

# **Policies and practices of state reconstruction in the DRC: what can we learn from failure?**

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*The international donor community reconnected to the DRC in 2001, the killing of president Joseph-Désiré Kabila being perceived as a major threat to the stability of the Central African region as a whole. The agenda of post-conflict reconstruction combined institution-building, poverty reduction and pacification. From the point of view of the intended objectives the policy clearly failed. We trace this failure back to internal incoherence in the initial project of state-focused reconstruction, to the composition and articulation of the donors and to the non-state public actors in DRC that were excluded from this project.*

A shadow of doubt is cast over the second parliamentary and presidential elections, held in November 2011 in DRC, their democratic character being seriously questioned by key internal as external actors. We can safely conclude that this second round of elections did not (yet?) allow the DRC to demonstrate its capacity to regulate a peaceful regime change –the acid test to become an established democracy (Przeworski et al., 2000). Lurking behind this failure is the bigger question of the reconstruction efforts deployed by the international community in the DRC: Why did they fail?

The international donor community re-engaged with the DRC in 2001, the killing of president Joseph-Désiré Kabila being perceived as a major threat to the stability of the Central African region as a whole as well as a window of opportunity to re-ignite the peace negotiations (Reyntjens, 2009, 252-6). While being largely focused on a transfer of formal institutional processes like peace agreements and elections, the international community understood pacification, political accountability and poverty reduction as being connected to each other in a virtuous triangle: helping the state to *reduce poverty* would bring a peace dividend, stimulating people to *end the war* and engage with the state to *make it more accountable*.

We will consider this virtuous triangle of state reconstruction as a particular, state-focused policy model that was able to ally a particular set of international interests, systems and networks of actors (Mosse 2004, 2005). We will further argue that the very ability of this state-focused model of post-conflict reconstruction to mobilize a wide array of international actors also made for a *weak impact on practices* and, ultimately, development outcomes. Finally, we trace this result both to changes in the composition and articulation of the donor community itself and to the way in which international and national actors engaged with the process of state reconstruction.

### **1. Relating policy to practices**

True, even if the latest (and still unfinished) election process in DRC can be added as evidence of failure, it is perhaps too early to close the debate between the “optimists” and the “pessimists” of reconstruction in the DRC. We will take the opportunity to discuss some of the factual arguments they advance below, here we would just like to point out that, notwithstanding their opposed conclusions, both optimists and pessimists share the assumption of there being a direct relationship between policies and practices; for the optimists, policy directly *shapes* practices, for the pessimists, it has *legitimized* them.

The division between optimists and pessimists overlaps with David Mosse’s distinction between an *instrumental view* of policy directly shaping the way in which development is done and with a *critical view* which would rather reverse the cause-effect relationship. Mosse takes issue with *both* views. He allies with the instrumentalists and contrary to the critical view, in assigning a crucial role to policy ideas, “less for what they say than for who they bring together; what alliances, coalitions and consensuses they allow, both within and between organizations” (Mosse 2004, 14). He allies with the critical view and against the instrumentalists, however, in denying there to be a direct relationship between policy and practice: “despite a development project’s upwardly oriented obscuring policy vision, it may still have a positive socio-economic effect upon the lives of thousands of people. But the effects are often equivocal, unexpected, contradict legitimizing policy models (or are unnoticed by them), and have more to do with infusion into regional and historical processes

of change” (Mosse 2005, 19). Yet, these arguments cause one to wonder how precisely the “alliances, coalitions and consensuses” promoted by particular policies do eventually generate positive or negative socio-economic effects. This is perhaps even more the case if we move from the level of development projects -the empirical substance of Mosse’s analysis- to national-level institution-building.

Building on Mosse, we propose to conceive of two ways in which policy and practices may be connected. The “classical” path is the path where policy impacts on the “rules of game” broadly conceived: it alters these rules either directly or indirectly, e.g. by modifying the incentives connected to different options.

