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Aid relations amid state fragmentation: Explaining disengagement from administrative matters in the Democratic Republic of Congo

Introduction

The Democratic Republic of Congo, which slowly emerges from a tumultuous succession of crises (of which the 1998-2002 war was the most acute), is today engaged in a complex process of reconstruction. The main protagonists of that process are, aside the Congolese themselves, a wide array of Western donors, International Financial Institutions (IFIs), agencies (UN system, bilateral agencies), consultancies, Non-Governmental Organisations (NGOs), to which one needs to add the emergence of a sizeable new actor, China, with massive engagements in financial terms (Vircoulon 2008).

The engagement of donors¹ in the DRC is a relatively recent phenomenon, as the late years of the decrepit Mobutu regime (from 1990 to 1997) and the presidency of Laurent-Désiré Kabila (1997-2001) had been characterised by a quasi-total absence of externally driven development activities². A dramatic change will occur in January 2001, when Laurent Désiré Kabila is assassinated in obscure circumstances, and his son propelled in power. The approach of the latter will be radically different from that of his father – liberalisation of economic activity, restoration of friendly diplomatic relations with the West. Following normalisation of relations with donors (reimbursement of arrears to priority creditors, debt rescheduling and consolidation with the Paris Club, implementation of an IMF Staff Monitored Program (2002-2003), signing of an Interim Poverty Reduction and Strategy Paper (PRSP) in May 2002, reaching of the Highly Indebted Poor Country (HIPC) Initiative decision point in 2003), donor engagement increased steadily and widened considerably: from the public revenue collecting system to Security Sector Reform, to health and sanitation service provision, one can identify some sort of involvement by international actors in virtually all sectors pertaining

The term 'donors' regroups the major IFIs, UN agencies, and bilateral donors; although, strictly speaking, the term 'donor' does not apply to all of them, in practice, common usage of the term in Kinshasa and a range of similarities and interdependencies justify the usage of the term.

For the suspension of development aid to Zaire in the early 1990s, Renard & Reyntjens 1999; for Laurent Désiré Kabila's isolation during his years in power, De Villers, Omasombo Tshonda & Kennes 2001, Mbaya Kankwenda 2005, ch. 3, 5, and 10.

to government – be it merely verbal or symbolic; in the words of one author, the DRC is 'a vast laboratory of development' (Trefon 2009a: 15)³.

The present paper will examine one area of donor engagement, the reform of central public administration, in particular the Ministry dealing with personnel management issues – *Ministère de la Fonction Publique*. The reform of the Public Administration in the DRC is an initiative that was born straight after the re-engagement of aid actors in 2001, with implementation starting in 2003. It concerns the whole of the state's administration, both central and provincial. The setting in which fieldwork was conducted is Kinshasa, which as the capital of the DRC, is the centre of national institutions, the entry point of foreign development aid, and concentrates a huge number of civil servants (Kapagama & Waterhouse 2009).

The political context in which research was conducted⁴ is that of the Third Republic, under the presidency of Joseph Kabila (elected in 2006). The years following the transition (2003-2006) have seen a shift away from diplomatic-political implication to keep the peace process afloat⁵, and a growing emphasis on foreign technical expertise to help the DRC reform its governance system (ICG 2010: 3). As such, the DRC is engaged in a triple process of transition: a transition towards democracy, a transition towards peace via demobilisation, and an economic transition towards increased liberalisation, guided by the governance agenda (Marriage 2010: 368). Aid volumes have risen⁶ but remain low in relative terms due to the country's size (Autesserre 2010: 183, Marysse, Ansoms & Cassimon 2007), while the bulk of the allocation of aid goes to two broad sectors (health and governance, Marriage 2010: 360). The process of aid allocation presents the battery of problems extant elsewhere, with increased acuteness, amplified by the modus operandi of the state apparatus: fragmentation as much on the side of the state as on that of donors; complexity and confusion in the

Interestingly, the same author also cites an EU expert who describes the Congo as 'a vast cemetery of projects' (Trefon 2009a: 24).

This research is based on three field trips: one month in September-October 2009, three months in May-August 2010 and two months in April-June 2011.

