

The Measurement of Institutions and Instability in Democratic Republic of Congo, 1880-2010

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Abstract

This paper introduces a new database for Property Rights, Political and Civil Rights and Political Instability for the Democratic Republic of Congo (DRC) for the 1880-2010 period. Following the methodology used by Fedderke et al. (2001) and Letete (2015), we compute de jure Property, Political and Civil Rights indicators from archival information based on formal legislature (Laws, Ordinances-Laws, Decrees, Ordinances) and the facto Political Instability Indicators. Both the property rights and the political rights and civil liberties indices experience significant declines during the Congo Free State and Mobutu's dictatorship and more generally low values for most of the 1880-2010 period. This indicates that the history of institutions in DRC has most often been dominated by the prevalence of predatory institutions allowing for the extraction of resources for the benefit of the colonizers or the post-independence elite. The political instability index displays more volatility than the previous indices. Due to the lack of administrative data in DRC, we could not construct lengthy series for it. However, an interesting pattern emerges from the graph of the political instability index: despite several peaks and troughs, this index displays an increasing trend which seems to suggest that the relatively unsuccessful attempts of democratization of the country have cost dearly in terms of the foregone political stability.

Keyword: Institutions, Growth and Development, Instability.

JEL Classification: E10, E14

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1 Introduction

In this paper we construct de jure indices of property rights, political rights and civil liberties and a de facto index of political instability for the period from 1880 to 2010. These indices represent the political and economic institutions which are considered to be crucial for economic growth. According to [Kaufmann et al. \(2003\)](#), having indices with a long time coverage is preferable as the likelihood of observing significant changes in institutional variables substantially increases with the length of time under consideration.

Such a long period would also allow to verify in prospective empirical research whether institutions have a persistent impact on economic growth. According to [Acemoglu and Robinson \(2012\)](#) economic prosperity depends above all on the inclusiveness of economic and political institutions. Institutions are “inclusive” when many people have a say in political decision-making, as opposed to cases where a small group of people control political institutions and are unwilling to change. They argue that a functioning democratic and pluralistic state guarantees the rule of law. The authors also assert that inclusive institutions promote economic prosperity because they provide an incentive structure that allows talents and creative ideas to be rewarded.

In contrast, the authors describe “extractive” institutions as ones that permit the elite to rule over and exploit others. Nations with a history of extractive institutions have not prospered, they argue, because entrepreneurs and citizens have less incentive to invest and innovate. One reason is that ruling elites are afraid of “creative destruction”: the ongoing process of annihilating old and bad institutions while generating new and good ones. Creative destruction would generate new groups competing for power against ruling elites, who would lose their exclusive access to a country’s economic and financial resources. DRC might be one of the most concrete example of how extractive institutions can undermine long-run development ([Acemoglu and Robinson, 2012](#)).

On a Political Economy and a Institutional Economics perspective, the DRC is indeed a fascinating case. Congo rivaled Nigeria and South Africa for the economic leadership of the African continent between 1960 and 1970. Now it ranks among the poorest countries in the world, ranked 176 out of 187 countries and with a poverty rate of 64%.¹ This state of affairs is clearly partly caused by the poor management of the Congolese governments after 1970. The infamous episode of the “Zairianisation” and the kleptocratic behavior of its leaders came a long way into generating this appalling outcome. They actually provide a striking illustration of the deleterious effects of extractive institutions. However, the nature of the post-independence institutions may mirror pre-independence institutions.

The DRC enters the colonial era as the “personal property” of King Leopold II. Then labeled as the Congo Free State, the colony served as a subtle resources extraction scheme for his personal enrichment. Indeed, at the early stage of his career, Leopold II did not bother to hide his real intentions. He “acquired” the Congo Free State for one aim: to make him and his country wealthy ([Hochschild, 1998](#));

¹Source: <http://www.worldbank.org/en/country/drc/overview>.

and he clearly did not shy away to set an atrocious system of exploitation in order to achieve this goal. Yet, it seems that even the precolonial African societies in the Congo Basin have experienced several abuses in terms of property and civil rights. According to [Acemoglu and Robinson \(2012\)](#) the inhabitants of the Kongo Kingdom did not have any incentives to adopt superior technology since they faced the high risk of having their properties expropriated and taxed by their King. They also feared for their mere existence, as they could be kidnapped and sold as slaves.

The slavery toll on DRC precolonial societies worsened further with the rise of the trans-Atlantic slave trade. This is the largest and the most notorious of the four simultaneous slave trades experienced by the African continent ([Nunn, 2008](#)).² As the other African slave trades, and conversely to those that prevailed in other continents, the trans-Atlantic slave trade had a singular specificity: persons of the same or similar ethnicity enslaved one another. This had terrible implications in terms of lack of trust, social and ethnic fragmentation, corruption of judicial institutions, political instability, and weakening of states ([Acemoglu and Robinson, 2012](#); [Nunn, 2008](#); [Nunn and Wantchekon, 2011](#)).

Because of the internal conflicts it triggered, slave trade induced the collapse of several pre-colonial African governments: in the sixteenth century the Joloff Confederation in the territory of Senegal and Gambia, in the nineteenth century the Shambaa and the Gweno kingdoms and the Pare States in Eastern Africa. The Kongo Kingdom is probably the most dramatic illustration of how the slave trade can have a detrimental impact on the social and the political order of a state ([Nunn, 2008](#)). In a letter written to King João III of Portugal in 1526, the King of Kongo Affonso wrote:

“Each day the traders are kidnapping our people – children of this country, sons of our nobles and vassals, even people of our own family... This corruption and depravity are so widespread that our land is entirely depopulated.... We need in this kingdom only priests and schoolteachers, and no merchandise, unless it is wine and flour for Mass.... It is our wish that this kingdom not be a place for the trade or transport of slaves.”³

Vulnerable, the Kongo Kingdom eventually fell after a defeat of its army against the Portuguese. The Kongo Kingdom was not the only political entity of the Congo River basin to be weakened. While there was no single all-powerful state along the Congo River, the exploration of the River’s tributaries would uncover several large kingdoms. However, centuries of slave hunting raids would undermine most of them and make them easy targets for the Congo Free State armed forces: the “Force Publique” ([Hochschild, 1998](#)).⁴

²The three other slave trades were the trans-Saharan, Red Sea, and Indian Ocean slave trades. They were much older and pre-dated the trans-Atlantic slave trade ([Nunn, 2008](#)).

³Quoted by [Hochschild \(1998, p.13\)](#)

⁴A noticeable exception would be the Kuba Kingdom. Because of its location deep in Congo’s inland, the Kubas have been largely protected from the slave-raiders of both the eastern and the western coasts. And for more than a decade, Belgian traders willing to gain access to that kingdom have been turned away; but eventually the “Force Publique” will reach and loot the Kuba’s capital ([Hochschild, 1998](#)).

Slave trade may not have only weakened the institutions of pre-colonial states and kingdoms. It might have reinforced the pattern of extractive institutions that prevailed in the pre-colonial Congolese societies. These institutions may have become somewhat persistent and might have had a detrimental impact in the long run on the development of the DRC. [Nunn \(2008\)](#) provides robust evidence of the long-term effects of Africa’s slave trade.

Yet, it might be also interesting to analyze the impact of the institutions in the colonial and the post-colonial periods. Indeed, one can wonder to which extent the evolution of the institutions have contributed to the sharp fluctuations of the economic performance of the DRC since the colonization. So far, it has been difficult to provide a robust and documented answer to such a question for several reasons. Firstly, long-run measures of institutions did not exist to test this kind of relationship. Virtually all the evidence of the effect of institutions on economic performance is derived within a short term framework of analysis, thereby limiting the ability to test the medium and long-run effect.

Secondly, new difficulties have arisen from the development of measures for institutions based on the judgments of “experts”. According to [Glaeser et al. \(2004\)](#), the standard indicators tend to measure outcomes, rather than the formal constraints as defined in theory. Hence, these measures of institutions are volatile, uncorrelated with constitutional constraints, and closely correlated with short-run government policies and election outcomes. The systematic divergence in growth per capita over a long period among many developing countries and the possibility of country heterogeneity underlines the crucial importance of utilizing longer time series for explaining growth trajectory differences. An alternative approach is to consider constructing longer dated de jure and de facto indicators to test the impact of institutions on economic growth over time.

Guided by the conceptual framework developed by [Fedderke et al. \(2001\)](#), this study contributes to the growing institutions and growth empirical literature by providing alternative indices of property rights, political rights and civil liberties, and political instability for DRC for the period 1880-2010. In the next section, we present the methodology used for constructing these indices. In the third section, we apply this methodology to build the indicators for DRC. Finally in the last section we present the summary of the findings and the conclusion.