Every “game” carries with it *another* game, however, the game about the rules themselves. As argued e.g. by Garfinkel, and demonstrated by him in sometimes hilarious experiments (1963), all rules have and “et cetera” property, i.e. even the most specific rules in our society, like those for games or legal contracts, do not cover all the problematic possibilities that could conceivably arise. If this is already the case for the game of chess, it must be likewise for a policy of reconstruction. Thus, it is important to broaden analysis also to include the game *around* the rules of the game: who are the important players and how are the rules contested, circumvented and re-negotiated in a particular situation? Garfinkel’s experiments are part of a wider concern with the social validity of rules in social science that can be traced back at least to Max Weber, but which found its most recent expression in Olivier de Sardan’s proposal to analyse a particular mode of governance both in terms of the formal rules as well as in terms of its practical rules, i.e. the “practices of actors which deviate from official or formal norms and which explain... the relative convergence of these practices, and which allow to understand the gaps or the “game” with official or formal rules” (Olivier de Sardan 2011, p. 12, our translation). If Mosse’s “coalitions, alliances and consensuses” don’t make much sense within a “classical” approach that sees interventions directly manipulating the rules of the game, it makes perfect sense within a broader view of interventions as modes of governance at least partly determined by the participants themselves who ally and coalesce to become active players in the game of the rules.

In what follows, we will first illustrate how the policy of reconstruction of the DRC can better be seen as a bricolage (Cleaver, 2012) of different ideas and agendas which are only coherent

in appearance. Then, we argue that the project is scarcely bothered by some important indications of failure, at least if we measure success or failure in terms of the official objectives set by the project. Finally, we suggest the need for a second round of bricolage if these objectives would have to be attained.

## **1. Financing Post-conflict reconstruction through the debt relief process**

No doubt that an alliance of international actors has been playing a crucial role to set Congo on the path towards reconstruction. A peace agreement was signed in Sun City in February 2002, a government of national unity was constituted in June 2003, electoral registration was organized, a new constitution was adopted and passed in 2005, the “first democratic elections ever” were held in 2006. The peace agreements, voters’ registration, the referendum to approve the new Constitution and the elections could not have been organized without a very strong involvement of donors and other external actors. Even up to now, the United Nations stay put to guarantee a minimum of peace in different parts of the Congo. One of the important motivations behind this international commitment towards the reconstruction process is probably the insight that it is an essential piece in the larger regional jigsaw of creating political stability in Central Africa. The cost of state reconstruction in DRC would undoubtedly be less important than the price of the implosion of Central Africa.

At the same time, the government engaged in a process of debt relief, and successfully managed to have most of its 13 billion dollar debt cancelled by the end of 2010. The international commitment to reconstruction was drawing on a mainstream discourse of reconstruction focused on the State. Pacification, political accountability and poverty reduction were understood to be connected to each other in a virtuous triangle: helping the state to *reduce poverty* would bring a peace dividend, stimulating people to *end the war* and engage with the state to *make it more accountable*. The idea of the virtuous triangle was articulated most clearly in DfIDs country plan in 2008, though the idea of aid as peace dividend and incentive for democratization precedes this text, and was widely shared by the international community.

The virtuous triangle of pacification through poverty reduction by a state under construction may seem quite coherent, on the surface of it. It reflects the interesting overlap between the logic of state reconstruction on the one hand and the logic of debt relief within the so-called New Aid Paradigm on the other: Indeed, in comparison to an earlier generation of Structural Adjustment Programs, where debt relief was conditioned, among other things, on the retreat of the state, the actual logic of debt relief policy puts the state center stage in the development process.

Yet, other aspects of the New Aid paradigm are much less coherent with a policy of post-conflict reconstruction. One of the central tenets of the post-Washington consensus is *country ownership*. The state has to demonstrate first its willingness to act as the central development actor in realizing its own Poverty Reduction Strategy. This change in the conception of debt relief was inspired by the claim that, where this willingness did not exist, development aid was not efficient (Dollar & Pritchett, 1998). Project aid is *fungible*, it was argued, even if the project's stated intentions are realized, an equivalent reduction in a recipient country's own efforts to achieve the project results may result in a status quo (McGillivray & Morissey, 2001). In these circumstances, it is better to align aid from the very start to beneficiary country preferences.

Thus, the process unfolds in two stages: Countries that do not muster sufficient political will and/or that lack even the minimal capabilities to make good use of fresh aid money are in principle excluded from the process at the "Decision Point" (principle of *selectivity*). For those countries that pass this point, eventually a "Completion Point" will be reached at which their good performance will be translated into a definitive debt cancellation (principle of *ex-post conditionality*). In the meantime, their good performance can be closely monitored. This involves not only the usual control of macro-economic variables but also the extent to which the state has been able to engage in pro-poor policies. In part it can do this also by transforming the budgetary space needed to pay for debt service into extra money that can be used to pay for pro-poor expenses in the budget. This is the so-called Highly Indebted Poor Countries facility (HIPC) (Dijkstra, 2005), (Kabuya Kalala et al., 2008).

