous to their province of residence has increased with *découpage*.

5.1 Tribal Homogenisation of provincial populations

Demographically, *découpage* has unambiguously led to an ethnic homogenisation of provinces. While only Bas-Congo, North Kivu and possibly Kasai Occidental had a majority ethnic group before *découpage* (respectively the Kongo, the Nande and the Lulua), now nine of the post-2015 provinces have a majority ethnic group, while two more appear to come very close with pluralities above 45% (Table 2). The main post-*découpage* pattern is that ethnic groups that were dominant in their previous province generally see their dominance reinforced in the new ones, while groups that were a plurality or among the largest two or three of their province either become a dominant majority or see their plurality increase. Take the Tetela, for example. While they represented about 19% of the population of former Kasai Oriental, they are now 76% of Sankuru, which is, for all practical purposes, a Tetela province. Similarly, the Lubakat, once about a third of Katanga, are now 77% of Haut-Lomami and the Luba, who were 43% of Kasai Oriental, are now 81% of the new province of the same name. Less dramatically, while the Yaka were the second largest group in the former Bandundu province, they only represented 13% of its population. Now, they make up 46% of Kwango (including the Suku subgroup). A similar pattern applies to most groups in Table 2, although, for some, the rise is more limited. The Zande, to take one of the worst cases, go from being the second largest group in Province Orientale, with 9% of the population, to the largest one in Bas-Uele, yet still make up no more than 28% of Bas-Uele's population. In every new province except Kasai and Haut-Katanga, the dominant group has a larger proportion of the population than before *découpage*. In no province has the dominant group less than 22% of the population, and the average is 46%.

Table 2: Estimates of largest ethnic groups by old and new provinces

Province	Largest group	%	Second largest	%
BANDUNDU	Yaka	22.4	Yanzi	10.9
Kwango	Yaka	77.4	Tshokwe	10.6
Kwilu	Yanzi	22.6	Bun	21.7
Mai-Ndombe	Boma-Sakata	40.1	Mongo	37.9
EQUATEUR	Mongo	24.1	Ngombe-Doko	16.3
Equateur	Ngombe-Doko	30.6	Mongo	27.7
Tshuapa	Mongo	92.4	Binza (Angba)	4.4
Mongala	Ngombe-Doko	39.2	Binza (Mbudja)	37.7
Nord-Ubangi	Ngbandi	59.9	Ngbaka	19.9
Sud-Ubangi	Ngbaka	54.0	Ngbandi	11.6
ORIENTALE	Topoke	9.7	Lugbara, Zande (tie)	9.3
Tshopo	Topoke-Olombo	26.8	Mba	12.1
Ituri	Lendu	25.5	Alur	22.3
Bas-Uele	Zande	28.1	Binza	24.7
Haut-Uele	Lugbara	25.7	Mangbetu	24.4
NORD-KIVU	Nande	57.2	Hutu-Tutsi	14.6
SUD-KIVU	Shi	33.9	Lega	26.5
MANIEMA	Lega	31.1	Tetela-Kusu	20.7
KATANGA	Lubakat	33.0	Lunda	10.8
Haut-Katanga	Lubakat	26.0	Bemba	14.6
Lualaba	Lunda	34.6	Sanga	17.4
Haut-Lomami	Lubakat	79.5	Kanyok	4.7
Tanganyika	Lubakat	47.1	Tabwa-Tumbwe	37.9
KASAI-ORIENTAL	Luba	43.5	Tetela-Kusu	19.4
Kasai-Oriental	Luba	81.7	Lulua	4.4
Lomami	Songye	35.5	Luba	34.1
Sankuru	Tetela-Kusu	76.1	Mongo (Nkutshu)	12.0
KASAI-OCCIDENTAL	Lulua	50.7	Kete	10.7
Kasai	Lulua	26.9	Kuba	20.4
Kasai Central	Lulua	75.0	Kete	11.4
KINSHASA	Kongo	27.8	Luba	9.3
KONGO-CENTRAL	Kongo	93.6	Luba	1.0
NATIONAL	Luba (Kasai)	7.7	Mongo (non-Tetela)	6.9

Source: Authors' coding and estimations based on 'tribu' variable in INS (2014). Majority groups in bold.

The groups that end up representing a majority or a strong plurality of their province are as follows:

- the Boma-Sakata in Mai-Ndombe and the Mongo in Tshuapa (who are also the second largest group in Equateur, Mai-Ndombe and Sankuru)
- the Ngbandi (the late President Mobutu's ethnic group) in North Ubangi (who are also the second largest in South Ubangi)
- the Ngbaka in South Ubangi (who are also the second largest in North Ubangi)
- the Nande in North Kivu
- the Lubakat (President Kabila's group by his paternal grandfather) in Haut-Lomami, who also appear to be the largest group in Tanganyika and Haut-Katanga

- the Luba in Kasai-Oriental, who are also the largest group in Lomami and the second largest in Kinshasa
- the Tetela in Sankuru, who are also the second largest group in Maniema⁶
- the Lulua in Kasai Central, who are also the largest group in Kasai and the second largest in Kasai Oriental
- the Kongo in Kongo Central, who are also the largest group in neighboring Kinshasa.

While the Lunda (President Kabila's tribe by his paternal grandmother) are only a plurality of Lualaba with 34%, they form a majority with the closely related Tshokwe (17%), with whom they are politically allied in the Tshota 'Groupe des Cinq' association.

While the two groups related to President Joseph Kabila seem to do rather well out of *découpage*, the situation of the Lubakat is actually somewhat ambiguous, with many of its people seeming to oppose it on the basis that they feel jilted by a regime they deem should better represent them (field interview 33). After being a plurality in Greater Katanga, whose politics they dominated for many years, the Lubakat now find themselves a weaker plurality in Haut-Katanga, where they have ambiguous autochthonous status (on which more below) and apparently a mere 2.5% in Lualaba. They gain complete domination of Haut-Lomami and near-control of Tanganyika, but these are the two ex-Katanga provinces that harbor few mineral resources, unlike Haut-Katanga and Lualaba.

Setting variations aside, the ethnic homogenisation of provinces is the overarching consequence of *découpage* across the country, with the particular effect that provincial governance now typically inherits a very different demographic set-up from national politics. Indeed, at the national level, no single group has more than 7.7% of Congo's total population (i.e., the Luba, itself a rather heterogeneous group), giving many groups plausible grounds for claims of representation. But in many of the new provinces, majority domination by one ethnic group fundamentally changes the game of representativeness and reduces incentives for inclusiveness. This is especially the case in view of the existing political domination of the ruling party, *Parti du Peuple pour la Reconstruction et la Démocratie* (PPRD).