Which is not to say that the label 'post-conflict' is an accurate depiction of the situation: the Eastern DRC is marked by violence, including the presence of armed groups, and recent events in Bas-Congo and Equateur provinces show the precariousness of the situation (Autesserre 2010, Tull 2010).

Depending on the year, aid provides from 30% to 50% of the National Budget (Zacharie 2009).

architecture of aid⁷, the presence of parallel administrations (both for the state and donors, the latter using their own implementation units), and equally important, a pervasive discouragement which at times borders on cynicism regarding the chances of success of aid⁸.

The aim of this paper is to develop an argument, centred around the concept of aid as an industry, and illustrated through the peculiarities of the DRC's context, to shed light upon the reform of central public administration, in particular its relative neglect, emphasising the functionality of the process, for both aid actors and the authorities, given present patterns of development aid allocation, the constraints faced by the reform, and the priorities of ruling authorities. Attention will be paid to the mutual shaping of relations in the 'aid industry', and illustrated through an empirical example; the argument will attempt to steer clear from separating internal and external factors, concentrating instead on their concomitant production.

The rest of the paper is organised in four parts. Part 1 will present the notion of 'aid industry'. Part 2 will serve as an introduction to the Congolese central public administration, and outline the broad traits of the reform since 2003. The remaining two parts focus on the analysis of two closely related processes that appear essential to account for the process of reform: Part 3 concerns the initial stages of the reform, at the interface of national authorities and donors involved, to show why it came to be experienced as an 'external imposition', and how this influenced its elaboration, design and implementation. Part 4 will concentrate on the influence of fragmentation, an issue concerning as much the state, the aid actors, and their interaction. Some concluding comments will follow.

One can find an underlying logic in the successive elaboration of these strategic documents, but the tendency for the substitution or side-lining of one strategic framework by another when difficulty arises remains: the PRSPs (I then II) are the documents of reference in that respect, but they are complemented by or associated to the Country Assistance Framework (CAF), the Governance Compact, the Priority Action Plan (PAP), the Programme Economique de Gouvernement (PEG II), etc.

The combination of optimistic (not to say bombastic) objectives and claims of aid and reform with expectations of failure are a recurrent problem (Marriage 2006: 7, also Trefon 2009b: 17, Trefon 2010: 717, De Vries 2008: 158), and the DRC is an epitome of this, much policy displaying a 'purely virtual efficiency' centred around announcements, coupled to the absence of palpable improvements in living conditions for most people (Yoka 2009: 244). For instance, the provisions of IFIs regarding assisted economic policy following 2001, not devoid of diplomatic preoccupations and political voluntarism, despite the technical language employed, were dubbed by *The Economist* 'heroic optimism' (de Villers 2009a: 50). An interesting parallel is found in 'white elephant' investment schemes in the late 1960s, on the basis of bloated claims of consulting firms, especially the Italian firm SICAI (Young & Turner 1985: 296-301, Willame 1992: 74-85).

1. The argument of the 'aid industry'

The expression 'aid industry' or the description of development as a market, is sometimes used to capture trends in development aid (Duffield 1997, 2001, Marriage 2010). In this paper, the framework employed will be built from the work of the Congolese economist Justin Mbaya Kankwenda (*Marabouts ou Marchands du Développement en Afrique?*, 2000), who published a book on development aid in Africa containing a very comprehensive treatment of the matter. In what he refers to as the 'Market System of Development' (*Système Marchand du Développement*), aid functions as a market, where the sellers of development (donors, agencies, private operators, consultancies, experts, NGOs, etc.) don the garb of the prophet or *marabout* to sell the appearances of development to African governments all too eager to acquire them, often as a means to, and with the result of, consolidating their power bases (van de Walle 2001). This broad argument concerning the 'aid industry' captures several very important aspects; it is complemented by adding a few additional elements, which are either latent or embryonic in his analysis, drawing from other sources (especially the work of Graham Harrison, 2004, 2010 and Sarah Bracking, 2009).