By implication, as a lack of political will and capacity to provide the basic functions needed for poverty reduction are part and parcel of the definition of "failed" or "fragile" states, these

should be treated as a special category for which a different set of policies should be designed<sup>1</sup>. Yet, the case of DRC provides an exception to both principles. Notwithstanding being considered as fragile if not failed<sup>2</sup>, it has been inserted into the process of debt relief since 2003.

**Table 1. Official Development Assistance to the DRC, 1970-2007**  
(millions of constant dollars 2007)

	ALL OECD/DAC DONORS  (mio USD)	MULTI- LATERAL AID				OF WHICH			
		BILATERAL AID				BELGIAN AID		DEBT RELIEF	
		(mio USD)	% Total	(mio USD)	% Total	(mio USD)	% Total	(mio USD)	% Total
1970-9	747	206	27 %	539	73 %	366	50 %		
1980-9	964	315	32 %	643	67 %	279	29 %		
1990-9	400	126	32 %	261	65 %	52	14 %	52	13 %
2000	281	114	41 %	166	59 %	46	16 %	11	4 %
2001	391	157	40 %	234	60 %	75	19 %	12	3 %
2002	1696	1172	69 %	524	31 %	67	4 %	196	12 %
2003	6818	509	7 %	6309	93 %	1051	15 %	6078	89 %
2004	2104	757	36 %	1346	64 %	314	15 %	907	43 %
2005	1914	876	46 %	1041	54 %	175	9 %	511	27 %
2006	2190	595	27 %	1596	73 %	247	11 %	936	43 %
2007	1233	444	36 %	788	64 %	210	17 %	123	10 %

Source: compilation based on OECD/DAC data (<http://stats.oecd.org/qwids>) and, for debt relief data, Cassimon & Verbeke (2009).

As can be observed in Table 1, in DRC aid flows resumed in 2002, reaching levels that systematically went beyond the average aid levels of the 70s and 80s. In 2003, the DRC started with the preparation of its poverty reduction strategy paper (DSCRPP); Also, this immediately led to \$6 billion of debt cancellation, even before the decision point was reached—completely contrary to the idea of ex post conditionality. Indeed, the final draft of the DSCRPP

<sup>1</sup> OECD/DAC's standard definition of a fragile state is "when state structures lack political will and/or capacity to provide the basic functions needed for poverty reduction, development and to safeguard the security and human rights of their populations" (OECD/DAC 2008, p. 16).

<sup>2</sup> The country prominently figures among the top-10 in the failed states index for some years now (Van Veen 2011)

was only approved at the “Decision Point” in 2006. It took another 4 years to reach the Completion Point, at the end of 2010, when another \$13 billion of debt was cancelled.

Thus, while lacking sufficient capacity and will to make the DRC eligible for engaging in the process of debt relief on 21<sup>st</sup> century conditions, the country was allowed to deviate from some core principles of the New Aid paradigm. One reason for this<sup>3</sup> might be that it would be difficult to convince the international community to mobilize sufficient funds to invest in the reconstruction project outside of a framework of debt relief.