Table 3: Estimates of Ethnic Fractionalisation by Province

Province	Herfindahl Index*
BANDUNDU	0.88
Kwango	0.39
Kwilu	0.85
Mai-Ndombe	0.68
EQUATEUR	0.85
Equateur	0.80
Tshuapa	0.14
Mongala	0.68
Nord-Ubangi	0.59
Sud-Ubangi	0.66
ORIENTALE	0.94
Tshopo	0.87
Ituri	0.82
Bas-Uele	0.82
Haut-Uele	0.80
NORD-KIVU	0.65
SUD-KIVU	0.78
MANIEMA	0.81
KATANGA	0.85
Haut-Katanga	0.88
Lualaba	0.80
Haut-Lomami	0.36
Tanganyika	0.63
KASAI-ORIENTAL	0.75
Kasai-Oriental	0.33
Lomami	0.73
Sankuru	0.40
KASAI-OCCIDENTAL	0.71
Kasai	0.84
Kasai Central	0.41
KINSHASA	0.90
KONGO-CENTRAL	0.12
NATIONAL	0.97

The extent to which one group is demographically dominant correlates with the degree of ethnic homogeneity of the province. As a result, as shown in Table 3, all the new provinces, except Haut-Katanga and Kasai, are more ethnically homogeneous than the

⁶ The Tetela are a subset of the Mongo but they have acquired a distinct political identity. Patrice Lumumba was a Tetela.

corresponding pre-*découpage* provinces, and all are more homogeneous than the country as a whole. For Congo, the ethnic fractionalisation index is a very high 0.97. For Tshuapa, where most people are Mongo, it is 0.14. In general, former Orientale provinces, Haut-Katanga, Kwilu and Kasai, retain fairly large degrees of heterogeneity, as their dominant ethnic groups are smaller than elsewhere and they tend to attract domestic migrants to their relative economic opportunities, but heterogeneity per se declines almost everywhere.

One important subtext of *découpage* is the extent to which it might form part of both sanctions (e.g., against Katanga and parts of the Kasais, as the home of major opposition politicians) and favours to the local elites of at least some ethnic groups. As such, one would expect some political return to the central government. Preliminary evidence from Lualaba, for example, indeed suggests that certain groups, particularly those among the ‘Groupe des Cinq’ ethnic groups (Lunda, Tshokwe, Ndembo, Minungu and Luena) are satisfied with their increased representation. In this case, *découpage* favours the local position of an important ally of the president, Governor Richard Muyej, who used to be Minister of the Interior, and is Lunda. The following section turns to this issue of representativeness.

5.2 Tribal monopolisation of provincial institutions

Whether at the national or local level, tribal leaders seek to maximise their group’s representation in the state. Their efforts, however, are constrained by the parameters of representativeness, which by and large limits their ambition to the proportional size of their group. Leon de Saint-Moulin (1988: 218) articulated this constraint at a time when President Mobutu was also preparing a decentralisation reform:

An administrative partition is viable only so far as it guarantees to all parties of a region and of the country a satisfactory place in the constituted units. This satisfaction [...] supposes that the authorities guarantee to the different groups on the ground a certain degree of representation in the diverse institutions, and exclude their appropriation by a single group, even if majority.

The recognition that others have a right to representation softens the edges of Congo’s tribalism. Whereas Berman et al. (2004) claim that tribalism implies a disregard for its negative externalities on others, Congo’s Article 90 calls

for balance in the collective quest for political advantage. Representativeness implies that Congolese groups cannot increase their representation at the expense of the proper weight of others.

However, in practice, *découpage* has caused a realignment of territories, politicians and ethnicities, which appears to be eroding or transforming the norm of representativeness. Although the findings we present here are limited to the four provinces that used to form Katanga (Haut-Katanga, Haut-Lomami, Lualaba and Tanganyika), the data suggest that, as provinces get smaller and ethnically more homogeneous, the principle of representativeness becomes harder to implement. This leads to demographically dominant groups moving towards monopolising provincial institutions and the proportion of population unrepresented by ethnicity in these institutions appearing to increase.

Our evidence focuses on provincial assemblies and provincial governments. Although the members of provincial assemblies are elected, they partly reflect the selection of candidates by parties and, as such, contain an element of ethnic representativeness (see Aundu Matsanza 2010). Moreover, since the last elections took place in 2006, a good percentage of them have changed, opening up more room for testing the applicability of representativeness in the selection of their replacement. Provincial governments are made up of the governor, vice-governor and a cabinet. Although the latter is constitutionally limited to 10 members, several provinces have created ‘special commissioner’ positions, with the rank of provincial ministers, to bypass the size limitation.

To some extent, the pattern of tribal monopolisation derives in part from the limited size of the new provincial assemblies and governments. For example, if a provincial assembly has only 18 deputies, as is the case in Nord-Ubangi, the threshold for ethnic representation is 1/18 or 5.6% of the population, making it harder for smaller groups to obtain collective representation. In contrast, the provincial assembly of Equateur (of which Nord-Ubangi was a part before *découpage*), used to have 108 seats, lowering the threshold of collective representation there to 1/108 or 0.93%. Thus, in an ethnically heterogeneous environment, the smaller the number of official positions, the more mathematically difficult it becomes to have representativeness. Figure 4 illustrates this scale paradox. Although it shows that more heterogeneous provinces do on average have larger provincial assemblies, there are 13 assemblies with 24 seats or fewer where provincial heterogeneity equals

or exceed 0.60 on a scale of 0-1. In those provinces, representativeness has become a practical headache.

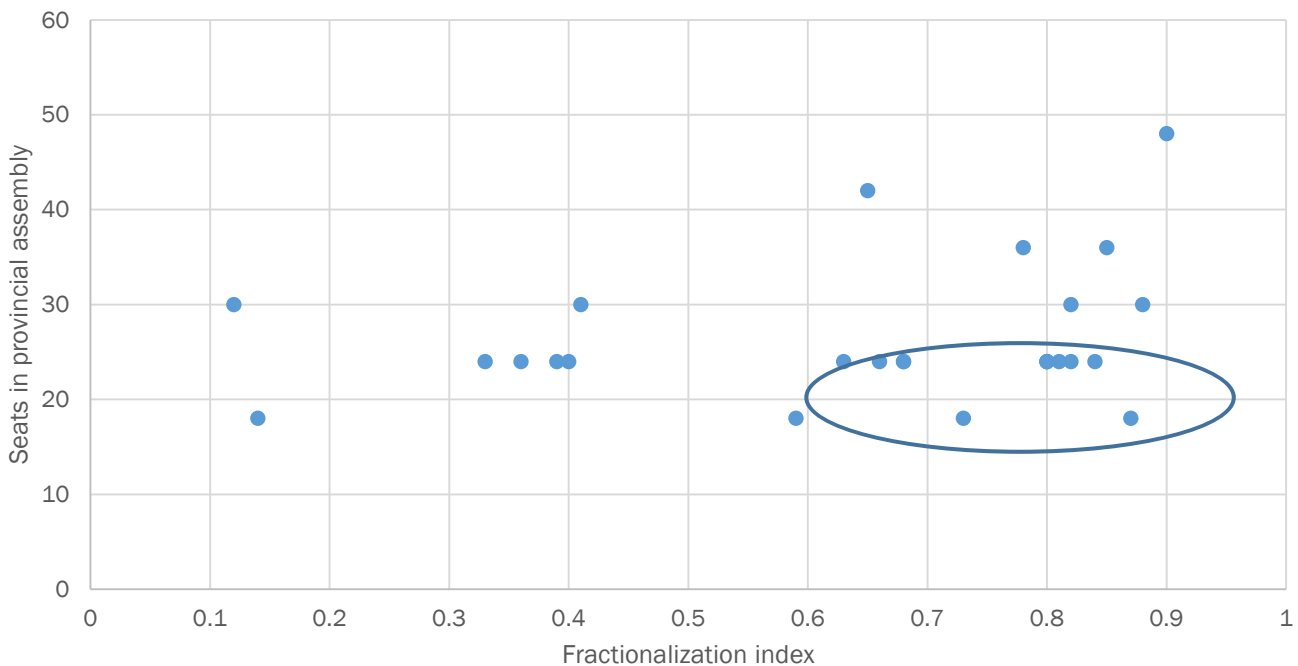
There is, however, more at stake than mere mathematics. We observe that, at least for all provinces of former Katanga, there are two important changes compared to before *découpage*. First, as previously stated, in each new province, a dominant group or a coalition around a dominant group has taken over provincial institutions. Second, in each province, the size of un-represented groups increases when compared to old provinces and also the national level. Both these trends represent a significant departure from the norm and past practice of representativeness.

