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The Governance of Police Reform in the DR Congo:
Reform Without Alignment?

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(Draft paper, please don't quote without the author's permission)

Abbreviations

CSRP	Comité de Suivi de la Réforme de la Police – Police Reform Follow-up Committee
EUPOL DRC	EU Police Mission in the DR Congo
GMRRR	Groupe Mixte de Réflexion sur la Réforme et la Réorganisation de la Police nationale congolaise – Mixed Reflection Group on the Reform and the Reorganisation of the Congolese National Police
IG-PNC	Inspector-General of the Congolese National Police
PNC	Police nationale congolaise – Congolese National Police
RRSSJ	Réseau de la Société civile pour la Réforme du Secteur de Sécurté et de Justice – Civil Society Network on Security Sector and Judicial Reform

Introduction

A governance perspective on the police system and the police reform in the Democratic Republic of the Congo reflects upon the contemporary organisation and functioning, the *modus of operandi* or in general the governance of the *Police nationale Congolaise* (PNC) and on the stakes and challenges in the reform process. But can we understand the governance of the Congolese security, the police system and its reform from a dominant 'Western' perspective and understanding on 'governance of policing and security' (see Hoogenboom, 2010)? The governance of the Congolese policy system is characterised by 'everyday corruption' and other informal economic activities as the main source for guaranteed revenues for police officers, by equipment and infrastructure being so disastrous that it takes the incentive for the police to intervene in insecurity situations away, and by former combatants or rebels and members of the former dictatorial guard as current police officers who are rather a source of insecurity than a provider of security for the Congolese population.

The multiple challenges that form the governance of the contemporary Congolese police require a multi-dimensional answer and reform process that simultaneously tackles various problems, such as equipment, mentality, budget, etc. at all levels, individual, societal and state, at the same time. Security sector reform, and more in particular police reform thus not only includes the reform of the police, defence structures, the rule of law and the judicial system, but also the promotion of good governance within these sectors, the reform and the capacity-building in their internal and external control and oversight institutions, accompanied by the provision of the necessary financial resources to support security activities and transparency in their use.

The main argument of this paper is that the achievement of police reform policies succeeds or falls with the degree to which reform policies (1) incorporate the multiple dimensions that have an effect on the governance of the police system and (2) are aligned to local actors,

systems, strategies, procedures, etc. In short, when reform policies take local governance systems into consideration. Alignment, as it is called, refers to the adaptation of actors' (foreign and development) policies to the institutions, procedures and strategies of the target country or the stakeholders in the reform process(es). The purpose of the paper is first to understand the stakeholders' governance (actors, relations, patterns, etc. in the contemporary Congolese police system) and second to analyse the extent to which the police reform policies in the DR Congo, as initiated by the Congolese authorities and the international community, are aligned to the Congolese governance and thus answer to the challenges that this reform faces.

The Congolese police reform is a remarkably suitable case, since on the ground these reforms know multiple challenges linked to the specific socio-economic and cultural Congolese context. In the first section we briefly introduce and frame the concepts of governance and alignment in order to allow their application to the case of the Congolese police reform in the following sections. The second section is dedicated to an overview of the challenges, actors and processes in the Congolese police reform, in brief the governance of the contemporary Congolese police system. In the third section we concentrate on the reform of the Congolese police by the Congolese authorities and the most important external actors involved and the degree and way in which policies align to the governance of the Congolese society and its police system.

The empirical data for the paper are gathered through more than 80 in-depth interviews in Brussels and Kinshasa and during participatory observation at the international level and at the Congolese police reform bodies in Kinshasa[1].

1. Governance and Alignment

1.1. Governance

Governance has various definitions, interpretations and applications. As an analytical tool, the governance approach stresses the multitude of actors involved, the relations and patterns of interaction among them and in general the way in which this steers or organises society. It can be defined as "an extremely complex process involving multiple actors pursuing a wide range of individual and organizational goals, as well as pursuing the collective goals of the society" (Peters and Pierre 2009, 92). The value of this definition is that is captures the core features of the governance approach and the challenges of coordination that are enshrined in it by

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[1] For the actors involved, the Congolese SSR process in the field is a small world, characterized by its particular interdependencies, sensitivities and personal relationships. I was granted the opportunity of being part of this small world for several months. For reasons of confidentiality only place and date will be used to refer to the interviews or meetings. A complete list of interviews conducted and meetings attended is available with the author.

stressing the complexity of the policy processes in which authority is dispersed, the multitude of actors involved in it and the individual and / or organizational goals they are pursuing inspired by or based upon their own mindsets and perceptions.