The aspects of the aid industry emphasised in this paper are five⁹. The first one considers the returns on aid provided, rhetoric of development and betterment notwithstanding. These are variegated, and go much beyond the purely financial dimension of returns for each monetary unit of aid disbursed¹⁰. Aid comprises the provision of goods, services, know-how and expertise, and rests embodied in contracts obtained, technical assistance remunerated and especially influence obtained (Goldsmith 2003: 193-194, Bracking 2009: 112) – a factor of paramount importance given the DRC's strategic and resource importance, along with the ability of steering the process of government with varying degrees of success and debatable societal effects.

This depiction of the aid business or industry does not pretend to be exhaustive or foolproof; indeed, it leaves aside many elements that require discussion (see Van de Walle 2003), for want of space. It merely serves the purpose of shedding light on the reform process analysed here. It can be found to be excessively one-sided or negative, silencing the successes of projects, (although books have appeared recently castigating aid, i.e. Glennie 2008, Moyo 2009). This is perhaps due to the systemic dimension of the argument deployed here, centred on an understanding of the aid industry as a process moved by its own imperatives, even if these are open and contingent. Although the argument mainly concerns aid targeted at the state, funding for NGOs by no means entirely escapes the patterns depicted by the 'aid industry' framework used here, as shown by an analysis of USAID-funded projects in Zaire (Mpwapite-Ndaume 2010). Moreover, the depiction found here probably reflects the particularities of the DRC, but probably not to the point of invalidating the argument.

Mbaya Kankwenda lists products, equipments, ideas of projects, projects, programs and policies, conceptual know-how or practices, and material and human technologies (2000: 27-28).

The second is the domination of supply in the aid market: for aid supplied to states, 'new' development products are not only elaborated outside the remit of or with little implication by 'beneficiaries', but also can be offered for consumption to governments via the supply of concessional loans or grants. Aid supplied via NGOs follows a different course, but is also tied to this system.

A third element is associated to the rise of the debate on aid efficiency; the positive effects of aid have to be constantly emphasised and publicised, following the process of re-invention in the face of criticism with little modification typical of aid (Rist 1996); 'success stories' are one recipe to increase availability of funding, and are subjected to the constraints of limited time frames, quantifiable indicators and quick impact.

A fourth element concerns a trend already emergent for more than a decade, and consisting in the application of management practices to projects and programmes drawn from the private sector (professionalisation, managerialism, and tools associated with New Public Management). These are affecting as much multilateral and bilateral donors as the NGO sector; one can speak of the privatisation of development (Hibou 1998: 29-30; also contributions in Dar & Cooke 2008).

Finally, and following from the fourth element, the discourse of development is increasingly characterised by the implicit usage of a neoliberal vocabulary of development (with terms such as empowerment, civil society, good governance, individualist rights-based approaches, etc, gaining wide currency), that is becoming a space beyond debate, indeed the very basis upon which development issues are discussed¹¹.

For the usage of the above framework in the analysis of aid reforms to prove accurate, however, further elaboration is required, especially with regards to the interface between aid and the state (both at the political level and with state agents at various levels). The view taken here is that this relation is mutually formative, or to employ a term used by Frederic Cooper in a discussion of the colonial state, a 'co-production' (Cooper 2002)¹². In that respect,

Graham Harrison speaks in that respect of neoliberal vocabulary aspiring to meta-development status (Harrison 2010: 77). Naturally, the explanatory power of terms thus employed suffers, but simultaneously entertains an ambiguous relation with their efficiency as concepts in development fora (for a fascinating discussion of popular perceptions of 'development-speak' pertaining to Kinshasa, and their disillusionment, see Yoka 2009). An interesting avenue of analysis is to explore the distortion, reappropriation and vocable of derision at play in the employment of such terms by *Kinois* and *Congolese*, along the lines of the work of Toulabor and Mbembe (in particular their contributions of the 1980s, reprinted in Bayart, Mbembe & Toulabor 1992); the writings of authors such as Bogumil Jewsiewicki, Rene Devisch, T.K. Biaya and Mudaba Yoka Lye abound with examples of the country's vibrant verbal creativity.