2 Methodology

We follow the methodology for the measurement of institutions proposed by [Fedderke et al. \(2001\)](#) and used by [Fedderke and Garlick \(2010\)](#), [Fedderke et al. \(2011\)](#), [Gwenhamo et al. \(2008\)](#), [Letete \(2015\)](#), [Zaaruka and Fedderke \(2011a\)](#) and [Zaaruka and Fedderke \(2011b\)](#). Their approach relies on formal legislative history regulating land ownership, political and civil rights in a society. Using a set of standardized normative criteria, we assign annual ratings of the status of rights. Variations in ratings reflect either improvements or deterioration of these rights. This methodology mitigates some of the issues arising with the popular measures of the institutions. Yet, it might raise some methodological

issues of its own. Fedderke et al. (2001) discuss the problems that may arise from the construction of this index and how the methodology attempts to limit their impact.

2.1 Definition of the concepts

To establish a reliable score for the property rights, the political and civil liberties and the political instability indices, we need to clearly define and identify their sub-components.

2.1.1 Property Rights Index

We focus exclusively on property rights to immovable property.⁵ To be able to produce indicators that are comparable with those produced in similar studies performed earlier in African countries (Fedderke et al., 2001; Fedderke and Garlick, 2010; Fedderke et al., 2011; Letete, 2015; Zaaruka and Fedderke, 2011a,b), we adopt the conceptual framework that they rely on, which is based on Honoré (1961)'s definition of "full liberal ownership".

Honoré (1961)'s definition provides an ideal set of property rights. In its original framework and as adopted by Waldron (1988), this definition includes 11 elements. The number of components was then reduced to 7 by Fedderke et al. (2001):

1. The Right to Possess: this is the right to have the exclusive control of the property and the owner of the property is allowed to dispose off his property at his own discretion.
2. The Right to Use: this right refers to one's ability to use property at one's discretion, including not putting it to use. It can also be regarded as including the right to any income or products derived from the property. Thus, the user of property is allowed to use property at his/her own discretion, without contradicting the law.
3. The Right to Manage: this defines the right to decide how and by whom the property owned should be used. This includes, for example in the case of land, the owners right to choose which crops should be produced and the right to direct others to use the property in accordance with his/her wishes. In this case an owner of property is allowed to manage his/her property at his/her own discretion without interference.
4. The Right to the Capital: this is the right of the owner of property to alienate the property to whoever he or she wishes at whatever price that he/she determines. The right to property includes the right to use property in financial transactions, including its usage as collateral. It also includes the freedom to use of property to sublet and rent to earn capital.

⁵ Fedderke et al. (2001) provide a detailed motivation for this choice in the context of South Africa. Their arguments – the general importance of immovable property to the South African economic growth process, the fact that intellectual property rights were given little consideration in South African law prior the 1960 and that intellectual property rights may have a more immediate proxy in the form of patent registrations – are also appealing in the DRC's case.

5. **The Right to Security:** this is the right provided to the owner of the property that his/her property will not be expropriated and interfered with by whoever it is, be it state or other individuals. Thus, the owner could remain in possession of the property indefinitely if he chooses and remains solvent. However, in case of expropriation by the state, his/her consent must be solicited and adequate compensation be made to the owner.
6. **The Incident of Transmissibility:** this right guarantees the owner of property the right to transfer his/her ownership rights to another person at his/her discretion. This includes the right to sell, or give away, or mortgage, or buy or inherit.
7. **Liability to execution:** this provision guarantees an owner of property an interest in the property and that such property because it belongs to him/her could be held liable for liabilities emanating from injurious effect on others. Thus, the property could be taken away for debt, either by execution of a judgment debt or on insolvency.

2.1.2 Political Rights and Civil Liberties Index

Political Rights and Civil Liberties form the original and main part of international human rights (Sieghart, 1985). They are a class of rights that protect individuals' freedom from infringement by governments, social organizations, and private individuals. They ensure one's ability to participate in the civil and political life of the society and state without discrimination or repression. Our civil liberties and political rights will capture the following components: Voting Rights/Franchise, Freedom of Association, Freedom of Assembly, Freedom of Expression, Extension of Arbitrary Executive Power, Freedom of Movement, Independence of the judiciary and Legislature, Academic Freedom, Government Secrecy/indemnity, Due process of law, Freedom of religion, Others. Others is a residual category that captures all rights and freedom relating to political freedom that cannot be classified under any of the specific dimensions.

2.1.3 Political instability Index

It is defined by Alesina et al. (1996) as the propensity of a government collapse. Alesina et al. (1996) found that in countries and time periods with a high propensity of government collapse, growth is significantly lower. Moreover, Aisen and Veiga (2013) argue that political instability is likely to shorten policy makers planning horizons leading to sub-optimal short term macroeconomic policies. It may also lead to a more frequent switch of policies, creating volatility and thus, negatively affecting macroeconomic performance. Evidence from political science literature show that political instability is multidimensional.

This literature however has not reached consensus as to the appropriate number of dimensions. Previous contributions under this research project have designed the political instability index so that it captures dimensions like the number of politically motivated arrests per year, the number of political parties and publication banned per year, the number of declarations and renewals of states of emergencies

per year or the incidents of war-related armed attacks on the general public per year (Zaaruka and Fedderke, 2011a). The problem is that the administrative data in DRC are quite poor. Hence, it is quite challenging to construct an indicator along these lines. To build an indicator of political instability we therefore rely on international databases.

The Center for Systemic Peace (CSP) (<http://www.systemicpeace.org>) provides alternative information on political instability. This information is available in two of these databases: the first one is the Major Episodes of Political Violence (MEPV) database. This database provides annual, cross-national, time-series data on interstate, societal, and communal warfare magnitude scores independence, interstate, ethnic, and civil; violence for the 1946-2015 period. The second database is the Forcibly Displaced Populations (FDP) dataset. Using information from the World Refugee Survey series, it provides annual, cross-national, and time-series data on the numbers of “source” and “host” refugees and internally displaced persons.

Finally, another source of valuable information is the Global Database of Events, Language, and Tone (GDELT) created by Kalev Leetaru of Yahoo! and Georgetown University, along with Philip Schrodt and others. GDELT is presented as the largest, most comprehensive, and highest resolution open database of human society ever created (Information on this database is available on <http://gdeltproject.org/about.html>). The GDELT Project currently consists of over a quarter-billion event records in over 300 categories covering the entire world from 1979 to present, along with a massive network diagram connecting every person, organization, location, theme and emotion. GDELT includes data from 1979 to the present. The data is available as zip files in tab-separated value format using a CSV extension for easy import into Microsoft Excel or similar spreadsheet software.

The most useful GDELT dataset for our analysis is the GDELT 1.0 event dataset. It comprises over 3.5 billion mentions of over 364 million distinct events from almost every corner of the earth spanning January 1979 to present and updated daily. The dataset can be downloaded on Google Cloud Platform and can be accessed and analyzed using Google BigQuery.⁶ From this dataset we have selected the events whose implied action took place in DRC (`ActionGeo_CountryCode='CG'`) and is either a verbal (`QuadClass=3`) or a material conflict (`QuadClass=4`). This produces a dataset of 104,558 observations. From this dataset we generate yearly data by computing the yearly average of the Goldstein Scale (variable `GoldsteinScale`; this a numeric score from -10 to +10, capturing the theoretical potential impact that a type of event will have on the stability of a country; this score is based on the type of event, not the specifics of the actual event record being recorded) and of the average “tone” of all documents containing one or more mentions of this event during the 15 minutes update in which it was first seen (variable `AvgTone`: common values range between -10 and +10, with 0 indicating neutral; this can be used as a method of filtering the “context” of events as a subtle measure of the importance of an event and as a proxy for the “impact” of that event). More details about these databases are provided

⁶Check out <https://cloudplatform.googleblog.com/2014/05/worlds-largest-event-dataset-now-publicly-available-in-google-bigquery.html> for a detailed documentation.

in the Appendix.

2.2 Scaling and Rating

For the property rights and the political and civil liberties indices we consider a scaling and weighting similar to the ones adopted by Fedderke et al. (2011) and Letete (2015). We use a 100 points scale for both indicators. Regarding the property rights index, 100 points would represent an ideal state of full guaranty of property rights, while 0 would represent a complete absence of that right. The index of property rights is composed of several sub-components which rated on on a scale of 10, but are given various weights depending on their relative importance. The rights to use and to manage are assigned a weight of 2; which implies a scale of 20. The rights to capital and to security are allocated a weight of 1.5 which implies a 15 scale. The remaining sub-components (right to possess, right to transfer and liability of execution) have weight of 1 and hence a scale of 10.

Likewise, for the political and civil liberties index we use a 100 points scale. The first eight of the twelve sub-components (Voting Rights/Franchise, Freedom of Association, Freedom of Assembly, Freedom of Expression, Extent of Arbitrary Executive Power, Independence of the judiciary and Legislature, Government Secrecy/indemnity and Due process of law) are each assigned a weight of 10, contributing a total of 80 points to the index and the other four (Academic Freedom, Freedom of Movement, Religious Freedom and Others) are each assigned a weight of 5, contributing a total of 20 points to the index. Increases in the scores on sub-components of either property rights or political and civil liberties, would suggest a move towards recognition of the right, while a drop would indicate a move away from an ideal state in the system.