Moreover, what makes governance especially salient is its accentuation of other than state or governmental actors present in the steering and organization of the society. State actors obviously remain key in the development of policies, however non-state actors such as civil society, private corporations or consultancies, as well as governmental and non-governmental international actors are increasingly important. In other words, governance is about the involvement of stakeholders in the development, formulation and implementation of 'policies' or 'structures' that organise societies. Second, following the governance approach, relations among the actors are extremely complex, often presented as a web of interwoven or interconnected actors that are related to each other through interdependencies, interests, approaches etc. (Justaert and Keukeleire, 2010) Interactions among the actors follow institutional and political processes, as well as cultural and societal patterns. They are both formal and informal, and have various objectives (such as exercising informal influence through informal network relations, formal policy-making following institutional procedures, formal positions or functions that are interwoven with informal practices and structures). Especially the interaction between formal procedures (i.e. rule-based) and informal practices (not-codified nor formally punishable) is a core element of governance. At multiple levels, national and societal, formality and informality are interwoven in all dimensions of daily life (when it comes to the financial aspects or to security aspects) (Justaert and Keukeleire, 2010).

Governance has predominantly been developed in the research and literature that concentrates on 'Western' political or organizational structures, such as the European governance literature, the studies on global governance and good governance in international relations and development studies, etc. Its applications are based upon a 'Western' interpretation and analysis of actors involved, the relations among them and the patterns of interaction.

However, we argue that the approach is also useful in the understanding of societal organisation and structuring or 'steering' in other than 'Western' societies or political structures. In order to provide an understanding of governance in so-called 'non-Western' societies, we need to broaden our perspective on actors to include 'traditional' or 'informal' actors as well as to other kinds of relations among them. A good example at the local level of governance are tribal and kinship relations that are still important in many African societies, or the role that 'traditional chiefs' play in African villages in all aspects of daily life. However, also at the state level and in the state-society relations and the interactions between the state and the population, governance should be understood in a different way. The organisation and functioning of civil society as well as its role in the policy process, a core element within the governance approach, has to be understood within a different than the Western context. On the contrary, in most African countries, civil society has no tradition of

policy-involvement, is weakly organised and can not count on great public support if that public does not see immediate gains from it. Other forms and forces of societal organisation, such as churches, kinship, etc. should be taken into account.

Personal rule and neopatrimonialism, referring to "hybrid political regime in which informal patron-client relationships both underlie and overshadow legal-rational norms" (Akech, 2011: 96), are at the core of many studies of power and/or governance in Africa. However, as Akech also notices we should also look further than purely informal systems and analyse the interplay between these informal practices and the formal institutions and procedures. The latter is a crucial element in the governance approach. Informal practices do not seem to clash with formal procedures and institutions, but are rather facilitated by formal law (Akech, 2011: 96-97). That many African leaders continue to remain in power has not univocally to do with informalism but rather through the manipulation of formal systems, such as elections. The incumbent Congolese president, for instance, occupies his post for already ten years and will certainly be re-elected for another five years at the occasion of the presidential elections to be held in November 2011. He guaranteed his re-election by abolishing a second round and thus by avoiding a divided opposition to unite in a second round.

1.2. Alignment

The involvement of stakeholders in the entire policy process is a key element in the governance approach (see also Grin and van de Graaf, 1996). However, when looking at foreign and development policies aimed at the reform of external structures, such as the Congolese police, the involvement of stakeholders is not self-evident. Neither is the consideration of other governance dynamics than the predominantly 'Western' ones. Going a step further in the governance framework, the analysis can lead us to the involvement of (local) stakeholders in reform policies and to the alignment with existing national or local institutions, strategies and procedures in the country, in sum the governance of the country's society. Unfortunately, alignment and the involvement of (local) stakeholders has not systematically been analysed in the foreign and development policy literature. The latter predominantly concentrates on internal formal (or institutionalised) processes of coordination in which foreign reform policies are merely developed in one-way. Also in the scarce literature that combines foreign and development policy with governance, and governance with foreign and development policy in which at least theoretically, the involvement of stakeholders or target actors is key, the concept of alignment has not find its way (see for instance Söderbaum and Stalgren, 2010; Holland, 2002). In this set of literature, the major point of reference for the international (donor) community to align with is the concept of 'good governance', that concentrates on respect for fundamental freedoms and human rights

(political, economic, societal, etc), on effectiveness, and on accountability and transparency in the management of society, that is based upon their own 'Western' democratic models and paradigms. This however, we can not refer to as alignment in which reform policies and foreign interventions are based upon the target countries' governance systems.

Most elaborations and applications on alignment can be found in development studies. The latter "appear to be committed at the same time to the principle of 'difference', in treating the 'Third World' as different from the West, and that of 'similarity', in development's mission to make the peoples and processes of the developing world more like that of the developed world" (Chhotray and Stoker, 2009: 97). With respect to governance in the development studies and practice, Chhotray and Stoker continue: "While on the one hand it has accompanied the growing realisation that universalistic free-market policies cannot succeed in the countries of Asia, Africa and South America unless due consideration is given to their particular governance structures and processes (principle of difference), on the other hand, western governments and aid agencies have formulated a very clear articulation of what they regard as 'good governance' on the basis of western experiences and contexts (principle of similarity)." The existence of contextual and conceptual differences between countries also implies that the application of general blueprints or approaches in the elaboration of reform or development policies is not that evident. The degree to which local governance structures and processes (actors, their relations and interaction patterns based on specific mindsets) are taken into account and incorporated in the development of reform policies is therefore a crucial variable in the governance framework (Justaert and Keukeleire, 2010b).