Frederic Cooper writes: 'Gatekeeper states are thus neither 'African' institutions, nor are they 'European' impositions; they emerged out of a particular Euro-African history' (Cooper 2002 : 160). The term shares affinities with the notion of 'state-formation' as opposed to 'state-building' employed by Berman & Lonsdale (1992a: 5), and adapted by Hibou to economic policy (Hibou 1998, 2004).

it is useful to keep in mind the history of aid in Congo, especially during the period following the deterioration of the economic situation in the mid-1970s and 1980s, and its deleterious consequences¹³. Many of the issues affecting aid relations today have antecedents in the relations between the West and Zaire¹⁴, and some of these will be explored below.

The concept of 'co-production' applied to development aid allows to avoid partial analyses, that often tend to either reject responsibility upon outside forces (the 'paradigm of yoke', as Bayart 1989 called it, targeting dependency or Marxist approaches), or to displace responsibility exclusively upon receiving states (to which some analyses in terms of neopatrimonialism or 'rent-seeking' seem to succumb). If the concept of 'co-production' at first sight suggests 'shared responsibilities', and affinities with the notion of 'partnerships' – both concepts being very much in vogue (Abrahamsen 2004, Chandler 2008) – the element of dependence and power struggles in aid relations remains entire; part of the difficulty arises from the long and complex historical process shaping contemporary aid relations (the conclusion shall return to this question). It is now time to turn to a presentation of the Congolese public administration.

2. The background and setting of administrative reform in the DRC

Before turning to the analysis of the process of administrative reform in the DRC, a few remarks are warranted, in order to place its evolution into perspective, starting with a brief incursion in its history. The density, structured nature, paternalism, and efficiency – within its own terms of reference – of Belgian colonial administration (especially from the 1930s onwards) is the aspect most commonly emphasised (Young 1979: 12-13, Kapagama & Waterhouse 2009: 14, Mbaya Kankwenda 2005: 222)¹⁵. Accounts of its decline emphasise the

Among a large literature exists on the matter, see Young & Turner (1985, ch. 10 and 11), Leslie (1987), Kiakwama & Chevalier (2001), Willame (1992, ch. 3).

For example, several observers spoke of the DRC during the transition of 2003-2006 as a country under a regime of semi-trusteeship (de Villers 2009b, Willame 2007), epitomised by the now-dissolved ICST (International Committee in Support of the Transition, or *CIAT* in its French acronym); so too in the wake of the involvement of the IMF in Zaire in 75-76, the presence of foreign troops following the Shaba invasions of 1977-78, and the ceding of a portion of territory to the German firm OTRAG, when Zaire seemed a country under 'multilateral dependency' (J.-P. Peemans's expression).

Although this point must be nuanced, given opportunism according to the interests of colonial policy: imbalances in chiefdoms, a dual legal system located atop urban-rural lines, delegation of tasks to colonial

disruptions of decolonisation, the 1960s wars and rebellions, poor management during the Second Republic under Mobutu, economic deterioration, and the wars of the two last decades. The reality of its colonial roots and the degradation it underwent during Mobutu's time notwithstanding, the concept of co-production mentioned above suggests that seeking to separate these two elements is as pointless as obfuscating. The experience of the Leopoldian state (1885-1908), the reliance of the colonial administration upon many local agents, the impact (and inadequacy) of educational and religious policies of missions, racial preconceptions, and so on, all contributed to the 'formation' of the administration, and it is dubious to ascribe this process to one or the other protagonist¹⁶.

Revisiting Congolese history shows that many of the problems associated with today's administrative problems, such as the excessive amount of Ministries, issues of fragmentation and jurisdictional prerogatives, recruitment practices, and the ills of technical assistance, hark back to the disastrous decolonisation process, the politics of independence, and colonisation (Young 1979: ch. 10)¹⁷. The decline of the administration made became entrenched as the aftermath of the 1970s economic crisis set in, amplified by the effects of the administrative reform of 1972-73¹⁸. By the 1980s, the 'privatisation of the state' had become a widely observable reality (Newbury 1986), and recourse to 'coping strategies' (referred to as *Article*

companies and churches, etc. (Vunduaawe Te Pemako 1982, Dunn 2003: 68, 71, 81).