In Haut-Katanga (Figure 5), the Bemba have taken over control of the provincial government. Although they are not the largest tribe in the province, they are the largest one that can unambiguously claim autochthonous status, something the larger Lubakat cannot easily do (see section 5.3). While the Bemba (former Governor Katumbi's group) are about 15% of the province's population, they are 25% of the provincial assembly and more than 50% of the provincial government (although Governor Pande is Sanga). The homogeneity of the provincial government contrasts with the heterogeneity of the population, with four groups (Bemba, Lubakat,

Sanga and Hemba) monopolising almost all positions,⁷ leaving about 41% of the province's population belonging to an ethnic group that is not represented in government. Similarly, about 20% of the province's population belongs to an ethnic group not represented in the provincial assembly.

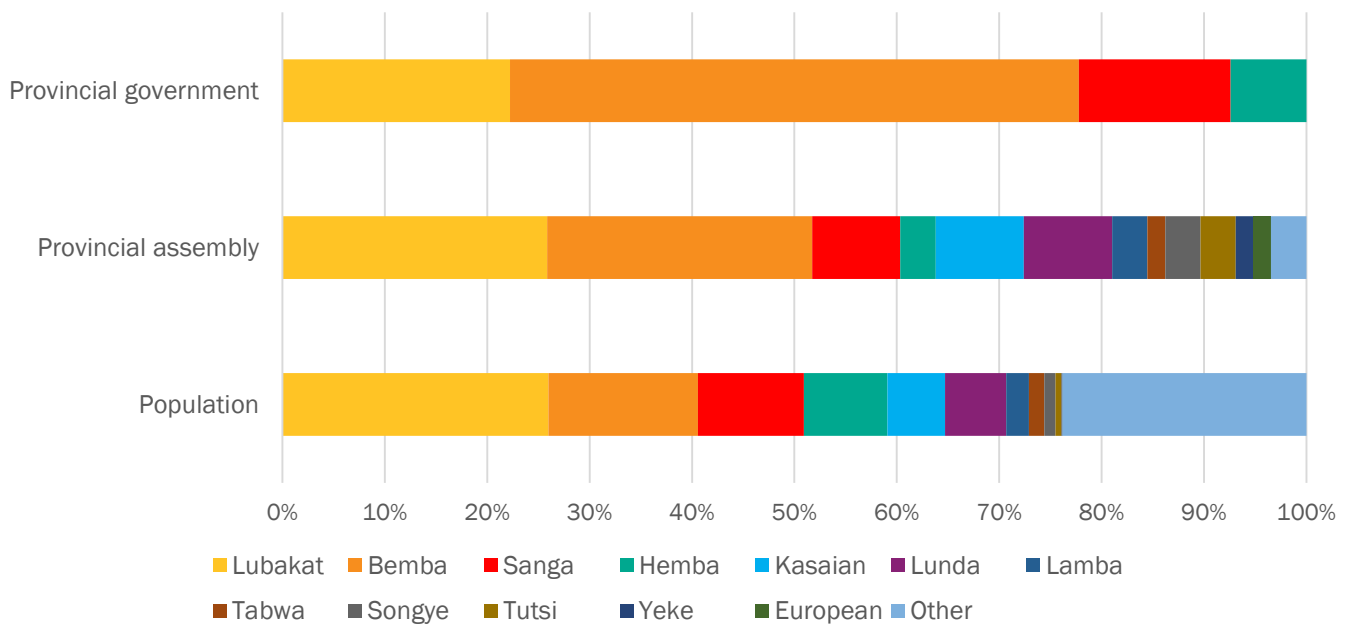
The situation is similar in Lualaba (Figure 6), although it might be somewhat less visible. There is not one single majority group in Lualaba. However, the Lunda, Tshokwe, Ndembo, Lwena and Minungu have a strong cultural connection and constitute more than 60% of the population. These groups have coalesced into an alliance, under Lunda leadership, called Tshota 'Groupe des Cinq.' Tshota's control of both the provincial assembly (67%) and the provincial government (69%) exceeds its demographic weight. The other large group are the Sanga. They too are somewhat over-represented in government but they occupy more minor positions, with two commissioners (instead of ministers) including customary affairs. Many Sanga are also opposed to the merging of their former district of Kolwezi with the Lualaba province and they consider their representatives in government as traitors, with the result that effective Sanga representation is further deflated. The province's population ends up being unrepresented by 20%.

Figure 4: Assembly size and fractionalization



⁷ One ministerial position goes to a Congolese of Lebanese origins.

Figure 5: Representativeness in Haut-Katanga

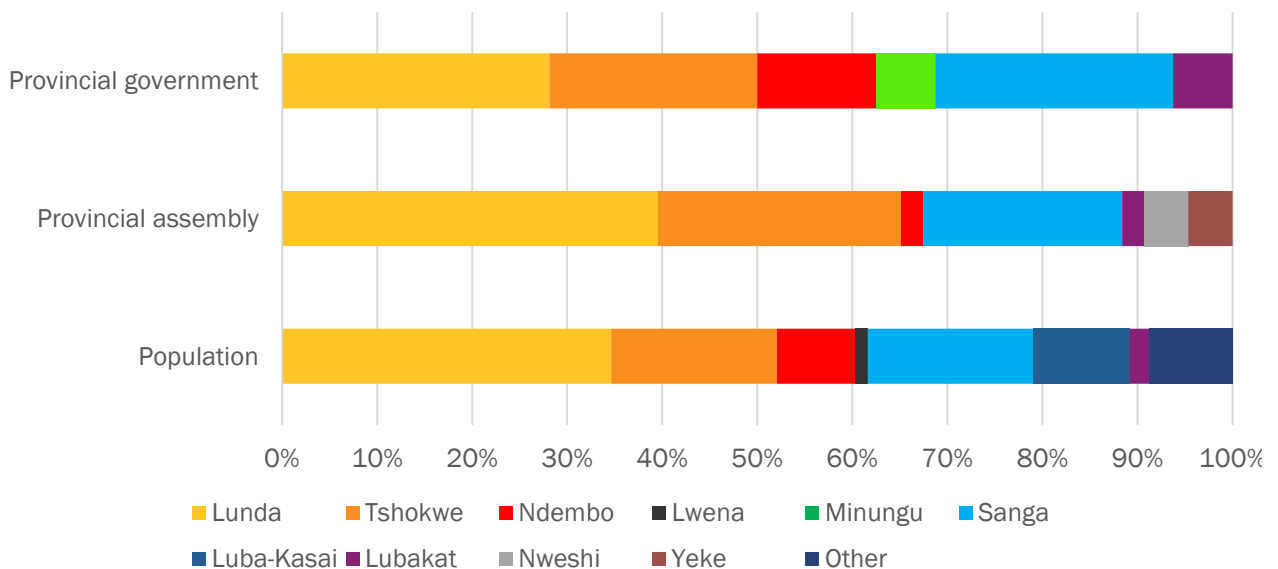


It is in Haut-Lomami (Figure 7), however, that the institutional monopolisation process is furthest reaching. While that province already has a strong Lubakat majority (79%), this group has taken full control of the provincial assembly and government, leaving 21% of the population unrepresented and leading to the creation of a province under full single-ethnic control.