However, given the scarce systematic analyses of the alignment concept in the literature on foreign policy and development, the most adequate operationalisation can be found in official documents, and more in particular in the 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action (OECD/DAC, 2005; Ellerman, 2006; Rogerson, 2005). Within the Paris Declaration, signed in 2005 between developed and developing countries, eight indicators for alignment are incorporated: the use of reliable country systems, the alignment of aid flows on local priorities and the provision of more predictable and untied aid, strengthening institutional capacities by coordinated support and by avoiding parallel implementation structures, the use of public financial management systems and of the country's procurement systems.

First, alignment to national country systems, institutions and their procedures refers to the reliance of external actors on existing or mutually agreed frameworks or institutions to implement their activities. This not only consolidates appropriately functioning institutions but also strengthens the country's institutional capacities to develop and implement policies. Moreover it increases the likelihood of sustainability since activities are not deployed through external actor's separate frameworks but through local, in which local procedures and practices are embedded. The second core element of alignment are the national strategies upon which the donor community bases its initiatives and projects. In order to avoid blueprint

projects that do not fulfil local needs and challenges (but only internal interests of the foreign actors), country strategies, policy dialogues and cooperation programmes (memoranda of understanding) provide the basis for international intervention.

In this analysis of alignment we add a third aspect, i.e. the alignment of – in the best case mutually agreed upon – reform policies to the governance dynamics present in the society or structure within which the stakeholders operate. It starts from the assumption that policies and reform strategies developed at the national level reflect the local governance systems and answer to the challenges at the individual and the societal level. This is especially the case when these strategies are in the first place developed in favour of the international donor community, or to put it differently, that national reform strategies rather reflect what donors want to hear than what is actually at stake.

1.3. Methodological Challenges and Implications for Data Collection

This study of governance dynamics in non-Western societies also entails a challenge for scholars in the processes of conceptualisation, operationalisation, data collection and data analysis. It is important to overcome a "methodological nationalism" (Grin and Loeber, 2006: 205) and to move beyond 'Western' approaches and research techniques (based upon Justaert and Keukeleire, 2010b: 16-19). Several methodological adjustments – although often criticized – can be made to the traditional political science studies and research techniques. It starts with the researcher's academic background and luggage dominated by a 'Western ethnocentrism'. It is based upon 'Western'-inspired literature, concepts, and thus a 'Western' and 'Westphalian' or states-based perception on the organisation of societies and normative paradigms. Mirroring the importance given to alignment, also the scholar has to gain an in-depth understanding of 'the other'. Or following Inayatullah and Blaney (2004: 124) in their interpretation of Todorov's 'Knowledge of Others' (1995: 15), "this requires a heightened consciousness of the dependence of our knowledge on prior judgements (that is, 'prejudice'), the relativity of our own categories, and the historical and cultural (perhaps 'ethnic') specificity of our understanding". The scholar thus has to be willing to learn and to go beyond the limitations and constraints of 'Western ethnocentrism' which characterises the study of foreign and development policy and of international relations in general (Inayatullah and Blaney 2004: 96). Because, as Tickner and Waever emphasise, "the discipline of International Relations (IR) is ironically not 'international' at all" (2009: i). In order to broaden this perspective, also input from non-western scholars should more seriously taken into account. The limited input of African academics is problematic considering that European development or external reform policies are too a large extent directed towards this continent and that insights and interpretations of phenomena might be indispensable for the development of reform programmes.

Secondly, to fully grasp the context, structures and dynamics of 'non-western' societies, long-term and in-depth field studies are required. Important in this fieldwork are interviews and – even more essential – informal contacts with the various relevant participants based upon mutual relations of trust. Especially with regard to issues of security and insecurity, informal contacts and mutual trust are crucial to obtain the necessary information. However, also in interviews, informal contacts and participatory observation methodological problems arise, for instance in the sometimes special or privileged position the researcher occupies mostly unconsciously. By means of illustration, a white researcher in the DR Congo will often generate 'most-desired' answers when interviewing local actors who see in the interviewer rather a problem-solver than a neutral researcher. Involving local researchers can be part of the solution although this approach has its own problems and limitations (Justaert and Keukeleire, 2010b: 18).

Thirdly, this area expertise is based upon interdisciplinary research. A purely political study would focus on the functioning of formal institutions, the behaviour of actors engaged in politics and the relations among them. In interdisciplinary research in that combines political with anthropological, historical, sociological, economic, etymological and other perspectives (cf. Tilley and Goodin 2006), also informal structures of societies, the underlying dynamics of individual and group behaviour and relations are grasped. In this way the researcher goes beyond the investigation of political dynamics at the formal – and visible – institutional level to the informal 'institutions' and patters.