The notion of 'vulgarisation of power' used by Lonsdale to describe the delegation of authority necessary by indirect rule is very useful (Berman & Lonsdale 1992: 5, 192): relations of the colonial army – the Force Publique – with the population carried heavy consequences for Congo (Young & Turner 1985: ch. 8 & 9). Other examples include the colonial origins of patronage (Berman 1998), 'colonial' relations between state agents and the 'administered' continuing after independence (Schatzberg 1980, 1988) or the rise of tribalism (on the lines of work by Peter Ekeh, Berman & Lonsdale, Mahmood Mamdani, and others).

Interestingly, Young notes that the stability of the local rural administration – *La Territoriale* – was the most effective service in the troubled 1960s (especially in regions where the decree of 10 May 1957 concerning administrative circumscriptions had been applied and where violence remained low): the sector level, despite its artificial character, provided services that had ended up being appreciated (Young 1979: 249-250). For analyses of the extroverted character of the Zairian economy and administration, and the problems it raises, early work by Justin Mbaya Kankwenda, J.-P. Peemans, and various contributors to the journal *Zaire-Afrique* (now Congo-Afrique) edited in Kinshasa by CEPAS provides a wealth of information.

Party militancy became the official principle for recruitment and promotion, and the MPA (*Département de la Fonction Publique* as it was called then) was replaced by a Commission (the *COPAP*), until its re-enactment in 1980 (Mpinga Kasenda & Gould 1973, Vieux 1974). Competence deteriorated, and predation, clientelism, nepotism, withholding of salaries, ghost civil servants, etc. rose (among many sources, books by Gould, 1980 and Schatzberg, 1988).

15 or simply '*débrouille*') was a daily reality for the great bulk of state agents, in stark contrast with the period before the mid-1970s when working for the state was the major avenue for social promotion and access to wealth (Schatzberg 1980). The austerity of structural adjustment further eroded an already weakened public service (Willame 1992: 89). The pillages of 1991 and 1993 and the outbreak of the Congo wars in the 1990s, were to drive the nail in the coffin.

This brief sketch suffices to contextualise the condition of the public administration in 2003, when the reform began. Reports drafted at the time (see below) to guide the reform detail the list of manifold ills plaguing the administration, ranging from corruption, predation, destitution, lack of office material, disorganisation of directions, divisions and services, etc.

The reform was initiated at the behest of the national authorities, but very soon the leadership was delegated to the Ministry of Public Administration (*Ministère de la Fonction Publique*, MPA hereafter). It was therefore begun during the transition, and continued following the elections. An early phase was marked by the drafting of two studies, and following the signature of an agreement with the Belgian Technical Cooperation, the first reform structures were created in 2003, and implementation proper was underway in 2005¹⁹. Other key actors in the reform included the World Bank, which attempted a major retirement scheme in 2004-2005, and South Africa, which led the census begun in 2005, along with some other projects. This initial engagement into reforming the Congolese central administration, however, proved short lived, and in 2010 the picture seemed akin to relative disengagement: the BTC had terminated its support to the project begun in 2003, following major problems in implementation; South Africa was in the process of closing down its projects in administrative reform; UNDP engagement was dwindling, while the WB had abandoned the attempt to conduct a global (or horizontal) reform, after more than 80% of the funds allocated to the retirement of 100,000 civil servants failed to reach their final destination²⁰.

The following two parts will take up the analysis of two key aspects of the reform process,

The two studies were one realised by Delta-I-Consulting (2002) for the BTC, and one realised by an expert, Souleymane Nasser Niane (2003), funded by the UNDP. The idea behind the initiative was to rigorously recruit capable civil servants, provide funding and training, and assist this operational structure as it would launch the reform in five pilot Ministries (soon extended to all Ministries), both at the central, provincial and local levels. Descriptions of the organisation and dysfunctions of the MPA can be found in GPF (2008). A presentation of the framework of reform can be found in Diumasumbu (2008), and initial funding engagements provided by donors in SENAREC (2005: 18).

Interviews, Kinshasa, June-July 2010. The upcoming elections, the context of the transition, and the fact that these funds had been allocated in direct budgetary support largely explain the event.

using the argument of the 'aid industry' outlined above, while paying attention to the co-produced character of outcomes.