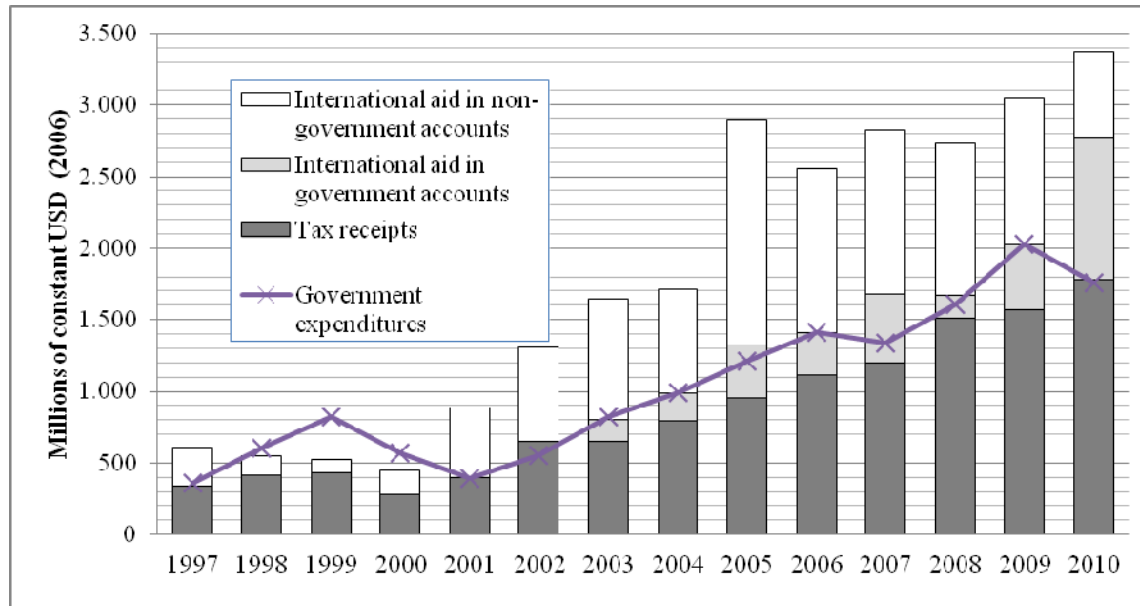
Anyhow, the policy model *worked*, in Mosse’s terms: it allied a diverse set of actors, it mobilized their energies and it convinced their constituencies to engage in a region marked by more than a decade of social, economic and political crisis and protracted conflict. There may be better ways to improve the state’s accountability than by counting on broad public support for its public services. There may also be better ways to reduce poverty than by mobilizing a “failed” state. And finally, there may be better ways to build peace than by mobilizing a “failed” state to produce a peace dividend. Yet none of these possibilities would have allowed the articulation of a policy that allied all the current actors in the process of state reconstruction.

That the policy *worked* in the above sense can also be verified empirically if we take a look at the evolution of public budget in DRC. As can be observed in figure 1., internal government revenue quintupled between 2000-2008, from less than \$300 million to more than \$1,8 billion. This is a clear sign of a regime being re-ignited. To be sure, the public budget was also more or less doubled by external aid flows, of which only a fraction went into the government accounts: most of it was simply old-style project-based aid. In this respect, Though this is clearly not what could be expected within the logic of the New Aid paradigm, the evidence demonstrates in what way the discourse of state reconstruction mobilized an alliance of international and national actors around the reconstruction of the DRC state.

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<sup>3</sup> For some more general reasons to interpret the “country ownership” principle in flexible ways, see Booth (2011).

**Figure 1. Evolution of public budget in RDC**  
(millions of constant dollars, 2006)



Source : Based on data of the Banque Centrale du Congo and of the « Etats de Suivi Budgétaire » for the part of aid managed by the state. Transformation in constant dollars by means of the IRES-Marchés price index.

## 2. A policy of state-focused reconstruction

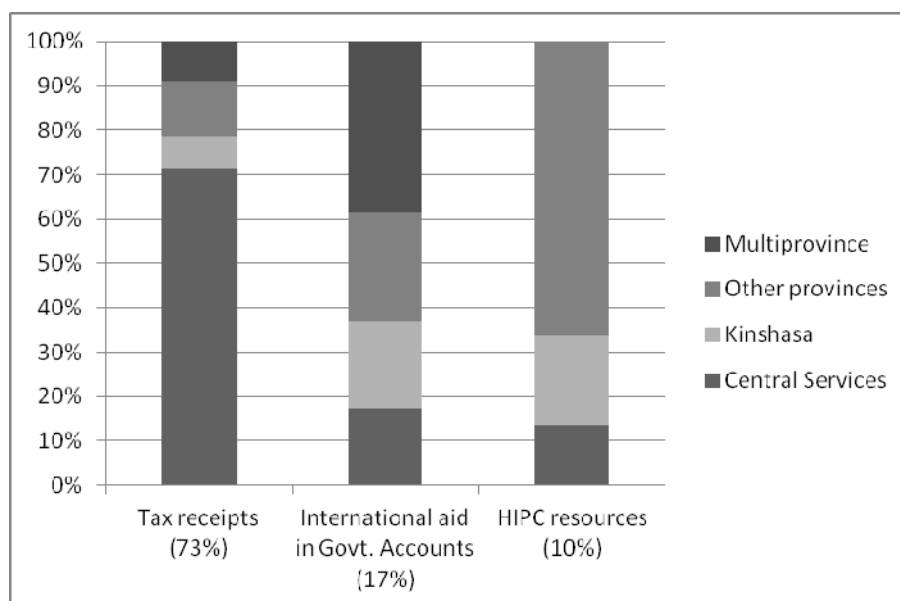
It is one thing to mobilize a diverse array of international and national development actors, it is quite another to have an impact on development practices. Notwithstanding the above-cited signs of state reconstruction, other signs offer some reasons to doubt its success. To begin with the most important ones, the DRC has not been pacified yet. It is clear indeed that the concept of post-conflict reconstruction shouldn't be understood too literally, given that even nine years after the signing of the Peace Agreements, significant parts of the Congolese territory remain embroiled in violent conflict. The continuation of war, especially in the Eastern part of the country, but sometimes erupting in other parts as well, is not only testifying to the fragility of the process of state reconstruction, there are also intimate connections with national political issues. So we cannot but conclude there is quite a