Yet, this also indicates that the knowledge of local languages is crucial in this kind of research. Although official languages in African countries are French, English or Portuguese, real dynamics of the societies are most commonly expressed – and better grasped – in local languages. Crucial in area studies, for instance in the DR Congo is therefore the knowledge of Lingala, Swahili, Kikongo or other local languages depending on the area.

2. The Governance Dynamics of the Congolese Police and its Reform

2.1. The Challenges of the Contemporary Congolese Police

The organisation of police security services in a post-dictatorial and post-conflict society is a major problematic concern. Security provision in the DR Congo is not only marked by a former but long-standing dictatorial rule in which security provision was exclusively controlled by the highest political authorities and was in the first place meant to protect particular dignitaries (political, economic, religious, etc). The country has also known a long period of regional and civil war in which the boundaries between sources of insecurity (warlords) and security providers were significantly fluid. The contemporary Congolese National Police (*Police nationale Congolaise*, PNC) is thus subject to multiple challenges and

difficulties and does not manage to take up its role as a public service responsible for the daily security of the Congolese people. The multiple deficiencies and challenges can briefly be classified in the following categories: structure, management, mentality and formation, and equipment and responsibilities.

First, the existing structures of the PNC are extremely complex and rigid, and, for an immense country like the DRC, too centralised. Like many African countries, the DR Congo has a tradition of centralisation of power since the era of colonisation. Under their colonial reign, the Belgians applied a system of direct rule, i.e. a system in which the administrations were centralised in urban centres and composed of a "thin white line" (Thomson, 2004: 15) without making use of the indigenous Congolese structures and traditional leaders.[2] Also between different security structures, such as between the PNC and the judicial sector, and between the PNC and the national Congolese army (*Les Forces armées de la RDC*, FARDC) are at all levels of governance not formally settled. This is especially visible when it comes to the division of labour between the PNC and the FARDC, for instance in the case of crowd management and the securitisation of mass events, like the elections. The risk is that given the lack of capable police forces, the army takes over its duties in a much repressive and aggressive way than the police. Especially since the police is under the direct control of the presidency and does not know much external involvement in its reform – unlike the police system.

Second, the management of the PNC is undermined by a high degree of corruption, that trickles down to the police officers at all hierarchical levels. Salaries for instance, do not always reach the police officers at the lowest levels, which keeps the system of corruption of police officers in the streets alive. Corruption by police officers is in many cases the only guaranteed source of revenues. Also the recruitment and the promotion of police officers as well as the selection processes of police officers to follow trainings organised by national and international actors, are often dominated by corruption, or personal (kinship) relations.

Third, police officers have a variable level of training, or even no training at all. This creates important differences between police officers in terms of level of engagement and perceptions on their role. Knowing that the PNC is not only compiled of new recruited police officers, but also of former combatants from rebel groups and officers that served under former (also dictatorial) police structures, training and a fundamental change of mentality are

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[2] Not only Belgium applied a direct rule as colonial model, also France and Portugal did. The British on the other hand predominantly followed the model of indirect rule in their colonies. This system of governance is based on cooperation with and involvement of the indigenous population, although the latter remained to have an inferior role.

crucial elements for reform. Moreover, a lack of change in mentality from these former combatants and officers of previous dictatorial security forces often leads to the situation in which security providers are at the same time sources of insecurity. As a result of the multiple peace agreements, rebels and combatants were integrated in the security sectors, such as in the PNC. Without any specific police training and the necessary change of mentality, these new police officers were given a uniform and equipment, and thus an absolute power to continue the violence, such as against women and children, yet in a legitimate function. Under the colonial rule as well as during the Mobutu regime (see also Hills, 2000: 153-155) and the short presidency of Laurent Kabila, regime maintenance dominated the organisation and functioning of security enforcement. Security was in the first plays a matter of political stability and public order directed towards the opposition to the regime and critical voices. To a certain extent this is still the case, witnessed for instance the murder of human rights activist Floribert Chebeya by official police agents instructed by the then IG-PNC John Numbi in 2010. This is also the case at lower – even the individual – levels within the police system. Instead of fighting insecurity situations caused by phenomena such as the *Kuluna* (popular Lingala referring to armed gangs in Kinshasa) and *Chegués* (popular Lingala referring to the children living on the street), police officers close deals with these groups, that it can not master, to divide control over parts of the territory, which is visibly the case in the metropolis Kinshasa.