In scaling the political instability index, we rely on the principal component analysis. Principal component analysis is applied to the magnitude score of episode(s) of international violence (INTVIOL), magnitude score of episode(s) of civil violence (CIVVIOL), the magnitude score of episode(s) of civil warfare (CIVWAR), the magnitude score of episode(s) of ethnic violence (ETHVIOL), the number of refugees (x1000) originating in the named Country (SOURCE), the number of internally displaced persons (x1000) in the named country (IDP), the number of refugees (x1000) hosted by the named country (HOST) and a numeric score from -10 to +10, capturing the theoretical potential impact that type of event will have on the stability of the named country (GOLDSTEINSCALE). Our political instability index will be a weighted average of the principal component; with the weight being the proportion of the variance captured by each factor.

2.3 Period of analysis: 1880-2010

This section presents and interprets the evolution of property rights; political rights and civil liberties; and political instability in DRC for the period from 1880 to 2010. During the period under review, we may distinguish seven constitutional dispensations:

1. The first goes from 1885 to 1908 and corresponds to the formation of the Congo Free State. The Congo Free State is an absolute monarchy. The origin or at the very least the enjoyment of the three powers (executive, legislative and judiciary) lies in one single person: the sovereign of the Congo Free State, King Leopold II.
2. The second goes from 1908 to 1960 and corresponds to the Belgian Congo. This dispensation starts by the adoption of the “Charte Coloniale”, the constitution of the Belgian colony, in October 18th, 1908.
3. The third dispensation starts with the independence of the Belgian Congo in 1960 and corresponds to the First Republic (1960-1965). Just after the independence political institutions were regulated by May 19th, 1960 fundamental law. Political instability and conflicts at the head of the State made this political regime unenforceable. This regime is then substituted between 1960-1964 by a provisional regime based on Decrees-Laws completing the fundamental law. These Decrees-laws concentrated all the powers in the hand of the President of the Republic. Moïse Tshombé’s term as Prime Minister allowed the redaction of the Luluabourg constitution which established a federal system. This regime was however short-lived as in 1965 the rivalry between the President and the Prime Minister led to a coup by the Lieutenant General Mobutu.
4. The fourth constitutional dispensation corresponds to the Second Republic. It goes from 1967, when the Second Republic constitution was adopted to 1990, with the adoption of the law 90-008 establishing an integral multipartism system. The Second Republic set a unitary system of government with a strong presidency, and a restriction of the number of political parties.
5. The fifth dispensation corresponds to the lengthy and confusing political transition process which has started in 1990 with the law 90-008. The first phase came to an abrupt end in 1997 when Laurent-Désiré Kabila came into power. This launched a second stage characterized by the concentration of the executive and legislative powers in the hands of the president. After the assassination of President Laurent-Désiré Kabila, his son Joseph Kabila acceded to power. The mediation process led by South African President Thabo Mbeki facilitated the holding of the inter-Congolese dialogue at Sun City in 2002 and the adoption in December 17th, 2002 of the global and inclusive agreement on the transition in DRC. One of the topical areas of the agreement is the Transitional Constitution which was promulgated on April 4th, 2003.
6. The sixth dispensation relates to the political transition that took place between 2003 and 2006 on the basis of the 2003 Transitional Constitution. This period led to the creation of new political institutions which have given rise to a draft constitution adopted by referendum on December 18 and 19, 2005 and promulgated on February 18th, 2006.
7. The seventh dispensation corresponds to the Third Republic which is based on the 2006 Constitution.

The legislation on property rights and political and civil liberties has experienced some changes through these different constitutional dispensations. The Congo Free State period introduced a “modern legal” system in DRC. It saw the enactment of numerous decrees, ordinances and regulations. After the independence part of the legislation attempted to undo some of the “flaws” of the colonial legislative system. Yet, it does not seem that the new order has led to a radical change in the institutional design. Institutions were explicitly predatory and discriminatory during the colonial period. They were still ostensibly exclusive at the pinnacle of the Second Republic.

3 Freehold Property Rights in DRC

3.1 Property Rights in the pre-colonial Congo

Our period of analysis starts in 1880, towards the end of the pre-colonial period. Land tenure was then ruled exclusively by customary law. The principle of individual ownership of land was unknown in Congo’s indigenous system. Instead, historically, land was the property of a lineage or descent group. In this system, a “land chief” exercised authority over land allocation in a village, and cultivators held usufruct rights to the land, which was farmed through shifting cultivation.

It is not easy to have a clear picture of property rights in pre-colonial Congo as there is a lack of written sources from the time.⁷ Yet, historical sources seem to converge on the fact that some of the pre-colonial societies in the Congo Basin designed a complex and sophisticated set of institutions regulating taxation and property rights. In the Kongo Kingdom the administration considered land as revenue assignments. The Kongo government exacted a monetary head tax for each villager, which may well have been paid in kind as well, forming the basis for the kingdom’s finances.

The King granted titles and income, based on this head tax. Holders reported annually to the court of their superior for evaluation and renewal. In the Luba Kingdom, the economy was complex and based on a tribute system that redistributed agricultural, hunting and mining resources among nobles. Economic institutions in pre-colonial DRC seem to have been complex, but exclusive as well. In the Luba Kingdom, the ruling class held a virtual monopoly on trade items such as salt, copper, and iron ore. Moreover, [Acemoglu and Robinson \(2012\)](#) explain the failure of the Kongo Kingdom to adopt superior technology by the lack of incentives for inhabitants of the Kongo Kingdom caused by the high probability of having their properties and revenues expropriated or taxed by the all-mighty Manikongo.⁸

It is not only properties that were unsafe. The mere existence of Congolese inhabitants as free human beings was also threatened. Slavery was indeed prevalent in pre-colonial Congolese societies. While it is widely recognized that slavery in pre-colonial societies never reached the numbers involved in Africa’s slave trades,⁹ it seems that many societies in pre-colonial Congo practiced slavery independently of any

⁷Moreover, the fact that all the later accounts of the pre-colonial history were produced by Europeans is also problematic.

⁸The Manikongo or Mwene Kongo was the title of the rulers of the Kingdom of Kongo.

⁹During the trans-Atlantic slave trade alone, approximately 12 million slaves were exported from Africa. Another 6 million were exported in the other three Africa’s slave trades: the trans-Saharan, Red Sea, and Indian Ocean slave trades.

Western influence (Hochschild, 1998).¹⁰ Indeed, a number of sources state that there was an established tradition of making slaves out of people displaced by conquest in the early 1400s (Heywood, 2009).

One may argue that slavery is an issue that is more relevant to political and civil rights than to property rights. It affects both categories of rights actually: a slave is not entitled to any property rights as he is himself the “property” of someone else. Because of all these issues, inexistence of the concept of individual property, discretionary power of the elite in terms of taxation and expropriation, slavery, we attribute the value of 30% to that index in the pre-colonial period. The impact of slavery on property rights will be magnified in the Congo Free State where the “Red Rubber system” contributed to enslave most of the natives.

3.2 Property Rights in the Congo Free State

Since the formation of the Congo Free State on April 30th, 1885 the index experiences sharp decreases. This is barely surprising, as the Congo Free State was the private estate of its founder, King Leopold II (Ascherson, 1963). The index first dropped in 1885 after the creation of the Congo Free State and the Vacant Land Decree. The Vacant Land Decree implied that all the vacant land should be considered as property of the Congo Free State. The issue with this legislation is that it did not define explicitly the concept of vacant land and the courts did not have the opportunity to rule on that matter (Janssens et al., 1905). Hence, it implied de facto an appropriation of most of the land.

Indeed, without a legal definition of that concept, the Congo Free State has considered as occupied by the natives only the land where they have installed their villages and their cultures. Consequently, the administration meant by vacant land any land that did not contain a habitation or a cultivated garden plot. This represented most of the country. Therefore, this interpretation granted to the Congo Free State an exclusive and absolute ownership right on almost all the Congo Free State territory. This legal scheme was quite mischievous: within the borders of modern-day DRC, there is little if any territory that lies that genuinely was ‘without master’. In fact a complex range of traditional rights applied and still apply to its land and resources (Long, 2007).¹¹ As a consequence of the formation of the Congo Free State and of the adoption of the vacant land decree all the components of the index decrease. The most noticeable diminutions affect the right to possess, the right to use and the right to manage components.

The property rights index further decreased in 1887 with the adoption of the decree of expropriation on the basis of public utility. While it provided for a fair compensation to be determined by the courts, this decree further constrained property rights in an environment where they were already undermined. This expropriation decree affects the rights to possess, to use and to manage, but impacts mostly the right to security. In 1888 a decree regulating contracts of services between natives and non-natives

¹⁰While in letters written in 1526 to King João III of Portugal, the King of Kongo Affonso lamented the terrible impact of slave trade in his kingdom, he was not an abolitionist: he owned slaves.