difference between international legitimacy and stability on the one hand, and pacification on the other. In fact, given the absence of any substantial kind of peace in some non-negligible parts of the country, one is left to wonder what's really in the name of 'stability'.

Further, for the “virtuous triangle” to work in practice, a necessary (though far from sufficient) condition is that the government's efforts are present especially in the poorest parts of the country. But already this very first element in the cause-effect chain seems to be lacking. As shown in figure 2, most of the state's budget does not leave Kinshasa. This is especially the case for the part of the budget financed by own resources, of which 80% is consumed in Kinshasa. The picture becomes a bit more nuanced by taking into account externally financed expenses and, especially, the part of the budget financed by the HIPC-initiative. The latter flows of finance are however relatively marginal in relation to the budget as a whole.

**Figure 2.**  
**Geographical distribution of government expenses (2009)**



Source: Ministère du Budget, “Etats de suivi budgétaire”.

Anyhow, however the “final” indicators of poverty and development might have evolved, the above evidence suggests that the relationship between their evolution and the actions of the

state cannot but be tenuous, if at all it would exist. Yet at the moment of granting the cancellation of Congo's debt, mid 2010, the board of directors of the IMF was quite formal:

“...the country has implemented the policy measures (“triggers”) required to reach the completion point, a stage in which debt relief from both the HIPC Initiative and MDRI becomes irrevocable. The triggers included satisfactory implementation of the country's poverty reduction and growth strategy, maintenance of macroeconomic stability, improvements in public expenditure and debt management, and improved governance and service delivery in key social sectors such as health, education and rural development.” (press release July 1, 2010, downloaded from [www.imf.org](http://www.imf.org) 5/12/2011)

The IMF's statement can be cited in favour of Mosse's argument that “Despite the proclamations about evidence-based policy, invariably it is policy which produces evidence rather than vice versa” (Mosse 2004, 660). In Mosse's reasoning, policies do not succeed or fail, “they are failed by wider networks of support and validation” (Mosse 2004, 658). If there is failure, it is a failure to interpret the evidence in such a way that the “wider networks of support and validation” can continue their support. Given the policy-setup, the policy-based evidence of the DRC's well-implemented pro-poor policy was needed not to fail the policy model.

To be sure, it is not at all evident for the state apparatus to channel funds to the poorest by the intermediary of a “failed state” machinery that came to a standstill already 15 years earlier. To the extent the administration lacks some basic abilities to function, how can they yet be deemed responsible for the policy failure? Indeed, a fundamental tension was built into the policy itself: the DRC state was to be simultaneously rebuilt and used as the main partner in poverty reduction, which in turn would be a crucial building block of the unfinished process of pacification. The challenge comes down to rebuilding a boat at sea while being attacked by pirates.

### **3. Gaming the rules ?**

If development practices didn't follow suit, this can at least be partly attributed to the way in which donors' strategies adapted to the new rules of the game and, *ipso facto*, how they adapted the rules of the game themselves. The policy *worked* in bringing together a variety of

key actors, but arguably precisely for these reasons it is not sure whether one can still meaningfully talk about donor policy in the singular. Indeed, the “international community” itself does not exist as a unified actor, and a set of factors militates against such a fusion, the Paris Declaration notwithstanding (Wood et al., 2011). In the case of the DRC, the intra-donor differences already show off in their ambiguous stance on whether or not to channel aid to the DRC government (figure 1). This ambiguity entails that the fungibility problem to which the state-focused strategy of reconstruction was supposed to be a solution was, as it were, kept alive and kicking by the very same donor community that subscribed to the New Aid Paradigm.