Fourth, the PNC lacks the necessary staff, budget and equipment to execute its responsibilities in "ensuring the safety of the government and the population" (cf. Inter-Congolese Dialogue, 2002). The latter challenge deals with concrete deficiencies such as the lack of police personnel, infrastructures (buildings), transport, material, communication media, etc. Although no real figures exist in this respect, for the entire country, the PNC would be composed of approximately 130.000 police officers, among which circa 36.000 are located in Kinshasa, the capital with at least 12 million inhabitants. A severe consequence of the lack of staff, equipment and resources, is the unwillingness of the police to intervene in particular situations and the focus on other not-provided missions, such as well-paid private security provision. The lack of financial resources obviously covers a more general problematic of weak and non-transparent financial management systems and bad management of the state's natural resources. Fifth, linked to the previous problem of resources, the state is not omnipresent in all corners of the vast country[3] and is therefore – also in terms of capabilities – not always able to provide traditional state services such as security. This can be illustrated by the various expressions existing for popular self-regulation, such as "*Article 15*"

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[3] The Democratic Republic of Congo has a surface of 2 345 000 km², which is ca. 80 times larger than Belgium (30 528 km²). In comparison, the EU has a surface of 4 376 780 km².

and the declaration by former President Mzee Laurent Desiré Kabila "*Peuple congolais, prenez-vous en charge; assumez-vous où que vous soyez. Votre sécurité, c'est d'abord vous-même*". The former is popular language used to express "*débrouillez-vous*" referring to the resignation of the state from its classical responsibilities (Shomba Kinyamba, 2010: 93). The latter illustrates that even the President recognises the incapacity of the state to be omnipresent and calls upon the Congolese citizens to take their responsibility for the organisation of daily individual and collective security, the so-called *auto-défense populaire*. As a result, the Congolese, like in multiple other African societies, organise their own security provision, for instance in the framework of the so-called "*nyumba-kumi*", Swahili for "10 households" referring to the lowest local structures (IRIN, 1998).

An additional element are the differing sources of insecurity for the Congolese population. Certainly one of the most difficult challenges in the Congolese police reform, are the psychological sources of insecurity. Perhaps even more threatening for the Congolese population than physical insecurity are the multiple forms of psychological insecurity, such as sorcery, diabolism etc. that drives people into unnatural behaviour, often encouraged by the so-called awakening churches (*églises de réveil*) that start every cult with exorcism. In this sense, rather than official police services, the churches play a crucial role in the provision of both insecurity and security (Longondjo Djela, 2010: 125-134).

Facing these multiple challenges that form the governance of the contemporary Congolese police, the Congolese authorities together with members of the international community engaged in the reform of the Congolese police mainly since 2004 with the convocation of several seminars and reflection groups.

The questions for the following sections are then twofold: (1) whether the initiatives of the international donor community in the Congolese police reform are based upon and follow national strategies; and (2) whether the national policies and strategies answer to the challenges of the actual police governance as analysed above.

2.2. Actors and Processes in the Police Reform

Initiated by the 2002 Inter-Congolese Dialogue, annex V, point 2.a.: "An *integrated* [own emphasis] police force shall be responsible for ensuring the safety of the government *and the population* [own emphasis]" (Inter-Congolese Dialogue, 2002), the Congolese authorities together with the support of the international community started the path of police reform. In 2005 the then Minister for Home Affairs and Security initiated the Mixed Reflection Group on the Reform and the Reorganisation of the Congolese National Police (GMRRR or GMR³) composed of both Congolese actors and members / experts of the international community and was created to reflect upon and formulate proposals on the future of the Congolese police.

The GMR³ presented its conclusions and recommendations, including a draft proposal for organic law on the functioning and organisation of the Congolese National Police in 2006-2007. It hereby also increased the progressive dynamic and the international support for and engagement in the Congolese police reform. The reflections and visions on the PNC were further developed and refined in several national seminars. The most important results were made during the Mbudi seminars in 2008 where also the Congolese civil society was represented and were the concept of a 'proximity police' was chosen as the principle working philosophy for the PNC. Proximity policing is based on the French / Belgian concept of '*police de proximité*', in which a rapprochement between the police and the population is the central idea. Recalling the challenges and difficulties the contemporary Congolese police faces, the creation of a proximity police would require a fundamental mentality change of the police officers.

Based on the recommendations of the GMR³, a Police Reform Follow-up Committee (*Comité de Suivi de la Réforme de la Police*, CSRP) was created in 2007 by the Minister for Interior and Security. From the Congolese side, the CSRP is composed by all relevant ministries (Interior and Security, Justice, Defence, Finance, Plan, Public Administration, Budget and the Minister for Human Rights) as well as various police authorities and some representatives of the Congolese civil society. At the side of the international community, those states and international organisations that are engaged in the Congolese police reform participate in the Follow-up Committee. The CSRP consist of a political coordination forum at the ministerial / ambassadorial level and of an Executive Secretariat with nine technical working parties focussing on thematic issues of the police reform (such as budget, legislation, equipment, etc.). The main objective of the CSRP / Executive Secretariat is to ensure intra-Congolese (inter-ministerial) and international coordination (at the political level) and cooperation at the technical level. Its functioning was between 2008-2010 paid by the European Commission and since 2011 by the EUPOL DRC CSDP mission.