¹¹The 1885 legislation did recognize customary rights of the ‘Natives’ and a right of occupation. However, the problem is that they were not defined any further and were subject to a decision by a Belgian administrator.

was issued. Its declared purpose was to guarantee the principle of absolute freedom of commitments and to ensure a special protection of the natives. Yet, its loose application and the absence of formal prohibition of corporal punishments seems to have favored the generalization of forced labour throughout the colony (Janssens et al., 1905; Vaessen, 2001).

The loopholes of this labor legislation will be further exploited after the State Land and the Rubber Extraction Decrees as reflected by the drop of the index in 1891 and 1892. It is important to understand the background that presided to the adoption of these decrees. Initially, the colony proved unprofitable and the Congo Free State was close to bankruptcy. The boom in demand for natural rubber, which was abundant in the territory, created a radical shift in the 1890s. The State Land Decree, also called the 1891 “Secret Decree”, will change radically the labor policy in the Congo Free State by requiring a more intensive exploitation of natural resources in State Land. The use of the “Force Publique” to collect natives personal taxes will help replenish the empty State coffers. However, the human cost of this policy will be terrible for the natives.¹²

The Rubber extraction decree adopted in 1892 further increased the human cost of the exploitation of Congo’s natural resources. The Rubber extraction Decree divided vacant land into two economic zones; in the first economic zone Leopold II granted concessions to several companies. Each company was given a large amount of land in the Congo Free State on which to collect rubber and ivory for sale in Europe. These companies, which Leopold largely controlled through friends of his, were allowed to detain Africans who did not work hard enough, to police their vast areas as they saw fit and to take all the products of the forest for themselves. The other economic zone – the “Domaine Privé”, almost two-thirds of the Congo – became the exclusive private property of the State. In 1893, Leopold excised the most readily accessible 259,000 km² (100,000 sq mi) portion of the Free Trade Zone and declared it to be the Crown Domain (“Domaine de la Couronne”). Rubber revenue went directly to Leopold who paid the Free State for the high costs of exploitation (Stengers, 1957).

With the majority of the Free State’s revenues derived from the export of rubber, the State Land and the Rubber Extraction Decrees created an environment favorable for a labour policy designed at optimizing rubber extraction. This is the “Red Rubber system” as labeled by the critics: labour was demanded by the administration as taxation. While enforcing taxation in the form of forced labour was common across colonial Africa at the time (Stengers, 1969), the “Red Rubber system” achieved new heights in terms of atrocities and human rights violations. It destroyed the traditional economy of the Congo basin and enforced a labour tax on Leopold’s Congolese subjects requiring local chiefs to supply men to collect rubber and other resources. It contributed to create a “slave society” as the natives were obliged to supply these products without payment.

Virtually enslaved, Congolese were then nearly deprived of any property rights and were subjected to the will of abusive colonial officials and companies acting on behalf of a Belgian King who wanted to

¹²The scores of the rights to use and to manage are negatively impacted by this legislation. They are the ones that are sensitive to this kind of change of labour policy.

acquire Congo's wealth at all costs (Gondola, 2002). It is then not surprising that in 1892 the property rights index will score 9%, the lowest value over the whole period of analysis with minima across all the components of the index.

The property rights index experienced a slight increase in 1893. The decree about the sale and renting of domainal land adopted measures that improved the property rights of the natives. It was decided that when the villages of the natives are isolated within sold or rented land, as long as the measuring is not done, the natives will be able to extend their land without the agreement of the owner or the tenant. Any dispute on this matter between the transferee or the tenant and the natives will be settled without appeal by the Governor General of the Congo Free State. This led to an increase in 3 components of the index: the Rights to Possess, to Use and to Manage.

While this decree may be considered as an effort of the Congo Free State to curb the pattern of human rights violations and hence to respond to the growing criticism of the international community, the general context of property rights in the Congo Free State remained precarious. Later in 1893, the King issued a decree about services to be provided by the indigenous leaders in Maniema to support the Campaign against the Arabs. In compliance with this decree the Commander in chief of the "Force Publique" in Maniema is allowed to collect through services part of the resources necessary to cover the expenses caused by the Campaign against the Arabs.

The property rights index further increased in 1899 with two sentences handed down by the Court of Appeal of Boma, respectively in the case against Léon Fiévez for the execution of Kaso and Biakeoi and for the case against the same defendant for the deadly assault on worker Obengo and other assaults on female workers (De Boeck, 2005; Plasman, 2009). In these judgments the Boma Court of appeal stated that, in the current state of legislation, nobody can impose forced labour to the natives (Janssens et al., 1905). Since then the Administration understood the necessity to rule on this matter of personal taxation. The 1903 decree on direct personal taxes tried to improve indigenous workers' situation by establishing fairer principles in terms of direct personal taxation: any adult and able bodied native will have to work for the State; all the services provided will have to be compensated; they will not exceed a total of 40 hours and finally the compensation will not be less than the real rate corresponding to the current local salaries. This justifies the increase of the index in 1903.

Yet, a problem arose in the implementation of that decree: most of the time, as per the application of the articles 31 and 34, what is required from the natives is a quantity of products equivalent to 40 hours of work. Attempts to establish this equivalence led to arbitrary results (Janssens et al., 1905). Another issue has arisen from the delegation of the tax collection to commercial agents. This is a longstanding practice that was initially implicit and has been subsequently regularized by the 1903 decree on direct personal taxes. It is within the land concessions of the commercial companies that the worst abuses took place (Janssens et al., 1905). The 1906 decree on the labour contract was an attempt to remedy some of the shortfalls of the previous legislation. It modified the maximum duration of a contract indicated by the previous decree. For a native less than 14 years old, the maximum duration should be less than

2 years if he is an ordinary worker, and less than 3 years if he is domestic servant.

Nevertheless, the Indigenous Land Decree accounts for most of the increase of our property rights index in 1906. This decree states that, irrespective of the rights of occupancy of the natives, the Governor General or the District Commissioner delegated for that purpose are allowed to allocate to each village an acreage that is the triple of the area inhabited and cultivated by them and even to exceed that acreage. If the latest disposition implies allocating to the natives extra acreage of land owned or exploited by a third-party, the State will rent this extra acreage at a uniform rate. If an amicable settlement cannot be reached, an expropriation in the public interest will be carried out. The natives will be able to use their land in whichever way that suits them.¹³

The frantic exploitation of Congo's natural resources in the Congo Free State led to massive human rights violations. Congolese villagers were taken away from farm work. This situation created an endogenous state of famine during much of the 'Leopoldian' period. Flogging by local officers, hands and feet mutilation for those who did not comply with the production targets, were customary. Entire villages, even women and children, were wiped out because their inhabitants failed to provide their quota of rubber or fought back against the State. While it is almost impossible to assess the exact toll of these atrocities, it seems that the reign of Leopold II was responsible for millions of deaths and for a demographic crisis that plagued Congo for most of the colonial period. This massive human rights violations caused a worldwide outcry, which led the Belgian parliament to annex Congo out of embarrassment (Gondola, 2002).

3.3 The Evolution of the Property Rights Index in the Belgian Congo

The property rights index will experience a significant increase after the annexation of the Congo Free State by the Kingdom of Belgium. The 1908 Colonial Charter expressly asserts that nobody can be forced to work for companies and for private individuals. This will curb the brutal exploitation and arbitrary use of violence, in which some of the concessionary companies had excelled. However it seems that forced labour, in differing forms and degrees, would not disappear entirely until the end of the colonial period. 1910 was characterized by even a more substantial improvement of the property rights index. That year, several pieces of legislation allowed some progress in property rights. Firstly, the colonial government issued a decree about the exploitation of agricultural products in the domainal lands. This decree terminated the exploitation of agricultural products through public companies in domainal lands, and therefore decree suppressed forced labour de jure. The accommodating legislation arose from the pressure built up from the revelation, by Roger Casement and E.D Morel, of the scandals committed by the Congo Free State administration and from the British government who was allegedly coveting the Congo Free State (Vaessen, 2001).

Secondly, a decree on the taxes due by natives was issued. By abolishing labour tax, this decree allow

¹³The only exception is that they cannot dispose of their land at the benefit of a third-party without the approval of the Governor General.

the spread of cash within the colony and natives were then able to pay their taxes with the money they earned. The suppression of the system of exploitation through public companies implied that it was no longer possible to apply the tax system organized by the 1903 and the 1906 decrees. This decree allowed the development of the financial economy in the Belgian colony (Vaessen, 2001). Finally, the decree about the contract of service and the recruitment of workers changed deeply the rules governing the contract of service. Two traditional rules of civil law now apply: the principle of civil liberty stipulating that all workers have to be free to engage in a labour contract (no more forced labour) – and eventually the rule stipulating that the civil law or alternatively, the local customs may supplement the silence of contracting parties. Furthermore, the maximum duration of a work contract is set to 3 years instead of 7 before.