In Tanganyika (Figure 8), the Lubakat, Tabwa/Tumbwe and Hemba dominate. The most visible pattern is the rise of the Hemba, who go from fewer than 10%

of the population to 22% of the assembly and 38% of the government (including the governorship). They form a 67%-majority with the Lubakat. The Tabwa appear to pay the price of this over-representation with only one minister for approximately a third of the population. Surprisingly, two ministerial positions go to politicians with out-of-province origins (*non-originaires*). Because of the demographic weight of the three large groups, only 5% of the province's population ends up being unrepresented. The reason for Hemba over-representation and Tabwa under-representation

Figure 6: Representativeness in Lualaba



is political. The Lubakat agreed apparently, at the request of Kinshasa, to take a backseat in the province, given that they already control Haut-Lomami and actually have ministers in all former Katanga provinces. The Tabwa are closely associated with UNAFED (Union Nationale des Démocrates Fédéralistes), the party of Charles Mwando Nsimba, who left the presidential majority and joined the

opposition in 2015. His son, Christian Mwando Kabulo, ran for governor of Tanganyika in 2016 and lost. The Tabwa were henceforth perceived to be in the opposition and their representation in provincial institutions has been reduced as a result, to the benefit of the Hemba.⁸

Figure 7: Representativeness in Haut-Lomami

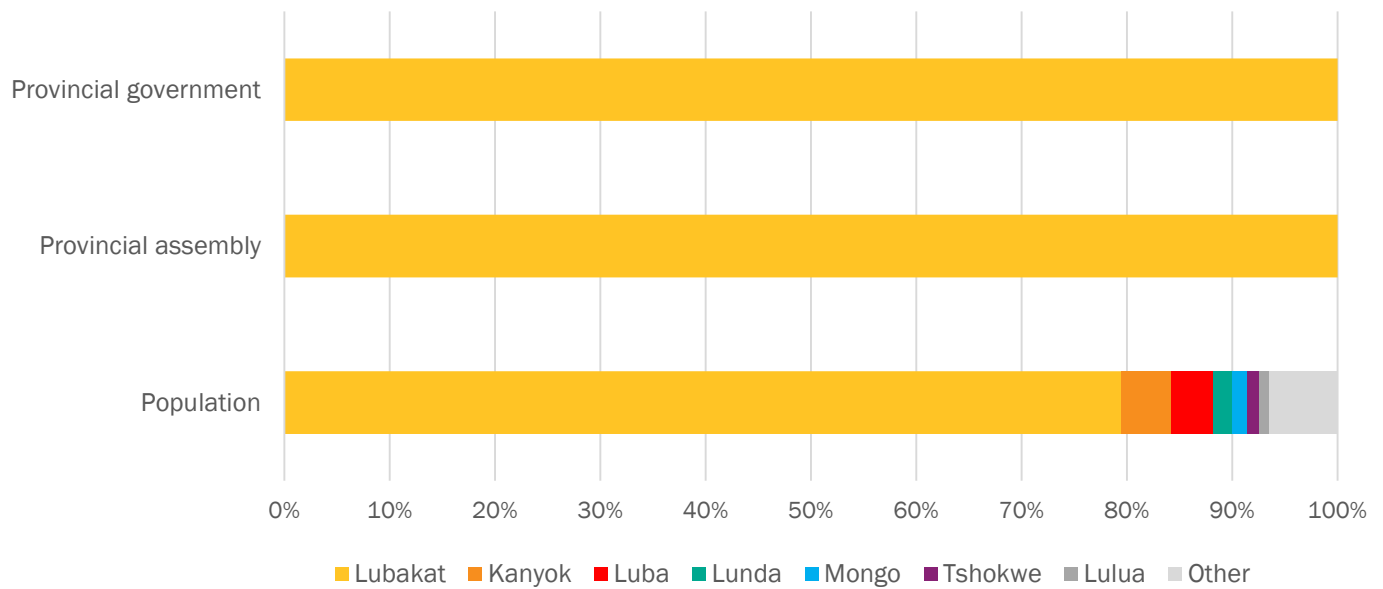
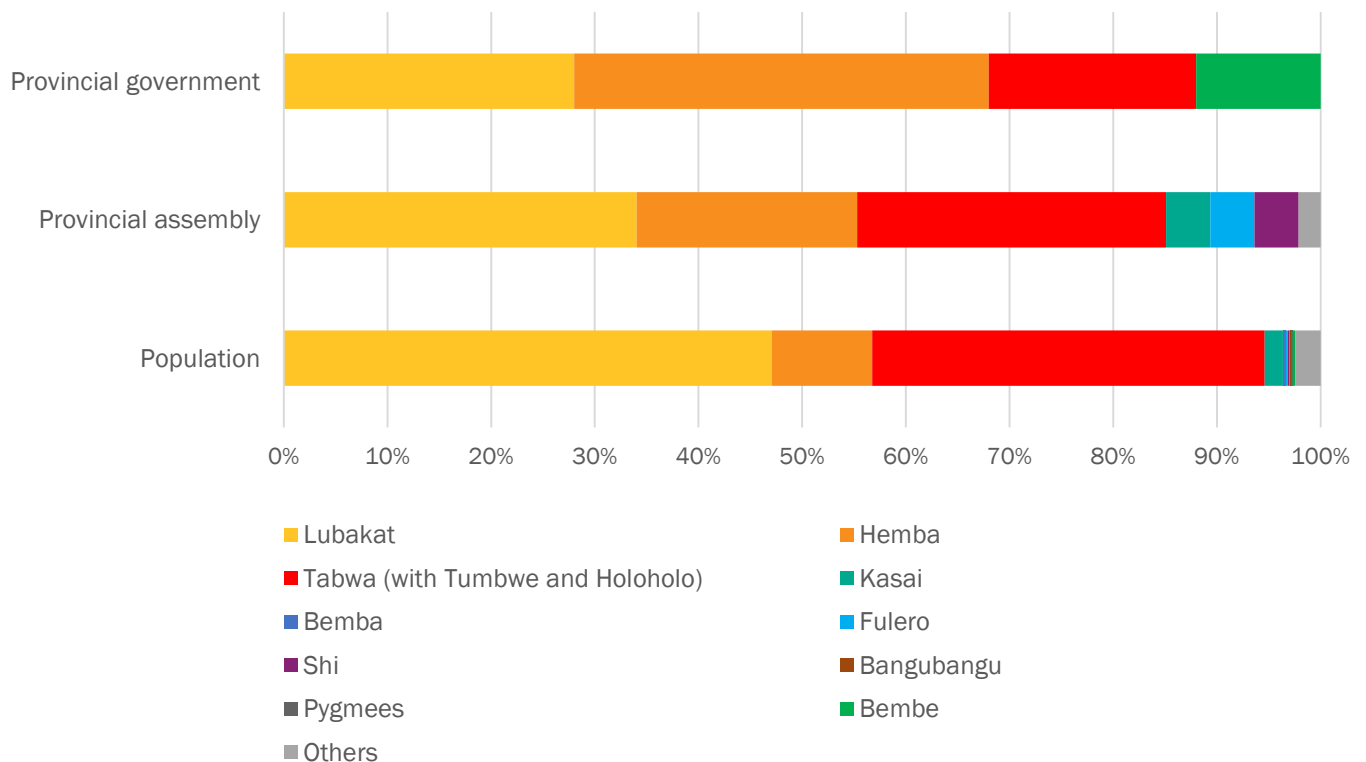


Figure 8: Representativeness in Tanganyika



⁸ We are grateful to Georges Kasongo Kalumba for enlightening us in this respect.