With the support of the international community, and especially the European actors involved, the Committee managed to produce significant conceptual work on the Congolese police reform. Most importantly, it elaborated a long term (15 years) strategic framework and a short term (triennial) action plan for the police reform[4]. The latter includes six priority objectives, being (1) the start of the implementation process, (2) the human resources of the PNC are known, (3) the directions and services of the PNC are restructured and reorganised, (4) the pilot project on the functioning of the new police units is implemented, (5) the police is responsible for internal and external management, and (6) internal and external communication on the actors of the reform is in place. Furthermore, the CSRP / Executive Secretariat prepared through documents, legal texts, the development of common concepts and sensitization campaigns the implementation of the reform.

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[4] The CSRP validated both the long-term strategic framework and the triennial action plan in the working year 2008-09. However, both documents have only recently been adopted by the Congolese government.

The CSRP validated proximity police as the ground philosophy for the functioning of the Congolese National Police based upon the work conducted and recommendations formulated by the GMR³ and at the Mbudi Seminar. At the heart of the Congolese proximity policing is the restoration of a confident relationship between the police and the population based on a personalised and a-political police presence in the quarters. A proximity police is considered to be accessible to all and free of charge, as opposite to the current corrupt functioning of many police officers. Moreover, enshrined in the concept of proximity policing is the participative role of the population, through its civil society networks. Its implementation clearly requires a multidimensional policy approach. It does not solely focus on police structures, equipment and capacities. Perhaps even more important is the development of a chain of payment system in order to guarantee free access to the police and reduce corruption, as well as the process of confidence-building between the police officers and the Congolese population.

3. Alignment in the Congolese Police Reform

As principal body for the conceptualisation of the police reform under the direction of the Congolese authorities, the CSRP and its work can indeed be considered as major point of reference Congolese-international coordination and for the international community to work and to align with. The case of proximity policing provides a remarkably suitable example since it reveals a double bottom of alignment. First the analysis deals with the alignment to the Congolese institutions, strategies and procedures in the country's police reform, mainly through the Police Reform Follow-up Committee. Second, it provides an interesting illustration since the development of proximity policing in the DR Congo is also an exercise in aligning *national* police reform strategies to local and context-related needs, expectations, challenges and deficiencies of the Congolese police, of the Congolese population, and of the relations (and daily interactions) between the police and the population.

3.1. Alignment to Congolese Institutions and Procedures

Starting with the first level, the alignment of foreign reform policies and activities to Congolese institutions, strategies and procedures, we see that although the CSRP provides the ideal setting for alignment, it does not fully manage to procure this. Notwithstanding its ambitious purpose and objectives, the CSRP and its Executive Secretariat suffer from numerous organisational, cultural and financial / economic challenges and difficulties that hamper or make alignment even an empty concept.

First, personal relations between the key personalities play a crucial role, within the CSRP and beyond it. Personal relationships and interactions matter in a particular way in non-Western, post-war societies characterized by personal rule and neopatrimonialism (Akech, 2011: 96; see also Thomson, 2004). This has multiple implications, also when we look at the personalities involved in the Congolese police reform. Not only is real decision-making power extremely centralised in a small group of people surrounding president Kabila (*La Présidence*) but also relations and positions are extremely volatile depending on loyalties towards the regime or, in the other direction, opposite personal political aspirations. Concretely in the Congolese police reform, this manifests itself for instance in the fragile personal relations between the keynote players, the Minister for Interior and Security (MIS), the Inspector-General (IG) of the PNC and the Executive Secretary of the CSRP. Formally, the MIS occupies the most important political position of this trio. In reality however, this is not always the case. The previous IG of the PNC, John Numbi was part of *La Présidence* and had much more influence than the Minister and than the current IG. With the replacement of both personalities this relationship turned in favour of the current MIS, former director of President Kabila's cabinet. A similar volatile relationship can be observed with the Executive Secretary of the CSRP, that lacks efficiency and credibility when it is not supported by the Minister and the IG, which was for instance the case with Numbi.

This obviously has important repercussions for the work and the functioning of the CSRP, that has no formal decision-making competences. Wile the body *validated* already in 2008-09 the triennial action plan and the idea proximity policing, these documents have only recently (late 2010) been *adopted* by the Congolese government. The reason for these (and other) delays should be found in the volatile positions and fragile relationships between the key Congolese actors involved. This process obviously slowed a smooth implementation of the action plan and the enshrined idea of proximity policing. Moreover, when new political personalities will gain power, these documents' validity risks to be questioned again, undermining not only the sustainability of the efforts but also frightening European partners to engage in the long run.