The new economic regime implied by these three 1910 decrees was driven by a quest for more liberalism. The exploitation of the resources of the Colony had to shift to heavily capitalized companies. Hence, the direct presence of the State in the Economy had to be replaced by the encouragement of private initiative. There is a break in the way the Belgian administration managed natives manpower. Within the old regime (Congo Free State), the administration considered the use of the labour force as a levy. With the new laws, the companies had to comply with the laws of the labour market. Actually, by 1910 most of the other colonies of Sub-Saharan Africa enforced a similar contract of service. The Belgian administration adhered to an important idea: the welfare of the State in general and of the colonial State in particular is inseparably linked to the welfare of the private firm (Vaessen, 2001).

The property rights index further increased in 1920 with the issue of the decree about civil legislation and real property transfer. This decree comforts private ownership and regulates real property transfer. It states that private ownership of land is legally established only by a certificate of registration recognized or granted by the Colony. This upward trend will be temporarily halted in 1922 with a decree about the contract of labour between the natives and the civilized masters. According to the explanatory statement of this decree, its issue was motivated both by the will to protect the rights and interests of the employers as well as those of the native workers.¹⁴ It authorized the employers to impose fines to the workers and allow the courts to impose penalties to the workers who in bad faith refuse to carry out their obligations or who are guilty of a major disciplinary offense.

Slight increases of the index are further noted in 1923 and 1924 with the decree against the illegal occupation of land which granted some protection for natives' land¹⁵ and the Bylaw about the sale and lease of land. In 1934, the decree on the ascertainment of the vacancy of land and of natives rights will further protect natives' properties. According to this decree, any cession or concession outside urban ridings exceeding two hectares is subject to a preliminary investigation checking whether the land involved is not already owned by the natives. Therefore, the rule is to presume occupation of

¹⁴This decree contrasts with the 1910 legislation which was allegedly driven mainly by the concern of preserving the rights and interests of the native workers.

¹⁵This decree asserts that nobody can settle in the land pertaining to the natives, even with the consent of the natives, if he has not received the explicit written consent of the Territory Administrator.

land by the natives. The decree recognizes that the rights of indigenous population on land may not imply an exclusive appropriation. This decree seems to ensure a more effective protection of indigenous rights by guaranteeing their ascertainment through a special procedure subject to revision within two years (Heyse, 1949).¹⁶

The property rights index experienced a sharp decrease during World War II because of the establishment of a requisitions regime in Belgian Congo. Indeed, in 1943 a decree-law organizes a requisitions regime in Belgian Congo. It states that in case of war or threat to public security, the Governor General may order the mobilization of all the territory or in any part of Belgian Congo. When the mobilization is ordered, the Governor General can require persons and goods subject to payment of an amount corresponding to the value of the services provided. In case of war he can require natives to allocate them to the economic activities crucial for wartime effort.¹⁷ This decree obviously imply strong constraints on property rights.

We note a sharp increase of the index in 1953. That year the legislator issued several decrees that gave to the indigenous population access to individual real estate and to cessions and concessions of land in the extra-customary centers and in the indigenous cities. The 1953 decree on the access of Congolese to individual real estate asserts that all registered Congolese shall enjoy all property rights established by the written legislation.¹⁸

The 1953 decree on the regime of cessions and concessions of land in the extra-customary centres and the indigenous cities also implied an improvement of property rights. According to that decree, the public entity in charge may distribute land parcels through cession or concessions to private persons allowed to reside in the centre or in the city and to indigenous cooperatives. It can also grant parcels, with the special approval of the Provincial Governor, to the same persons and cooperatives, for housing construction. The new houses will be sold or leased to the inhabitants of the city or the centre. Land parcels can also be conceded to companies for housing construction at the benefit of their indigenous employees or granted to scientific, religious, charitable or social institutions and associations and to public service establishments.

¹⁶The article 37 of the February 6th, 1920 decree allows to object the customary rights of the natives to the certificate of registration. This implies an legal insecurity in terms of the properties subject to civil law since natives' claim can come out at any time (Heyse, 1949). The 1934 decree on the ascertainment of the vacancy of land and of natives rights tends to remedy to this shortfall.

¹⁷Requisitions of persons are done only in case of insufficient voluntary enlistments.

¹⁸Congolese who are non registered can exercise these rights only according to the following provisions: they can dispose of these rights for a fee only with the authorization of the presiding magistrate of the court of the territory. They cannot rent out property for a duration higher than six years. They may grant a mortgage only with the authorization of the tribunal's chairman of the court of the territory and only to agencies or persons approved by the provincial governor.

3.4 The Evolution of the Property Rights Index after the independence

Third constitutional dispensation: 1960-1967

In 1953 the property rights index reached a peak with the two 1953 decrees. The property rights index persists at that level until 1965 after the independence. In 1966 the Congolese legislator took a series of dispositions to control property rights in the country. This implied a sharp decrease of the index. The Ordinance-Law 66/260 subordinates to financial guarantees the registration to the Registry of Companies of foreign nationals, foreign companies and of some Congolese companies. Later in the same year, the government issued the Ordinance-Law 66-341 which requires from companies based in Congo to have their head office and their administrative headquarters located in DRC. This piece of legislation is a retaliation to the 1960 Law about the status of Belgian companies subject to colonial law and having main administrative offices in Belgium.

This law was adopted by the Belgian Parliament 13 days before the independence. It was issued for the following reason: as from the independence day, the article 2 of the August 21st, 1921 law is no longer applicable to the companies exercising their activities in Congo; this article states that commercial companies incorporated either in Belgium or in Congo under the legislation in force in the Colony, are exclusively subject to the colonial laws, even though their headquarters are located in Belgium. To avoid having Belgian companies subject to Congolese Law, the Belgian legislators decided that Belgian companies under Congolese law at the time, but having in Belgium their principal administrative establishment and in Congo their social centre, will be subject to the provisions of Belgian law after the independence (Lukombe Nghenda, 1979, p.26).

Therefore, to avoid a migration of firms to a foreign legislation regime, the Ordinance-Law 66-341 conferred the Congolese nationality to the firms and companies based in Congo but having their headquarters abroad (Lukombe Nghenda, 1979).¹⁹ In 1966 the government also issued the famous Bakajika Law (Ordinance-Law 66/343). This law grants to the DRC the entirety of the ownership rights over its domain and full sovereignty in the allocation of land, forestry and mining rights throughout the whole of its territory. The Bakajika law canceled all the cessions and concessions granted by the Congo Free State, the Belgian Colony and by all powers conceding land before the independence. This law gives to the State repossession rights on the land ceded and conceded by the colonial administration.

¹⁹Only few firms and companies responded to the call of the Congolese State. For instance the managers of the “Union minière du Haut Katanga” resisted the new legislation. This led to the nationalization of the Congolese assets of the company in December 1966. A State-Owned Enterprise (SOE) has been created to exploit them: Gecom. However, for the Congolese State this was a Pyrrhic victory: the newly created SOE had to entrust the necessary technical support and the very profitable commercialization of metals to a affiliate of the “Union minière du Haut Katanga”: the “Société générale des minerais”. The nationalization of mines and plants led to a more secure income for the Belgian group which later obtained significant compensations (Moreau, 2009).

Fourth constitutional dispensation: 1967-1990

The index further declined in 1972 with the Laws 71-008 and 71-009 amending the Constitution. The law 71-008 issued in December 1971 states that the Zairian soil and subsoil as well as their natural products belong to the State. In terms of the article 1 of Law 71-009, the State repossesses the rights on the soil the sub-soil and natural resources conceded and ceded to private persons and which has not been developed by their beneficiaries.

In 1973 the property rights index increased with the Law 73-021, which forms forms the basis of the current Congolese land tenure. According to this law the soil is the exclusive, inalienable and imprescriptible property of the State. The State hereditament is constituted of a private state domain and of a public state domain. The land of the private state domain may be the subject of a concession in perpetuity, an ordinary concession or a land easement. When the concession concerns a land that is fully or partially uncultivated, it is subject to a condition of development. In case of a partial development, the concession will be reduced accordingly. Concessions are granted only for a maximum period of 25 years.