Altogether, we can estimate the effects of *découpage* on representativeness by adding up the amount of people who belong to unrepresented groups. Before *découpage*, the total unrepresented population for Katanga was about half a million in the provincial assembly (3.9% of 13.46 million) and 2.24 million in the provincial government (16.6% of 13.46 million). After *découpage*, the numbers are 2.27 million for provincial assemblies and 3.41 million for provincial governments. Altogether, focusing on provincial governments, 25% of Katanga's population is now ethnically unrepresented. The evidence suggests therefore that *découpage* erodes tribal representativeness and promotes tribal monopolisation of provincial institutions to the benefit of the larger groups, particularly when the latter are an absolute majority in the population.

5.3 Shrinking provincial autochthony

Découpage has also had a significant effect on one's status as autochthonous or not of a province. Every Congolese person legally has a chiefdom or sector of 'origin,' and thus also a territory and province of origin. One need not be born in it, but it is the place where one's ancestors, or last known ascendants, are deemed to come from, or where one's tribe is from. While such origins are often presented by the Congolese in primordial terms – the place where one has blood roots – the practice of identifying a place of origin is largely a colonial one. A decree of 1910 imposed that all Congolese people be defined with respect to a single chiefdom and required authorisation documents for being outside one's chiefdom (de Saint Moulin 2003: 4). The purpose was partly to control population movements and to break up large kingdoms that covered multiple chiefdoms or sectors, such as the Lunda empire, so as to better dominate them. Over time, the number of chiefdoms fell and the number of sectors rose, with the result that the Congolese remained connected to a specific place but this place progressively lost the capacity to represent them along customary lines. More than 100 years later, the Congolese people and government continue to reproduce the performative act of origin by indicating their sector/chiefdom/commune, territory/city and province of origin on voter cards, which are the main identity documents for the Congolese. Passports do not have this information. Origin and place of birth are listed as different entries on the voter cards.

The notion of origin has engendered that of *originaire*, a concept akin to autochthonous, by which people claim to be from specific territories or provinces. Although recognised in some administrative practices, such as voter registration, to be *originaire* does not provide any differential rights. Equally, being *non-originaire* does not legally make one vulnerable to discrimination, provided one is Congolese (a condition which has been historically difficult to establish for many Hutu and Tutsi people in North and South Kivu). Despite this, provincial *originaire* status has acquired significant relevance in reality. As a discourse, autochthony argues that tribes have territories of origin and that its members are entitled to more rights than non-members over that territory. But the concept is more narrative than empirical and, as Boas and Dunn (2013: 12) have noted, 'autochthony is a strategy, not a fact.'⁹

Why the Congolese have reproduced the colonial practice of associating individuals with their territory of origin is somewhat unclear. From the perspective of the Congolese government, people might remain a threat, as they were for the colonial authorities, and thus must be disempowered when not in their customary sphere, so as to deflate their citizenship. Attaching people to geographic areas might also foster local divisions, thereby empowering authorities in Kinshasa. However, while these factors might matter to an extent, autochthony is to a large extent locally reproduced at a more individual level and through the work and discourses of tribal-based socio-cultural associations known as *mutuelles* (see Gobbers 2016). At this level, it might be in part 'an attractive response to the ontological uncertainty of modern post-colonial African life because it provides the illusion of primal security and certainty' (Boas and Dunn 2013: 27). But it might also partly derive from the notion of representativeness. The 'cake must be shared,' a Sanga chief told us in Kolwezi (field interview 34). While who is entitled to this proverbial 'cake' is not controversial at the national level (the Tutsi notwithstanding), those who have a claim to share at the provincial level are less clearly demarcated. Representativeness is inclusive: it recognises that everyone is entitled to a degree of representation, but who is everyone at the provincial level? Obviously, a Mongo from Equateur would have weak grounds for claiming representation in South Kivu. And resources are quite limited, particularly at the provincial level. Thus, autochthony provides parameters for representativeness: 'to each first dib over his/her[/

⁹ Autochthony discourses have recently gained ground in African politics (Boas and Dunn 2013; Bayart et al. 2001; Marshall-Fratani 2007).

their] region' (field interview 51). It can be understood as a practical norm that develops as a provincial corollary to representativeness. In the end, it is the notions of inclusiveness and representation that, paradoxically, end up being mechanisms of exclusion.

In most provinces, particularly the more rural ones, a large proportion of residents can plausibly claim *originaire* status. But in other provinces, particularly those with large cities or mining activities, more people are considered *non-originaire* and a greater proportion of people fall in ambiguous categories. Such ambiguity most often arises when one group is known as *originaire* of a province where its presence is large, while having a small number of chiefdoms or sectors in another. In that latter province, a restrictive and arguably dominant interpretation of origin would deem only those people from those specific sectors or chiefdoms to be *originaire*, unlike their ethnic kin in the other province. Thus, only those Lubakat who are *originaire* from the territories of Kasenga and Mitwaba, for example, would be considered *originaire* of Haut-Katanga under this interpretation.

Before decentralisation, discrimination against people of *non-originaire* status mostly affected Kasaians, particularly in Katanga where many of them had migrated to work in and around mines. In 1992, for example, Kasaians were rounded up and expelled by Katangese authorities. This took place at the bidding of President Mobutu, who sought to undermine his Kasaian prime minister, Etienne Tshisekedi. Such anti-Kasaian animosity dated back, in fact, to the late 1950s, when the first municipal elections in Lubumbashi and Likasi led some Kasaians to be elected to the dismay of Katangese *originaires*. The political party Confédération des associations tribales du Katanga (CONAKAT) would subsequently lead the (ultimately unsuccessful) Katanga secession movement. This party constituted a reaction of *originaire* Katanga groups to the migration of Luba-Kasais to the region (Gobbers 2016: 216; Kennes and Larmer 2016).