Also with respect to the involvement of the civil society in this process, important questions can be raised. Politically, civil society is not that organized and that strong as we assume. The civil society organisations that exist, experience huge difficulties to interact with political levels, to reach the Congolese people, and to organise their activities (or even survive) with the very limited means at their disposal. In addition, the DRC is a country with a vast surface. This means that significant differences exist between multiple parts in the country, linguistically, politically and in terms of traditions and customs for people in organising themselves. It also means that civil society in Kinshasa is not the same as civil society in Kisangani, Lubumbashi or elsewhere in the country and that stakes of the civil society vary across provinces or regions. Moreover, as is the case in several developing countries, civil society in the DR Congo is relatively young actor, since it has been oppressed

by dictatorial rule for decades. Obviously this has important repercussions for its relations with and impact on the Congolese population, its organisation, functioning and role in the Congolese development.

Financed by the UK's Department for International Development (DfID), DAI (Development Assistance Inc.) together with the African Security Sector Network (ASSN) develop in the DRC a civil society network on SSR and justice reform (*Réseau de la Société civile pour la Réforme du Secteur de Sécurité et de Justice*, RRSSJ). Intensive efforts and resources are deployed to develop the RRSSJ as a nation-wide civil society network. Yet, it remains a very young actor that still has to search its place into the Congolese political circles and is based upon Western models of civil society organisation, that do not always align with local forms of group organisation. An important form of group organisation in the DR Congo remains religion-based. The weakness of the young RRSSJ contrasts sharply with the role and impact of − mostly protestant − awakening churches (*églises de réveil*) that have a long-standing present in all parts of the country and a close connection to the Congolese population. In this way, they have an important, yet not always favourable impact on the Congolese population, their security, their development and its support for newly created or reorganised structures.

3.2. Alignment to Congolese Strategies: But Are they Truly Congolese?

Also when it comes to the police reform strategies, organisational, cultural and financial / economic problems and deficiencies challenge the implementation of the alignment principle (see also Hendrickson and Kasongo, 2009). The development and elaboration of proximity policing in the thematic working groups of the CSRP remains the example. While the idea has been incorporated earlier in the Mbudi seminar as the new working philosophy for the National Congolese Police, its concrete and legal translation within the Executive Secretariat of the CSRP has mainly been driven by the external actors represented, and more in particular by the Belgian deputy Head of Mission (the current Head of Mission) EUPOL (the civilian police mission of the European Union) who also served as the deputy Executive Secretary of the CSRP, together with the South African representative to the CSRP[5].

However, the CSRP stands rather alone in its work on the proximity police. Although other relevant ministries participate in this coordination body, the idea of proximity policing is no part of a larger strategy in which for instance also the budget for the salaries of these police officers has been dealt with. This of course decreases the likelihood of a truly accessible and free proximity police. Neither does the Congolese adaptation of the philosophy take the specific background of police officers into account. The contemporary corps of the PNC does

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[5] Important in this respect is that the Belgians also introduced and operationalised the concept of proximity police in the Republic of South Africa in the mid-nineties.

not solely consists of newly recruited officers. Also former combatants, militia members, security officers of the former repressive dictatorial or presidential guard are part of the PNC corps. The latter of course have a tremendous relationship with the same population that is now supposed to consider these police officers as credible, civilian and trustworthy.

Also beyond the conceptualisation of the Congolese police reform in the CSRP, the implementation of the proximity police in the DR Congo runs not quite aligned. While the CSRP and its Executive Secretariat are responsible for the development and elaboration of the reform policies, the body is not responsible for their implementation. The latter occurs through newly created 'appropriation and implementation cells' led by the Inspectorate-General of the PNC. Yet, with respect to the proximity police, the CSRP did not yet finish its conceptualisation work, in the sense than no common implementation and training concept exist yet. However, at the same time, EUPOL DRC together with the Belgians, nor the UK (whose project is implemented by the international consultant PricewaterhouseCoopers) waited for a common implementation and training to implement the proximity police in the respective territories. However, the lack of a common implementation and training concept risk to procure a divergent implementation and functioning of a proximity police in separate regions.

The previous paragraphs clearly illustrate that not only the internal alignment process faces severe problems, but also the external alignment poses significant problems. This is the case for both when it comes to the use of national / local institutions and procedures and with respect to the alignment to national strategies. The former know too many difficulties to function appropriately, and the CSRP as a mutually agreed framework is clearly based on a Western model that does not suit within the Congolese context. Regards the national strategies, significant question marks can be raised concerning the Congolese ownership of these strategies and their real alignment to the socio-economic and cultural realities of the DR Congo.

Conclusion: Reform without Alignment?

Starting from governance and alignment as two core concepts, this paper analyses the way in which these concepts are applied to the reform of the Congolese National Police by the Congolese authorities and the international actors involved.

First, the CSRP is predominantly organised in a sectoral way, focusing on policing and not on other, yet related aspects or sectors such as general budget, relations with other security providers, etc. The latter are formally involved in the work of the CSRP as well as the civil society, represented by the RRSSJ. Yet, both when it comes to the horizontal relations, between the police and other security sectors, and to the relations with civil society,

significant historical and socio-cultural elements undermine the comprehensive goals of the CSRP.