Further, the ‘New Aid Paradigm’ brings in a new set of rules, but not necessarily made their enforcement easier. In actual fact, this new aid architecture has increased the donor community’s ignorance in two ways –and thereby weakened one of the necessary conditions for enforcement. As already mentioned by David Mosse, the shift from projects to the backing of processes of state-reconstruction has increased the “black box of unknowing between policy and practice”. It is important to insist on this point, given the already weak information basis as a result of decades of underfunding of all kinds of archives, statistical services and research institutes (Marivoet, *forthcoming*). To illustrate, the first nationwide budget-survey *ever* was carried out only in 2005, donor-financed as part of the preparation of the Poverty Reduction Strategy Paper. The sample was defined on the basis of the latest Population Census, carried out more than twenty years earlier (1984) and well before the onset of the civil war at the turn of the century with an estimated death toll of 4-7 million (Spagat et. al. 2009), about 10% of the DRC population.

Additionally, the New Aid Paradigm has also brought in new donors, experienced with the Paradigm but not necessarily with the DRC. As shown by table 1, Belgium dominated the donor landscape until the eighties, financing by itself almost 30% of all ODA. After the break-up of development cooperation in 1989, however, Belgium also lost this position to both international organizations and other bilateral donors, like the UK, for whom the mere language problem is already hampering their ability to peer into Mosse’s black box. Moreover, international organizations, like the World Bank, often have to abide by the “government executed” principle, including when it comes to carrying out monitoring and evaluation tasks. All these elements are certainly opening-up the necessary space for ‘policy-

based evidence', enabling the players around the table to decide whether or not to continue the game and to qualify the players' performance accordingly.

Finally, the direct translation of development policy into practice is complicated because years of state fragility have substantially complicated the institutional landscape on the ground. The very concept of a failed state suggests the image of a black hole where the former state used to be, but in actual fact such institutional voids do not exist; if states withdraw they usually are replaced by a variety of competing modes of public or private governance, like churches, local governments, civil society associations or non-governmental organizations. Besides, in many sectors and places (but to a varying extent), such a situation even predates the onset of state decay or collapse; as aptly argued by Anderson (2004), African states failed before they had completely formed. Consequently, a state-focused project of state reconstruction risks to crowd out the variety of co-producers of public services, whereas in actual fact the project of reconstruction essentially plays out at this level (Olivier de Sardan 2010, Booth 2011, Lund 2006). Research on the education sector in DRC for instance documented how donor money re-financed the sector as if it was largely state-controlled. The precise way in which this investment has been used by the chain of non-state actors engaged in the sector necessarily remains opaque, and its impact must thus be highly doubtful (De Herdt et al., 2012). From an institutional perspective, one can only expect that the hybrid situation inherited from the past has been reproduced into the present (Titeca and De Herdt 2011).

#### **4. Conclusion**

"In the development policy marketplace the orientation is always 'future positive'", and not without a reason, according to Mosse: "development actors work hardest of all to maintain coherent representations of their actions as instances of authorized policy" (Mosse 2004, 539-40). On the basis of their policy plans, aid money is mobilized and the development machine is put to work. The future imagined by the international community was one of pacification, state reconstruction and poverty reduction, connected to each other in a virtuous triangle: helping the state to reduce poverty would bring a peace dividend, stimulating people to end the war. A more pragmatic reading suggests that pacification was the prime concern and that a

state-led strategy of poverty reduction was the keyword to get the DRC “on track” in the debt relief process, so that new aid money could be mobilized. The imagined ‘future positive’ created an unholy alliance between geopolitical interests, international creditors and the aid industry. In the meantime, the virtuous triangle proved quite vicious: Yes, aid resumed, attaining higher levels than ever before. Yes, the regime was consolidated. Yes, debt was partly repaid, partly cancelled. But no, there are no signs of a successful strategy of poverty reduction and institutional reconstruction. We traced this failure back to internal incoherence in the initial project of state-focused reconstruction, to the composition and articulation of the donors that were involved and to the non-state public actors that were *excluded* from this project.

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