5.3.1 A rise in the number of provincial *non-originaires*

Decentralisation, through the transferring of a degree of sovereign authority, resources and employment opportunities to provinces has raised the political currency of provincial autochthony. *Découpage* has heightened this new salience because it has led to some significant reshuffling and political struggles over who is or is not

originaire in their province of residence. To keep the previous example, the Lubakat were all *originaire* of Katanga, where they constituted 33% of the population. Now they are unambiguously *originaire* of all of Haut-Lomami's territories and of most of Tanganyika's territories. But in Haut-Katanga, where they still constitute some 26% of the population, their status is ambiguous as they only claim chiefdoms in Kasenga and Mitwaba territories. Thus, the majority of Lubakat in Haut-Katanga, those without personal origins in these territories, are considered *non-originaire* by others in the province. In Lualaba, where they appear less numerous, with possibly as little as 2.5% of the population, Lubakat claim *originaire* status in Lubudi and Mutshatsha territories only (field interview 11B, June 2017), but this claim appears rejected by other provincial autochthonous groups. For example, the *Rassemblement des Communautés du Lualaba* (RCLU), an association of self-described *originaire* groups, does not include Lubakat representatives. Instead they recognise a loosely related hybrid group, the Sanga-Luba (field interviews 32 and 36). Similarly, the province's Vice-Governor, Fifi Masuka Saini, a Ndembo, referred to the Lubakat as 'our brothers from next door' (field interview 56). Thus, with representativeness construed in autochthonous terms, the Lubakat, who for years dominated Katanga politics, lose much of their case for representation in Haut-Katanga and Lualaba, the two richest Katanga provinces.

Our data suggests that this is a potentially significant problem, as the proportion of *non-originaire* has increased in all provinces in the wake of *découpage*, leading to a rise in the proportion of Congo's population that is unrepresented, despite decentralisation's goal of bringing government closer to the people. The combination of *découpage* and autochthony has therefore introduced a gradation in citizenship with exclusionary consequences.

Table 4 captures a rise in the *non-originaire* population in every province. We estimate the total amount of *non-originaire* Congolese before *découpage* at 15.8% of the population or about 14 million. After *découpage*, the number is 20.3% or about 18 million.¹⁰ Thus, *découpage* creates a new group of almost four million Congolese who were *originaire* in their former province but no longer are in their new one. About half of these people are in Haut-Katanga, and many are Lubakat. This goes a long way towards explaining the resentment of this group towards President Kabila, despite his partial Lubakat identity, and the support for a unified Katanga among many of them.

¹⁰ This figure includes almost all Kinshasa residents, where autochthony is much less practiced because the local Teke are only 2% of the population. Without Kinshasa, the number of non-autochthonous Congolese rises from six to ten million.

Table 4: Estimates of non-originaire population by province before and after *découpage*

Province	Before		After		Diff.
	%	Pop.	%	Pop.	
BANDUNDU	4.5	377,160	7.9	659,400	282,240
Kwango	2.2	49,729	4.5	100,350	50,621
Kwilu	7.0	311,754	10.5	467,854	156,100
Mai-Ndombe	2.6	44,289	6.9	118,674	74,385
EQUATEUR	3.2	333,720	5.3	548,990	215,270
Equateur	5.8	126,440	9.6	208,408	81,968
Tshuapa	6.2	116,802	6.7	126,441	9,639
Mongala	1.1	24,975	2.7	60,750	35,775
Nord-Ubangi	1.1	14,805	2.9	41,313	26,508
Sud-Ubangi	2.3	58,368	4.4	112,896	54,528
ORIENTALE	15.3	1,651,949	19.6	2,119,156	467,207
Tshopo	22.7	651,490	25.3	725,249	73,759
Ituri	23.9	1,217,880	25.2	1,284,180	66,300
Bas-Uele	7.7	88,550	20.1	231,265	142,715
Haut-Uele	1.1	17,762	3.8	62,582	44,820
NORD-KIVU	11.5	881,274	11.5	881,274	-
SUD-KIVU	2.8	172,848	2.8	172,848	-
MANIEMA	4.0	92,568	4.0	92,568	-
KATANGA	13.3	1,795,564	32.9	4,428,340	2,632,776
Haut-Katanga	18.0	943,724	58.0	3,040,772	2,097,048
Lualaba	2.0	39,396	17.5	351,951	312,555
Haut-Lomami	9.0	315,350	11.6	406,000	90,650
Tanganyika	4.7	80,028	4.7	80,028	-
KASAI-ORIENTAL	4.0	403,192	5.6	560,876	157,684
Kasai-Oriental	5.4	287,832	7.7	411,112	123,280
Lomami	3.7	104,144	5.3	149,707	45,563
Sankuru	2.8	49,128	3.3	59,452	10,324
KASAI-OCCIDENTAL	2.3	186,594	2.6	217,008	30,414
Kasai	3.8	153,375	4.0	164,418	11,043
Kasai Central	0.8	31,388	1.2	50,386	18,998
KINSHASA	97.8	8,078,280	97.8	8,078,280	-
KONGO-CENTRAL	5.0	174,240	5.0	174,240	-
NATIONAL	15.8	14,103,530	20.31	17,932,980	3,829,450

Source: Authors' calculations, based on INS (2012).

Découpage has not only reshuffled the autochthony status of provincial populations but also that of provincial assembly members and ministers. In former Katanga specifically, there is a trend towards greater autochthony of the membership of provincial institutions over provincial populations (Table 5). Assemblies tend to reflect the population, as their

members were elected back in 2006 with *non-originares* having a similar right to vote as *originares*. Hence, in Haut-Katanga, for example, which has a very high *non-originaire* population, the majority of the provincial assembly is likewise populated by *non-originaire* politicians. It is likely that this proportion will shrink if/when elections are held. Indeed, although

the proportion of *non-originaire* voters might not have changed, it would probably be harder for a *non-*

originaire politician to run, with intimidation campaigns unable to be ruled out.

Table 5: Proportion of *originaires* in Katanga's population and institutions

	Haut-Katanga	Lualaba	Haut-Lomami	Tanganyika
Population	44	84	82	95
Provincial assembly	48	92	100	92
Provincial government	67	94	100	92*

Note: all figures are estimates in %.

* The non-autochthonous in the Tanganyika government is a Bembe from Maniema who is also the nephew of the governor.

5.3.2 A rise in social tensions

The exclusionary effects of autochthony are also felt in provincial administrations. After *découpage*, Haut-Katanga found itself over-staffed, as many former Katanga civil servants remained in Lubumbashi. Governor Jean -Claude Kazembe reportedly posted lists of individuals who could keep their provincial employment in the new administration. According to Congolese interviewees claiming to have seen the list (we did not), some 90% of those on it were from ethnic groups deemed *originaire* of Haut-Katanga. One interviewee who worked on the staff of Governor Kazembe reported that there were only 140 Haut-Katanga *originaires* out of 550 provincial staff at the time of *découpage* (field interview 17). The prevailing discourse at the time was 'It is our province. You can go get jobs in your province.' In the words of an autochthonous ethnic leader, 'unfortunately, our towns have Congolese from other provinces, thus we need to negotiate. ... Now, ... provincial natives are beginning to find their interest' (field interview 13). This problem was not unique to administrative employment. In 2017, members of the *Cadre de Concertation de la Société Civile* of Katanga *originaire* of Haut-Katanga demanded new elections in their association because its president was *non-originaire* (field interview 15). Furthermore, a Lubumbashi-based Congolese journalist told us that his colleague from Tanganyika received texts telling him to go back home after he was critical of Haut-Katanga on his programme (field interview 8).