3. Reform initiation and design

The first aspect of the reform of public administration that will be examined here has to do with the early conception phase. It will attempt to explain why the reform was experienced as an external quasi-imposition, gave way to little implication on the part of the authorities, and how its strong technical dimension both emerged from and contributed to a stalled process, while emphasising the mutual reinforcing of each of those elements.

As mentioned above, two draft studies were produced during the early phase, one outlining a reform proposal (Delta-I-Consulting 2002), and one setting a strategic framework (Nasser Niane 2003). While supposed to be complementary, in practice the two studies gave way to a clash in approaches²¹, and the hesitation of the MPA, to which the steering of the reform had been delegated (officially from November 2003 onwards), compounded matters further. Eventually the situation was resolved by the choice of the BTC-funded proposal, and implementation began in 2003, with an envelope of €4 million.

The design of the approach chosen, outlined in the Delta-I-Consulting document (2002), is striking by its technical and short term emphasis: it was centred around the recruitment, training and funding of a small group of national experts by 2005 – the *Groupe Projet Fonction Publique*, or GPFP – who via the impulse of the reform in the Ministries (2006) led the rationalisation of missions, structures, employment, and civil servant numbers, the establishment of a new human resources policy, and the revision of obsolete juridical texts. A census was begun in 2005 (on which more below); the initial document described the approach as 'innovative', the goal being to showcase strong results within 2 to 5 years, needed by both donors and the population to restore trust in the administration, and made possible by the display of 'strong political will' (Delta-I-Consulting 2002: 34). This operational structure of GPFP was under the leadership of an Inter-ministerial Commission led by the MPA (*CIPRAP*), assisted by a Technical Committee (*CTRAP*).

This phase of the reform process is marred by confusion; the two documents certainly present divergences in terms of administrative traditions referred to, and somewhat diverging remedies; interviews conducted with individuals involved in that phase suggest confrontation, and positions seemed organised along lines separating the association with organisations (BTC and UNDP) and background of persons interviewed (various interviews, Kinshasa, June-August 2010).

The reform was quickly confronted to various problems; one evaluation report written by the consulting firm Möbius for the BTC cites: the paucity of concrete realisations (in stark contrast to the profusion of texts and studies produced), the lack of 'ownership', especially by other Ministries, insufficient integration of the various complementary elements, etc. (Möbius 2008: 35-39). The census begun in 2005, but not yet completed, is widely regarded as a failure²². Another important element points towards the lack of cooperation and collaboration of reform structures and donors (more in the next section). Thus, in 2010, this phase of reform seemed to have achieved very little, and the successes cited by persons interviewed pointed towards sectoral reforms (in particular those in the Ministries of Agriculture and Environment²³), which is the approach increasingly favoured by donors: the WB reoriented its focus in that direction after the débâcle of the retirement scheme in 2004-05, Belgium soon to follow suit (interviews, Kinshasa, June-July 2010).

The problems encountered by this attempt at an horizontal reform are not surprising, considering both the technical emphasis, position of the MPA, and context in which it evolved. It is interesting to note that this strict accent on 'governance' issues, presented as organisational dysfunctions or 'corruption', to be treated by superior management techniques, is a recurrent problem in many administrative reforms in Africa (Nembot 2000: ch, 6 and 7, Darbon 2003). In particular, the reticence to address issues of conflict or politics and engage in the 'low politics of reform', is mirrored by a technical design which offers the advantage of

Four major provinces still have not completed the second, biometric phase (Katanga, South Kivu, Orientale and

Equateur), and the process has been plagued by discrepancies in numbers, recruitments of 'new units', and irregularities

in the *immatriculation* of personnel (interviews, Kinshasa, July 2010 and May 2011).

However, these were conducted for the greatest part outside the initial structures of reform, with the employment of experts from reform structures at an individual level, and once the concept of a global reform had been tacitly abandoned (interviews, Kinshasa, July 2010 and May 2011).

discharging responsibility on the lack of political will (ibid, Marriage 2010: 368)²⁴. Incidentally, this was already the appraisal of reforms led by IFIs in 1980s Zaire (Gould 1980, Young & Turner 1985: 243, 246, Kiakwama & Chevalier 2001).