Also when it comes to the alignment, efforts remain rather unsuccessful. Due to a lack of Congolese initiative and culture of security provision / proximity policing, national strategies can hardly be considered as effectively national. Even more, within the CSRP that is responsible for drafting these strategies and action plans discussions were dominated by external actors and more in particular by the Belgian-inspired proximity policing. Yet, the CSRP is also an intra-Congolese coordination body in which various ministries are involved. The CSRP however, does not effectively manage to integrate lower levels in the Congolese society in its work, hereby risking to create strategies that are only valid at the national level, but do not reflect local needs, expectations and differences.

References

Akech, M. (2011). Constraining Government Power in Africa. *Journal of Democracy, 22*(1), 96-106.

Chhotray, V., & Stoker, G. (2009). *Governance Theory and Practice. A Cross-Disciplinary Approach*. Basingstoke: Palgrave.

Ellerman, D. (2006). *Helping People Help Themselves. From the World Bank to an Alternative Phiplosophy of Development Assistance*. Michigan: University of Michigan Press.

Grin, J., & Loeber, A. (2006). Theories of Policy Learning: Agency, Structure, and Change. In F. Fischer & G. J. Miller (Eds.), *Handbook of Public Policy Analysis: Theory, Politics, and Methods* (pp. 201-219). London: Routledge.

Grin, J., & van de Graaf, H. (1996). Implementation as Communicative Action. An Interpretative Understanding of Interactions between Policy Actors and Target Groups. *Policy Sciences, 29*(4), 291-319.

Hendrickson, D., & Kasongo, M. (2009). Security Sector Reform in the Democratic Republic of the Congo: Strategic Issues. *African Security Sector Network (ASSN), Issue Paper No. 4: Security Sector Reform*, 10.

Hills, A. (2000). *Policing Africa: Internal Security and the Limits of Liberalisation*. London: Lynne Rienner.

Holland, M. (2002). *The European Union and the Third World*. Basingstoke: Palgrave Macmillan.

Hoogenboom, B. (2010). *The Governance of Policing and Security*. Basingstoke: Palgrave macmillan.

Inayatullah, N., & Blaney, D. L. (2004). *International Relations and the Problem of Difference*. London: Routledge.

Inter-Congolese Dialogue (2002). *Political Negotiations on the Peace Process and on Transition in the DRC: Global and Inclusive Agreement on Transition in the Democratic Republic of the Congo*. Pretoria.

IRIN – African Studies Center (1998). Update 455 for 9 July. University of Pennsylvania. [URL.: http://www.africa.upenn.edu/Hornet/irin455.html].

Justaert, A., & Keukeleire, S. (2010). The EU's Security Sector Reform Policies in the Democratic Republic of Congo. *European Integration online Papers, 14*(Special issue 1), 1-29.

Justaert, A., & Keukeleire, S. (2010b, 23-26 June). *Structural Diplomacy, Endogenous Realities and Contextual Difference. A Research Agenda for the EU's Structural Diplomacy towards the Balkans and the African Great Lakes Region.* Paper presented at the 5th Pan-European conference on the EU, Porto.

Longondjo Djela, R. (2010). Insécurité générée par la croyance en la sorcellerie et les moyens de s'en prémunir: cas des Tetela en R.D.Congo. *Mouvements et Enjeux Sociaux, Numéro Spécial*(Avril), 125-134.

OECD / DAC High Level Forum. (2005). *Paris Declaration on Aid Effectiveness: Ownership, Harmonisation, Alignment, Results and Mutual Accountability*. Paris.

Peters, G. B., & Pierre, J. (2009). Governance Approaches. In A. Wiener & T. Diez (Eds.), *European Integration Theory* (2 ed., pp. 91-104). Oxford: Oxford University Press.

Rogerson, A. (2005). Aid Harmonisation and Alignment: Bridging the Gaps between Reality and the Paris Reform Agenda. *Development Policy Review, 23*(5), 531-552.

Shomba Kinyamba, S. (2010). L'autodéfense populaire face à l'insécurité à Kinshasa: quelques préceptes tirés. *Mouvements et Enjeux Sociaux, Numéro Spécial*(Avril), 95-124.

Söderbaum, F., & Stalgren, P. (Eds.). (2010). *The European Union and the Global South*. Boulder: Lynne Rienner.

Thomson, A. (2010). *An Introduction to African Politics*. London: Routledge.

Tickner, A. B., & Waever, O. (2009). *International Relations Scholarships around the World*. London: Routledge.

Tilly, C., & Goodin, R. E. (2006). It Depends. In C. Tilly & R. E. Goodin (Eds.), *The Oxford Handbook of Contextual Political Analysis*. Oxford: Oxford University Press.

Todorov, T. (1995). *The Morals of History*. Minneapolis: University of Minnesota Press.