With public employment at least partly based on patronage, there were few payoffs for Governor

Kazembe to keep *non-originaires* in provincial positions. Given the material and human tolls this policy imposed, it triggered significant tensions and pushback. *Non-originaires* complained of the 'tribalism' of the Kazembe administration and often asked 'who built Katanga?' (field interview 2). Tensions even surfaced within the Kazembe cabinet as his Vice-Governor, herself a Lunda from Lualaba, took issue with the governor's autochthonous discourse and claimed 'I am at home [in Lubumbashi]' (field interview 7). Haut-Katanga's autochthony policy has had repercussions in the other provinces: in Lualaba, 21 out of 48 administrative personnel in the provincial assembly have come from the Lubumbashi provincial assembly. The rest are directly from Lualaba. There is some degree of provincial tension between locals and returnees, even those from similar origins (field interview 49).

In Lualaba, the autochthony issue has unfolded in somewhat different ways. There, it is the Sanga, who are *originaire* from around Kolwezi, who consider the Lunda, who politically dominate the province, to be *non-originaire* of their region, which some Sanga activists want to see as their own province. Some Sanga also claim that they should control the town of Kolwezi (whose mayor is Tshokwe) and resent the presence of many Lunda who 'come from 1,000 km away' (interview 6).¹¹ One Kolwezi-based civil society group member complained that 'the people who benefit from *découpage* are *non-originaires*' (field interview 28). National Deputy Vano Kalembe Kiboko, the 'extremist' Sanga faction leader, stressed in his interview with us that 12 of 15 customary land chiefs around Kolwezi are

¹¹ This is a reference to Dilolo territory, adjacent to the Angolan border, which is the heart of Congo's Lunda region. The Lunda also live in Angola and Congo's Kwango province, as well as in the southern parts of Kasai Central.

Sanga, as if to bring home the ownership of the Sanga over whatever arises in those territories. Vano stressed: 'What I am asking for is the respect of the rights of the autochthon, a right to the public good, to draw dividends from it' (field interview 45). For René Lumuma, the head of Lwanzo, the Sanga socio-cultural association, Lunda behavior is akin to 'conquest: they take everything and they do not bother [with others]' (field interview 51).

Although their representation in provincial government is proportional to their share of the population, the Sanga 'extremists' feel unrepresented because they do not

have control of the province (which they would have had if Kolwezi had become its own province with the Lubudi and Mutshtsha territories). These Sanga threaten that, in next elections, 'we will vote tribe' (field interview 28). But some Sanga – the "moderates" – do not have the same qualms. In the words of Kazembe Kisanda Makong, a Sanga customary chief who cooperates with the Lualaba administration, 'he who marries mom becomes dad.' In other words, you deal with whoever occupies the state (field interview 46). Another Sanga 'moderate' uses the metaphor that 'all water flows to the river and the Lualaba is the mother of all rivers' (field interview 47).

6 Implications



In this section, we look at two implications of the tribal effects of *découpage*. We first discuss the extent to which *découpage* is leading to identity reconfiguration for those who find themselves more vulnerable than before. Second, we question whether the process of provincial tribalisation that this paper has identified might lie at the core of a new Congolese social contract, in contrast to past practices of representativeness.

6.1 *Découpage* and identity reconfiguration

Although tribal identity is usually painted with primordial brushes in Congo, it is nonetheless somewhat adaptive. One might not be able to change one's tribe, but the level of tribal aggregation at which one identifies and the possibilities of intertribal alliances can vary. In a constructivist argument, Daniel Posner (2005) showed that, in Zambia, the introduction of democracy led to the prevalence of larger ethnic identities as sorts of coalitions for electoral competition. Here we look at what transformative effects *découpage* might have had on Congolese ethnic identities. Did it create incentives for smaller ethnic identities by reducing the size of the relevant political arena?

Our preliminary findings, based on fieldwork in Haut-Katanga and Lualaba, suggest mixed effects. The limited supply of political positions compared to the national and previous provincial levels might foster a degree of aggregation and coalition among certain tribes. On the other hand, some identities display internal divisions as the strategic calculations of their elite diverge.

The province of Lualaba illustrates both the aggregative and the fissiparous effects of *découpage* with respect to the Lunda-Sanga conflict. As mentioned earlier, Lualaba's Lunda, who historically dominate the western district of Dilolo, have allied with other largely western groups – the Tshokwe, the Ndembo, the Minungu and the Lwena – to form a majority coalition named Tshota or 'Groupe des Cinq,' which has largely taken over control of the province's institutions. As just mentioned, *découpage* has brought about a pronounced schism between Tshota and the Sanga (with the associated Yeke, a tiny minority), who are originally from around the provincial capital of Kolwezi and the neighboring territories of Mutshatsha and Lubudi. Because many Sanga did not want to see themselves fall under the domination of the Lunda, they sought to have their own province or to be attached to Haut-Katanga instead. The Province of Lualaba was indeed formed by merging two districts: Lualaba and Kolwezi. Almost everywhere else in the country, each former district became its own province. This exception has been

controversial, as it is seen to have favoured the residents of former Lualaba by allowing them to have a mineral-rich province (most of the copper-cobalt is in the east). The governor of the province is Lunda, and, as shown above, Tshota controls nearly 70% of the provincial government and assembly posts. Moreover, the mayor of Kolwezi, the Sanga heartland, is a Tshokwe.

As a result, some Sanga have allied with some Bemba of Haut-Katanga to create another organisation, the *Espace Sempya-Lwanzo*, to lobby for their own province or for being attached to Haut-Katanga. The name *Sempya-Lwanzo* refers to the respective 'socio-cultural' associations of each group, known as *mutuelles*. Sempya is the Bemba *mutuelle*; Lwanzo, the Sanga (see Gobbers 2016 for the role of *mutuelles* in Katanga). These Sanga not only believe that they are underrepresented in the new province, but also that they are ruled by groups who are *non-originaire* of their district (Gobbers 2016: 224). The separatist Sanga leader, national deputy Vano Kalembe Kiboko, was jailed between 2015 and 2016 after accusations of promoting 'tribalism,' in what was seen as help from Kinshasa in establishing Lunda dominance in the province.

To some extent, the aggregation of the province's groups into two large opposed units appears contradictory to the predictions of constructivism, for which the smaller demographic scene of the new province should encourage a breakdown of the salient level of ethnic identity (see Posner 2004). The principle of representativeness actually conforms to the predictions of constructivism and the multiplication of provincial government positions. For example, there has been an increase of ministerial positions from 12 in former Katanga to about 50 now across the four new provinces. This should have led to greater representation of small groups, which, in its own way, would have contributed to the notion of decentralisation bringing government 'closer to the people,' as is often invoked in Congo. That we observe the opposite trend, at least in some provinces, suggests the following:

- 1 The additional number of positions might be insufficient to suit the additional number of possible local claimants
- 2 The practical and legal norm of representativeness is eroding under *découpage*, as is now often understood as an opportunity for local monopolistic control, giving groups an incentive to aggregate.

The difficulties of representativeness in small institutional settings were illustrated by the deputy-mayor of Kolwezi,

Jacques Masengo Kindele, himself a 'moderate' Sanga, who told us 'we have taken communities into account, but we cannot satisfy everyone, we cannot take everyone into account' before adding that 'not every tribe' can expect representation as 'it would be dispersion [...] It is impossible for everyone to have their corner' (field interview 47). Similarly, provincial deputy, Jules Kabwit, a Lunda, conceded: 'There have been little problems. Some groups are poorly represented. But we are making corrections. The nomination of commissioners took place with ethnic considerations because there was a lack of positions in government.' This is in line with the fact that two of the four commissioners are Sanga. He continued, 'The majority parties have to find their interests first but we had to create structures to allow everyone to feel comfortable [...] At this point we have brought together about 80% of people' (field interview 58).