While this law can be considered as an improvement of property rights, 1973 can be regarded as a transition towards severe restrictions. The Special Law 73-009 on trade reserved commercial activities exclusively to Zairians private persons and companies under Zairian Law whose capital is wholly owned by Zairians. Foreigners, private persons or legal entities, can be allowed by way of derogation of the President of the Republic, to carry out commercial activities. In his November 30th, 1974 Presidential address, Mobutu Sese Seko stated the principle of the repossession of the material properties and commercial activities held by Foreigners (“Zairianisation”). This speech was followed by the Departmental Decree 015/CAB/006/73 specifying enforcement measures of the Special Law 73-009. In terms of this decree, according to article 5 of special law 73-009, the trade of imported and local products, when they are not acquired for investment purposes or to serve as raw materials or as procurement in a process of production of goods and services, is exclusively reserved to Zairians, natural or legal persons. Moreover, the exploitation of service stations selling petrol is exclusively reserved to Zairians. A maximum period of three months is granted, as from December 1st, 1973 to persons and companies that are not allowed to exercise these activities. This led the government at the time to nationalize, i.e. to transfer to the State the ownership of agricultural companies, agro-industrial corporations, quarries, brickyards and of large commercial units belonging either to foreign physical and legal entities or to companies organized under Zairian Law and whose capital is owned partly or totally by foreigners. In 1974, the Ordinance 74-019 was expressly issued to regulate this nationalization.²⁰

Property rights were also badly affected by the Ordinance 74-152 concerning abandoned or undeveloped property. This law states that any property considered as forsaken or undeveloped will be assigned to Zairians and the corresponding title canceled without judicial involvement. This ordinance has been adopted to prevent owners to “freeze” real estate. Nevertheless, the difficulty to determine objective

²⁰Yet, this ordinance provides for a fair compensation, whose amount will be set by the National Executive Council.

criteria for abandonment, the brevity of the period to express objections and the ineffectiveness of the advertising measures led national and international opinion to believe that the text was simply aiming to appropriate the properties and the assets owned by foreigners. Moreover, the application of this ordinance led to several frauds. Many persons took advantage of this ordinance to dispossess irregularly others, with the complicity of the administration.

The lower limit of the index for the post-independence period was however not reached yet. Things got worse with the so called radicalization measures. The failure of the “Zairianisation” led the Zairian government to opt for the “Radicalization”. Complaints came out from the manner by which goods and activities repossessed by the State were allocated to Zairian private persons. Some have noticed that the “Zairianisation” just resulted in the substitution of foreign capitalists by new national capitalists. Moreover, it did not have positive effect on agricultural production, it rather implied a concentration on business on few persons (Lukombe Nghenda, 1979). The radicalization implied the transfer to the State of the production units newly acquired by Zairian private or natural persons. These radicalization measures were formalized in 1975 by the Ordinance 75-105, which publishes a non exhaustive list of firms repossessed by the State (list available in Lukombe Nghenda (1979)). Moreover, this ordinance nominates delegates general for these firms.

Concerns have been raised about the fact that the appointment of these delegates general was not based on competence in management, but was rather subject to nepotism and cronyism. Moreover, it has been noticed that the State could not roll out management committees and the bodies of deputy delegates general. Finally, the State did not define the powers and the attributions of the different bodies. In these conditions flaws in management were inevitable (Lukombe Nghenda, 1979). This inevitably led the government to consider retrocession measures. In 1977 the Law 77-027 on the general measures of retrocession was issued. Under this law firms repossessed through “Zairianisation” and “Radicalization” should be restored to their former owners.²¹

The retrocession marked the recovery of the index after years of remarkable drop after the “Zairianisation” and the radicalization measures. The index further recovered after the issue of the Law 80-008 modifying and completing the law 73-021 on July 18th, 1980. This law states that the certificate of registration constitutes evidence of the concession, and possibly of the ownership rights over the property. These rights are unassailable and the actions directed against them can only be liability claims. Any land ownership rights which have been acquired regularly by Zairians, natural persons, before the coming into force of this law, are converted in rights to concession in perpetuity as long as they have been materialized by a development in compliance with laws and regulations. The right to occupy as evidenced by the accommodation provider booklet or some equivalent title is suppressed. However, the citizens who currently hold this right will receive a title of concession in perpetuity, as long as it is

²¹However, for any firm having its place of business in the Republic of Zaire, the share detained by foreign individuals or legal entities cannot exceed 60% of the share capital, the remaining share 40% or more should be held by Zairians. Furthermore, the Zairian State reserves the right of participation in areas of national interest, namely: mines, energy, wood, sea, inland waterway, air and rail transports. Zairians remain owners of the farms, livestock, small businesses and plantations.

regular. The law repeals previous Congo Free State, Belgian Congo, and post-independence legislation.

In 1984, the property rights index increases once more with the Ordinance 84-026 which repeals the Ordinance 74-152. It avoids the arbitrariness of the repossession process implied by Ordinance 74-152. At last, in 1987 the index will increase with the law 87-010 governing the Family Code. This law establishes succession and transmission rights. After this law, no substantial changes in terms of property rights is noticed in the Congolese legislation.