However, the issue of political will remains a real one, and the neglect of the MPA by national authorities seems undeniable; it has, however, to be replaced in context. Firstly, the funding of the reform has mainly been conducted by foreign funds, and no budget line has ever been ascribed to it in the national budget²⁵ - which is not to imply, however, that disbursements are not made: personnel staffing reform structures are remunerated, and a contribution to the census was made to complement the amount used by South Africa (interviews, Kinshasa, June-July 2010). Additionally, aside the huge problem of recruitment and remuneration practices that generate resistance (see below), in the steering of the reform, the MPA fared poorly: not only did the reform structures date back to the power sharing configuration of the transition (the 1+4 formula) that became null after the elections, but its rank in the protocol order of government has always been low. Even during the transition, the CIPRAP rarely met, and has not done so since then²⁶. Having seen the interrelation between reform design and the implication of the state and its 'partners', it is now time to turn to the aspect of fragmentation.

4. The issue of fragmentation

There are extremely interesting avenues of analysis to pursue in this direction, especially given the scope and magnitude of engagement of donors in such reforms, both in terms of influence, expertise and funding. Graham Harrison has characterised donors in what he calls 'governance states' less as a strong external force than 'as part of the state itself' (Harrison 2004: 87). While the position of the DRC in respect to the states he looks at is very different (it would be unsuitable to talk of 'post-conditionality'), the notion of *trusteeship* or *custodianship* as opposed to ownership is entirely apposite (Harrison 2010: 58, building on the work of Cowen & Shenton 1995, also Chandler 2008).

This is also due to the weak financial management of the government: line Ministries often do not participate in the budget formulation process, and ignore the indicative envelope allocated to them, while budget reporting remains laden with delays discrepancies and mistakes (World Bank 2008). One should add the fact that not all donors communicate their planned or disbursed expenditures to the Planning Ministry on time (Ministère du Plan – RDC 2009, esp. 34-47, interview, Kinshasa, June 2010).

Mbaya Kankwenda gives a good image of the incoherence and absence of common vision of the government in 1997-98, along with remarks on the mentality of many Ministers, which he calls the “*m'as-tu-vu-moi-le-nouveau-chef*” (have-you-seen-me-the-new-chief), rife with amateurism, insecurity of function, venality, etc. There is clearly a degree of continuity in that respect today (Mbaya Kankwenda 2005: 139).

The second aspect treated here is that of fragmentation, that affects as much the state and its institutions, relations between state and donors, as donors themselves, exacerbating an already existing problem of coordination and rivalry (Trefon 2010: 718).

To be sure, this problem is most obvious in the Congolese institutions (and has historical roots, part 2 above): just as the transitional government, the institutions of the Third Republic are huge in size, and thus prone to conflicts of competence and overlapping jurisdictions (Willame 2007, de Villiers 2009a), the lack of communication and collaboration are widespread, and organisational charts seldom reflect the real functioning of Ministries (reports quoted above on the MPA, interviews, Kinshasa, April-May 2011). In the MPA, these issues are amplified by the degradation of its capacity and its inability to manage personnel issues, which are left unattended, and are dealt with in each Ministry. For instance, with only one third of the files of state personnel in its possession, the MPA has long stopped controlling personnel issues, aside ex post regularisations (Möbius 2008: 21). In the reform itself, frictions (and this is a euphemism) arose between the technical structure (CTRAP) and the operational structure (GPFP), around attributions where complementarity was envisaged (the funding by the BTC of the latter structure probably contributed too, a recurrent issue reported by van de Walle 2003b: 21-22). Finally, the question of remuneration is another case in point, managed by the Budget Ministry in principle upon presentation of personnel lists by the MPA, but relations between the two are quite tense²⁷.

This situation, in turn, reverberates and amplifies such issues in the coordination of donors participating in the reform: aside the aforementioned episode of the conception phase, a good example is provided by that of the census, whose inconclusive results had at least in part to do with the participation of multiple donors and frictions it gave way to²⁸. It is worth noting that this also has to do with the relatively small size of the MPA sector, which has trouble accommodating large numbers of donors, especially given it is not inclined to engagement by those in service and product delivery (a very sovereign task pertaining to personnel management).