Yet, while *découpage* has led to Lunda-Sanga and Sanga-Sanga schisms in Lualaba, it has also reconfigured the arena wherein *mutuelles* jointly operate and address collective issues. While *Fondation Katangaise* was the main grouping of *mutuelles* in Katanga, it has been replaced with RCLU in Lualaba, a group of autochthonous *mutuelles*, which includes the 'moderate' Sanga. Its president told us "*Fondation Katangaise* makes no sense [in Lualaba] anymore. There is practically no Katangese identity anymore' (field interview 37). A similar evolution has happened in Haut-Katanga, where several *mutuelles* from Tanganyika have established *Union Tanganyika*. In this case too, we see a degree of ethnic aggregation. For example, it might be more effective for people from Tanganyika to act as such when in Haut-Katanga than as Hembwa or Tabwa. Being *non-originaire* might trump being viewed as ethnic for them. The goal, said their president, is to raise their profile as 'our provincial *originaires* have been sidelined from Haut-Katanga's institutions' (field interview 7).

6.2 Provincial tribalisation: a new Congolese social contract?

Collective representativeness, a political norm that makes the Congolese state tolerable to many and has long contributed to the Congolese social contract, has been transformed by the implementation of *découpage* reforms since 2015. With *découpage*, Congolese provinces have become more ethnically homogeneous and made it possible for newly dominant groups to claim greater representation for themselves at the expense of smaller ones. If the provinces of former Katanga are any indication, provincial institutions – governments and assemblies – are less representative than previous

provincial institutions. They are also less illustrative than the national government and have been taken over by a few groups – sometimes by one single group.

The call for greater representation for people who claim *originaire* status in their province is a corollary of the constitutional guarantee of representativeness. While autochthony discourses have not been uncommon in Congolese political practice before, *découpage* has fostered their salience by increasing the number of people who are seen as *non-originaire* of their province of residence. We estimate that the total number of such people across the country has increased by 4 million since *découpage*. Non-autochthonous people de facto enjoy fewer political rights and have more limited access to state-mediated material benefits.

This evolution appears to result in a two-tier system of collective representation. Some groups, mostly larger ones that exceed 2% of the population at the national level, get their own province or are able to dominate one. The population of these groups adds up to 66% of Congo's total population, with the consequence that one third of Congo's population belong to an ethnic group without its 'own' province and thus with lesser provincial representativeness. It is an empirical question whether the under-representation of these groups and others will lead them to challenge the country's institutional structure or encourage identity adjustments and alliances. It is worth noting, however, that *découpage* represents a significant shock and has caused a disequilibrium of the system of tribal representativeness, which brings further potential instability for the country at least in the short to medium term. *Découpage*'s effects on representativeness and autochthony challenge the functioning of the Congolese political system, reducing political access for some and increasing the relative returns of it for others. At a time when the institutions and rules of formal democratic representation have been largely hollowed out, the decline in collective representation stands to compound the political alienation of many Congolese people. For many, it also undoes the potential benefits of decentralisation in terms of local political ownership. It is therefore possible that *découpage* has overall reduced the sustainability of the Congolese political system and presages a balkanisation of the country in contrast to the systematic diversity, both national and provincial, that existed before.

However, it is also worth noting that this evolution is not short of legitimacy for many Congolese people, nor is it historically unprecedented. While leading to local

monopolies, provincial tribalisation might also reproduce a different form of national representativeness, in which provincial institutions are claimed by specific autochthonous groups. From a national perspective, this results in the most significant groups ending up with a stake in the state. More homogeneous local institutions might end up more capable of collective action than their predecessors. There are ongoing reconfigurations of ethno-cultural associations and ethnic alliances witnessed at the level of former Katanga provinces. These indicate that such transformations might also trigger identity adjustments and consolidations, as groups seek critical mass for representation or strategic associations to avoid becoming *non-originaire*. In a country where ethnic groups number as much as 350, this process could mark a step towards nation-building.

In some ways, this evolution heralds a return to the system that prevailed, haphazardly, between 1962 and 1965. The chaos that followed the country's independence reflected, to an extent, a desire for greater ethnic ownership of provincial structures. The Katanga secession was in part an act of rejection of Kasaians by Lunda and some other southern Katangese groups. In response, the Lubakat, opposed to the secession, set up the North Katanga province in what is today Haut-Lomami. Similarly, the secession of South Kasai was a Luba reaction to political competition with the Lulua. In the north, the Mongo – frustrated at their minority status in Equateur – pushed for the *Cuvette Centrale* province where they dominated. Altogether, by August 1962, 15 new provinces had been created, many following the demands of particular ethnic groups. The 1964 Luluabourg Constitution enshrined this new configuration, recognising a total of 24 provinces, many similar to those of today's *découpage*. But Mobutu scrapped the reform and recentralised power after his coup of November 1965.

Découpage resurrected the dynamics from the 1960s, which had been dormant or stifled under the 32 years of the Mobutu regime. The 1990 Sovereign National Conference had brought up demands for federalism and the restoration of smaller provinces; the transition parliament of 2003 to 2006 followed suit by providing for the 26 current provinces in the 2006 Constitution. The vagaries of Congolese politics delayed its implementation until 2015. The current evolution might thus mark a re-appropriation of the state by culturally meaningful categories of collective action at the local level and, as such, a degree of dis-alienation for many. But it is not so far without a high price for many others who see their own vulnerability increase in the process. The 1964 provinces

are often referred to, with some scorn, as '*provincettes*,' in contrast to a view of Congo's unity as a condition for its grandeur. Yet, unity under Mobutu – who claimed '*tribu: oui, tribalisme: non*' – brought authoritarianism, corruption, poverty and, eventually, conflict. Tribalism now has an opportunity to show whether it can do better.

7 Conclusions



Much of the analysis of Congolese politics tends to focus on the apex of the state and on the part of its system made of individual political representation through elections. The recurrent postponement of elections since 2016 and the apparent attempts by the Kabila regime to bypass constitutional term limits point to a system in crisis plagued with a growing deficit of legitimacy. Yet, while Congo sits on the edge of political chaos from this perspective, it is also experiencing deep transformative changes with respect to its second systemic dimension: that of collective representation.

As this paper has shown, the 2015 *découpage* has ushered in new ethnic configurations, which have unleashed the ambitions of some tribes and their leaders to take control of provinces. This process of provincial tribalisation is reshuffling political dynamics and access to state resources at the subnational level. This deeply challenges past practices of collective representation, increases Congolese vulnerability and potential disenfranchisement, thereby exacerbating social tensions.

Yet, it also represents a new set of opportunities for many people and, for some, corresponds to social and political aspirations that date back to the early 1960s. As a result, the reconfigurations linked to *découpage* that this paper has highlighted might reduce the alienation from politics and the state that many Congolese experience. They could also reinforce the legitimacy of the state and the allegiance of important provincial elites to the current regime.

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Cover photo: Plenary Session, Provincial Assembly Haut-Katanga, Lubumbashi. Alma Bezares Calderón, 2017.