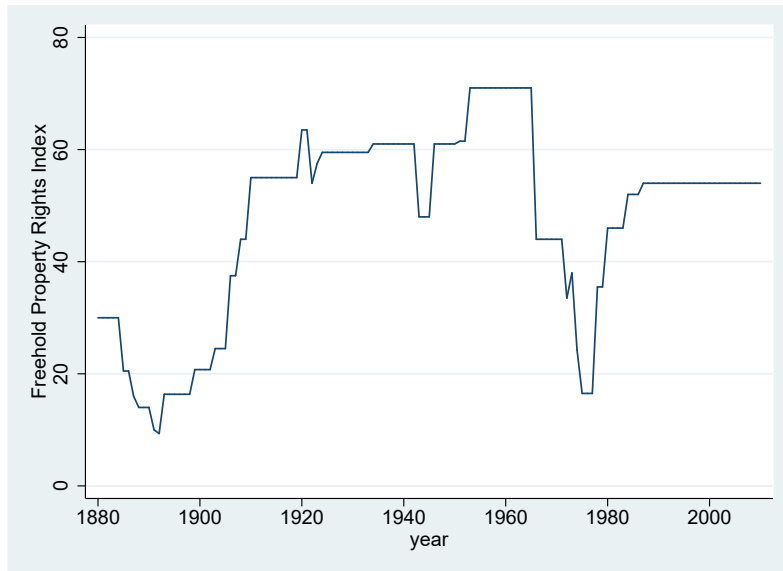


Figure 1: Freehold Property Rights Index, 1880-2010

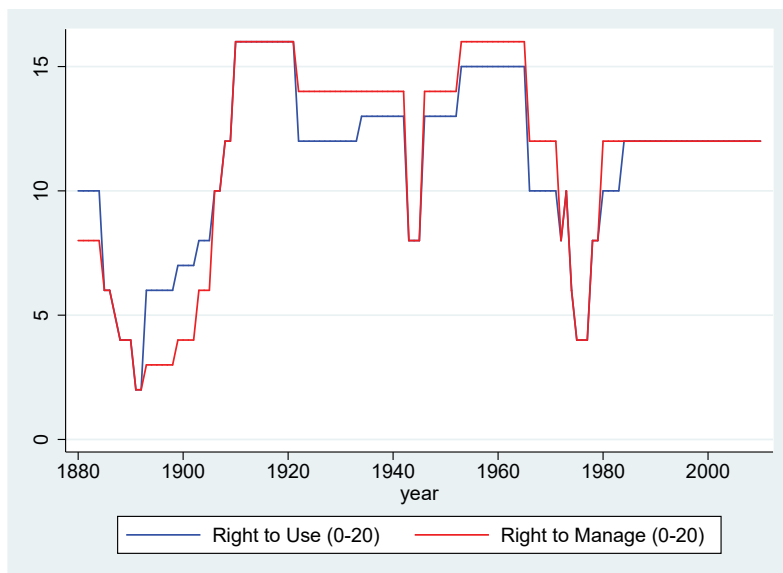


Figure 2: Rights to Use and to Manage, 1880-2010

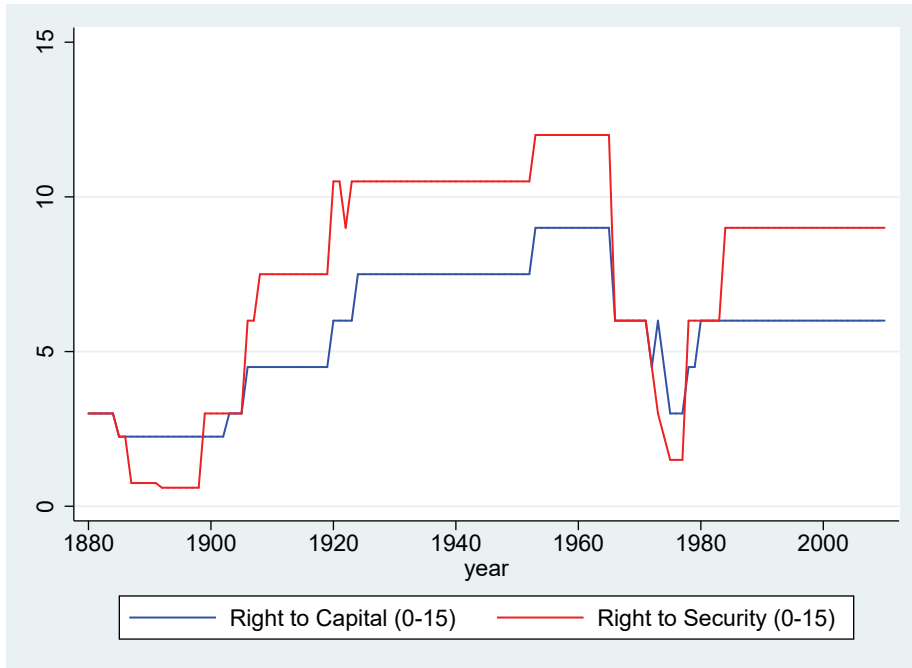


Figure 3: Rights to Capital and to Security, 1880-2010

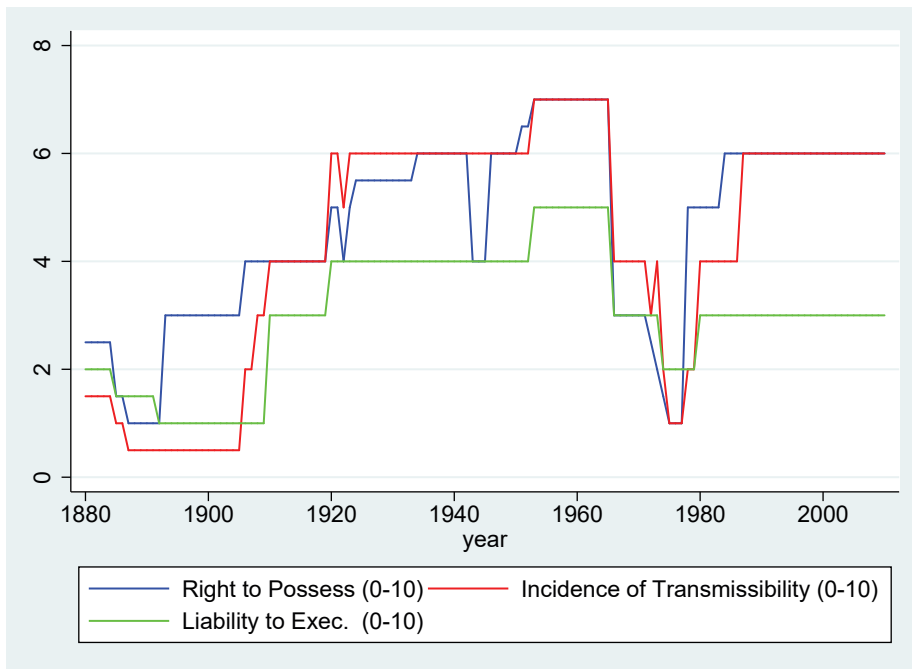


Figure 4: Rights to Possess and to Transfer and Liability to Execution, 1880-2010

4 Political Rights and Civil Liberties Index in DRC

4.1 Political Rights and Civil Liberties in the pre-colonial Congo

Before colonization, Congo had quite diverse political and social organizations. These include segmentary, small scale groups of hunters and gatherers in the North East, centralized chiefdoms of the savannah, the powerful Luba and Lunda empires, the Kuba and the Kongo Kingdoms. The political organization in the savannah was based on chiefdoms, as low demographic densities prevented the organization of a more centralized political regime. The chiefdom was the most common political structure before the emergence of kingdoms and empires. Kingdoms and empires differed from chiefdoms in many aspects. They were more ambitious in their territorial expansion and more administratively centralized. In addition, kingdoms and empires always encompassed different ethnic groups, conversely to chiefdoms, which were ethnically homogenous (Gondola, 2002).

Another difference between chiefdoms and kingdoms lies in the nature of the power held by the rulers. The pre-colonial king was vested with far more power over the lives of his subjects. He represented absolute power as judge and legislator (Gondola, 2002). In precolonial Africa there was no separation of powers between the Legislature, Executive and Judiciary. Even at village level the chiefs had power to maintain law and order in their areas of jurisdiction, and this power gave them a lot of leverage to act as legislators, judges and administrators.

Hence, power relations of pre-colonial Africa were typically of “patrons and clients” type. “‘Big men’ presided over intricate networks of clientage involving reciprocal but unequal relations with ‘small boys’, as well as power over women and children, and those held in the diverse forms and degrees of servitude of pawnship and slavery” (Berman, 1998, p.310-311). The slavery that prevailed in pre-colonial Congo before and after the trans-Atlantic slave trade will cause significant violations of political and civil rights. More generally, the limitation of voting rights, the low score of the index in terms of the Extent of Arbitrary Executive Power, and the Independence of the Judiciary and Legislature criteria will limit the overall score to half of the rating scale.

4.2 Political Rights and Civil Liberties Index in the Congo Free State

With the formation of Congo Free State in 1885 the index experienced a significant drop. The Belgian legislative chambers allowed King Leopold II, to become the Head of the newly formed Congo Free-State, in compliance with the article 62 of the Belgian Constitution. This ordinance states that the relationship between Belgium and the Congo Free State will be exclusively personal. This concept of the personal relationship between the two crowns implied that for the Belgian government that King Leopold II was acting in Africa as a private individual rather than as the King of Belgium. The Belgian government was not involved. Actually, except at rare times, the King did not even inform his ministers (Stengers and Vansina, 1985, p.5).

The Congo Free State was an absolute monarchy. The King Leopold II concentrated all the Executive, Legislative and Judiciary Powers (Louwens, 1907).

“I do not want to risk...losing a fine chance to
secure for ourselves a slice of this
magnificent African cake”
King Leopold II, to an aide in London²²

This quotation indicates clearly the intention of Leopold II when he created the Congo Free State. The Congo Free State does seem to fit with the standard definition of a colonial state. It appears rather as financial business which has been administered neither in the interest of the natives nor even in the interest of the Kingdom of Belgium: “L’État du Congo n’est point un État colonisateur, c’est à peine un État : c’est une entreprise financière... La colonie n’est administrée ni dans l’intérêt des indigènes, ni dans l’intérêt de la Belgique”²³

The index further declined in 1886 with the issue of the Decree about publication of official acts, which states that only the government acts that should be made public will be included in the Official journal. Hence, Leopold II granted himself the right to legislate in secret. The index drop significantly from 1891 with the vacant land and subsequently the Rubber extraction decrees. These decrees generalize forced labour in the Congo Free State and turned most of the indigenous population into slaves. It is therefore clear that the basic political and civil rights of the majority of natives were severely undermined. In 1896 the Decree against vagrancy and begging marginally contributed to a further decline of the index.

In 1899 the sentences of the Court of Appeal of Boma against Léon Fiévez by ruling against forced labour contribute to improve significantly the basic civil liberties of the natives and henceforth the Political Rights and Civil Liberties index.

4.3 Political Rights and Civil Liberties Index in the Belgian Congo

Then, the index significantly increased only with the annexation of the Congo Free State by the Kingdom of Belgium and the adoption of the Colonial Charter. The Colonial Charter reiterated that forced labour was banned but it also established that all the inhabitants of the Colony enjoyed the rights recognized in the articles 7 (paragraph 1 and 2), 8 to 15, 16 (paragraph 1), 17 (paragraph 1), 21, 22 and 24 of the Belgian Constitution which imply the guaranty of property rights, of a due process in law, the freedom of religion, free education, and freedom of the press. In 1910 the index declined because of several dispositions imposing restrictions against the natives: the Ordinance concerning the night-time circulation of Blacks at Boma, which forbids to any Black, native or craft-person from the coast, to move around at Boma from 09:30 pm to 4:00 am, the decree completing the regulation of the right of

²²Hochschild (1998, p.58)

²³Cattier (1906) p. 341 quoted by Vaessen (2001, p.1223)

residence on the territories of the Belgian Congo and the Ordinance limiting the access of Blacks to liquor outlets. The decree about the regulation of the right of residence stipulates that any native of the Colony who undermines by his behavior the public tranquility may be forced to depart from a certain place or to reside at a determined location.

The index will decrease marginally in 1922 – with the ordinance regulating the manufacturing, the sale and the consumption of alcoholic fermented beverages for Blacks and the decree imposing restrictions on the emigration of Blacks – and in 1923 with the decree against vagrancy and begging. This last decree asserted that any person of colour found in a state of vagrancy and begging will be arrested and taken to a competent court. We notice a marginal increase of the index in 1925 with the decree limiting the use of portage and in 1934 with the decree limiting the use of Backlash strikes (December 1933). With the Second World War, the index decreased. Two regulations were instrumental in this decline in 1943: the decree law establishing censorship and the decree law organizing a requisitions regime in Belgian Congo.

In 1952 and 1953 the index increased respectively because of the decree on the indigenous jurisdictions and back lash penalty, which suppressed the back lash penalty, and the decree on the access of Congolese to individual real estate. The decree further increased in 1957 with the Royal Decree about the general organization of cities. This legislation introduced an electoral system in the newly created municipalities, hence the Voting Rights component increased from 0 to 3. Municipal elections were held at Leopoldville (Kinshasa), Jadotville (Likasi), and Elisabethville (Lubumbashi), and the first black mayors were elected: Kasa-Vubu (Dendale), Pinzi (Kalamu), Alphonse Tshinkela (Kintambo) for Leopoldville, and Armand Tshinkulu, Laurent Musengeshi etc. for the indigenous municipalities of Elisabethville. In 1958 the index decreased again because of the decree on the right of residence on the territory of the Belgian Congo. This decree established punishment by deportation for those who were considered as a threat to public order. This is clearly a restriction to political rights. This decree is the last piece of legislation having a substantial impact on political and civil liberties before 1960, the year of the independence.