Remuneration issues are managed by the *Direction de la Paye*, whose locale is found within the space of the MPA; it is a very 'strategic' Direction, which civil servants of the MPA qualify as 'tight as a fortress' (interviews, Kinshasa, May-June 2011).

There is no space to go into great detail, but suffice it to say that initially the BTC was supposed to lead it, then it was allocated to the South African Department for Public Service and Administration; issues concerning running out of funding, procedures employed, and the like, gave way to a heated exchanges, criticisms and stalling (interviews, June-July 2010).

Finally, the wider context should also be kept in mind: aside the setting of aid relations (the requirements of a PRSP, debt alleviation via the HIPC initiative, etc), the conduct of the reform is affected by political, regulatory and economic factors, which largely escaping its remit. The political evolution, from the transition to the 2007 institutions, is of paramount importance. Since 2007, for instance, there have been 4 successive Ministers of Public Administration (with all the delays this occasions), while the new Statute of the civil service drafted are still awaiting approval by the National Assembly since 2010 (given the upcoming elections, it will not come into effect before well into 2012). The reform of public administration presents obvious political risks, given the *modus vivendi* it operates under: recruitment is political strategy, potent entrenched interests exist, especially on remuneration issues, and at a simpler level, there is a form of arbitrage between the administration and service users, on which in many cases survival depends (Trefon 2007, Trefon 2009b). Unflattering qualifications of the ruling coalition in power by Gérard Prunier and the prediction by the ICG of government paralysis (not devoid of functionality for a presidency ruling behind the scenes and preparing re-election) help understand the lack of initiative (Prunier 2009: 315 and ICG 2007, quoted in Trefon 2010: 708, also ICG 2010).

The introduction of the new Constitution and the law on decentralisation, today shrouded in uncertainty, renders donors reticent or unwilling to engage in reforms. Finally, the rhetoric on 'aid efficiency'²⁹ in a context of economic crisis, favouring 'success stories' (part 1 above), although proving inimical to reforms requiring engagement on longer time frames, seems entirely aligned to the reality of an absent government, and quite accommodating towards the priorities of ruling circles around the presidency.

Concluding Remarks

The latest evolutions in the process of central administrative reform call for a slight nuancing of the initial qualifications addressed to the reform process, such as abandonment. Since January 2011, sectoral reforms have proceeded apace, French cooperation began getting involved by placing a councillor in the MPA, while a new Inter-donor group³⁰ for administrative reform has started holding meetings. This does by no means invalidate the

For an investigation of aid practices in the Great Lakes, and their incoherences, see Marysse, Ansoms & Cassimon 2007.

Distinct from the Thematic Groups established in 2008, and undergoing restructuring.

nature of the analysis. Up to now, the reform has appeared more akin to a misconceived and dispersed assemblage of actions, inoperative structures, impotent in the face of entrenched resistances and political immobilism. Moreover, several of the points retarding progress in the reform studied here can be found in other sectors, and thus hold wider currency given the context of present-day DRC (on justice-sector reform, Vircoulon 2009, on military reform, Melmot 2009, on police reform Justaert 2010).

The argument deployed emphasised on one hand the logic, environment, and constraints of aid allocation, and on the other hand, the particular setting in which it operates in Congo, while noting that each of those has a particular history behind it, enmeshed in close interconnection. It attempted to read one reform process, that of central administrative reform, through the prism of mutual formation or co-production. This mutual formation in recent years encompasses the outcome of the whole process of transition followed by elections, and the recent years with Joseph Kabila as president. The importance of aid in this process was and remains considerable; the relations it entertains, the political evolutions it contributes to, and its intended aims – usually at odds with outcomes in practice – are complex. In the present case, although appearing as a failure, the poor record of the MPA's reform seems to fit nicely with both the fragmented nature of the state, equally fragmented aid relations, and the neglect of state towards issues dealing with the administration of personnel. The concept of mutual accommodation (albeit probably not a concerted one) seems a justified choice to qualify recent evolutions, allowing the authorities to avoid addressing issues too sensitive and potentially dangerous, and donors to reorient interventions along sectoral or vertical directions, that seem more promising. Whether sectoral reforms can yield better results, however, remains an open question.

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