4.4 The Evolution of the Political Rights and Civil Liberties Index after the independence

Third constitutional dispensation: 1960-1967

From 1960 to 1973, the index of political and civil liberty displays a lot of volatility. This mirrors the political and institutional turmoil which characterized Congo's politics in the early years of the independence. In the beginning of 1959, the Belgian Congo experienced civil unrest due to the growing opposition against the colonial regime. The Belgian government agreed with the principle of independence of the Belgian Congo. In the beginning of 1960, a round table gathered a dozen of political parties and traditional leaders; it adopted 16 resolutions regarding the transition process and the organization

of the new State and set the date of the independence to June 30th, 1960. The Belgian parliament elaborated the 1960 Basic Law to serve as a temporary legal framework before the adoption of a constitution written by the Congolese themselves.

The Basic Law defined the Congo as a democratic and indivisible State with 6 provinces. The Head of the State is appointed by a majority of two thirds of all the members of the two chambers of the parliament. The Person of Head of State is inviolable; the Prime minister and the ministers are accountable to the parliament. No act from the Head of State may take effect without the countersignature of a minister, who, by signing takes responsibility upon himself. Therefore, the Basic Law set the new State as a democratic federal and parliamentary State. It introduced the direct universal suffrage for the members of Parliament. The high increase in the voting component is one of the factors which contributes the most to the high increase of the index in 1960. Nevertheless, the voting component only increased from 3 to 6 as in 1960 women were not yet allowed to vote. They will obtain this right only by 1967.

It appears that a complex federal system and a diarchy between the President of the Republic and the Prime minister arose from this Basic Law. Just after the proclamation of the independence, the Congo had to face military rebellions, and regional or tribal secessions. On September 9th, 1960 the President of the Republic Joseph Kasa-Vubu, and the Prime minister Patrice Lumumba dismissed each other. Mobutu, the chief of the army undertook his first coup and removed the Prime minister on September 14th, 1960. The Constitutional legislative decree relating to the exercise of the legislative and executive powers at the central level was then issued. This decree suspended the parliament and transferred the legislative power to the Council of Commissioners-General. It transferred the executive power devoted to the Prime minister and to the ministers to the President of the Council of Commissioners-General and to the Commissioners-General. Therefore, this new institution combined the executive and the legislative powers.

In January 1961 the Constitutional legislative decree relating to the exercise of the judicial power was issued. According to this decree the President of the Republic could appoint one or several agents from an administrative or judicial body as apprentice judges for each police court. He could limit their territorial and subject matter competence.²⁴ The two previous legislative decrees set a transitory regime (1961-1964) giving all the powers, executive, legislative, and judiciary to the Council of Commissioners-General. This implies a sharp decrease of the index on 1961.

This transitory regime experienced several incidents.²⁵ The nomination of Moise Tshombe, the leader of Katanga, as Prime Minister allowed the drafting of the Constitution of Luluabourg which entered in force in 1964. This constitution established a federal regime supposed to satisfy the aspirations of the

²⁴The explanatory statement of this decree states that the situation of the judiciary in Congo did not allow to guarantee the independence of the judiciary from the executive power as provided for by the Basic Law. It also states that there was a need to proceed to staff transfers, to suspensions, or to revocations without taking into account their consent or waiting for a judgment.

²⁵While the UN peacekeepers tried to restore public order, the Prime minister Lumumba and the General Secretary of UN Hammarskjöld were killed.

regions to autonomy. It also established some fundamental rights: all Congolese are equal, before the law and have the right to an equal protection by the laws; in education, access to public services or any other area, no Congolese shall be subject to discrimination; the individual freedom is guaranteed; any person arrested should be informed immediately or 24 hours at the latest of the reasons for his/her arrest and of any accusation made against him/her. Everyone has the right to freedom of thought, conscience and religion. Everyone has the right to freedom of expression. Freedom of the press is guaranteed for all the Congolese. The same for the freedom of assembly and for the freedom to strike. The arts and scientific research shall be free of constraints. Congolese have the right to freely quit Congo. Congolese have the right to change their residence and to establish themselves in any location of the Republic. This implied a recovery of the index but this was short-lived. The federal regime established by the Luluabourg Constitution was undermined by the conflicts between the President Joseph Kasa Vubu and the Prime Minister Moïse Tshombé. Mobutu the Head of the army undertook a coup in November 24th, 1965.

Fourth constitutional dispensation: 1967-1990

In June 1967 the Second Republic Constitution was promulgated. This constitution established a unitary regime, with a strong presidency and a system allowing only two political parties. The argument for limiting the number of political stripes was to mitigate the virulence of political upheavals. This entails a significant drop of the index in 1967. The index will drop further in 1970 with the Law 70-001 amending the Second Republic Constitution. In its first article this law modifies the article 4 of the 1967 Constitution by establishing the “Mouvement populaire de la révolution” as the single party and the supreme institution of the Republic. It is represented by its president. All the other institutions are subordinated and controlled by the President.

In 1974 the constitution was once more amended; this time by Law 74/020. This law stated explicitly that groups whose purposes or activities would be contrary to public order will be banned. The President of the “Mouvement Populaire de la Révolution” is the ex officio President of the Republic and exercises the full executive, legislative and judicial powers. Indeed, he chairs the Political Bureau, the Congress, and the Executive, Legislative and Judicial Councils. This new constitution revision established Mobutu’s dictatorship and institutes the principle of return to African authenticity. The index then reached the lowest level of the post-colonial period and this situation will persist until November 25th, 1990 when the last law amending the Second Republic Constitution introduced an integral multiparty system and allowed for a democratic political transition.

From the democratic transition to the current regime

This last legislation improved the index. The creation of National Conference by the Constitutive Act 91-097 and the 1994 Transitional Constitutional Act further contributed to increase the index.²⁶ This constitutional act gave guarantees in terms of individual and constitutional rights;²⁷ it also allowed to end up the mix-up resulting from the coexistence of two contradictory constitutional acts supported by two assemblies with opposite political tendencies. Furthermore, it allowed to reach a compromise between the two political tendencies. The executive power is shared, not without confusion, between the President of the Republic and the Prime minister chosen by the opposition.

The interminable and confused democratic transition which started at 1990 came to an abrupt end on May 21st, 1997 when Laurent-Désiré came into power. The new president concentrated in his hands the legislative and the executive powers while the drafting of a new constitution was underway. To formally legalize the new regime, a constitutional legislative decree was issued in 1997. It confirmed the concentration of the legislative and executive power in the hands of the President of the Republic and justifies a drop of the index.

The victory of the forces of Laurent-Désiré Kabila in May 1997 led to another conflict. The new president had to fight armed factions supported by his previous allies, Rwanda and Uganda. While the support of Angola and Zimbabwe allowed him to defer this immediate threat, Kabila was assassinated in 2001 and his son took over. The mediation of South African President Mbeki facilitated the holding of the inter-Congolese dialogue at Sun City in 2002 to end the war and to reach a Global and Inclusive Agreement on the transition in the DRC, signed in 2002 and adopted at Sun City in 2003. This agreement concerns the Transitional Constitution adopted later in 2003. In this Constitution political pluralism is acknowledged. All Congolese shall have the right to create a political party or to become a member of a party of their choice. This constitution establishes some fundamental rights which allows the index to increase.

Eventually, the Political Rights and Civil Liberties index further increases with the Constitution of the Third Republic adopted in 2006. This constitution gives similar guaranties as the preceding constitution in terms of political pluralism and political and civil rights. The President of the Republic is elected at the absolute majority of expressed votes. If this majority is not obtained in the first round of voting, then within a fortnight a second ballot shall be organized. The President of the Republic presides the Ministerial Council. He appoints the Prime minister from the parliamentary majority. The Government includes the Prime minister, the ministers and, when appropriate, Deputy prime ministers,

²⁶The Law 93-001 providing for constitutional provisions for the transition period actually preceded the Transitional Constitutional Act. It deprived the President of much of its powers and established a parliamentary regime. However, it has neither been promulgated by the President of the Republic nor been published in the Official Bulletin. Mobutu requested to have another constitutional act drafted. This constitutional act was adopted by the former National Assembly, which was in principle dissolved and was supposed to be replaced by the High Council of the Republic. This law gave to the President of the Republic essential prerogatives like the appointment of the Prime minister. It also confirmed the parliamentary system but at the benefit of the former National Assembly.

²⁷Actually, the same guarantees as the Law 93-001.

ministers of State and ministers delegated. The Prime minister is the Head of the government. The legislative power is exercised by the Parliament, which consists of two houses: the National Assembly and the Senate. The members of the National Assembly are elected on the basis of universal, equal, direct and secret suffrage. The Candidates for Senators are nominated by political parties or regroupings. Senators are elected by the provincial assemblies.

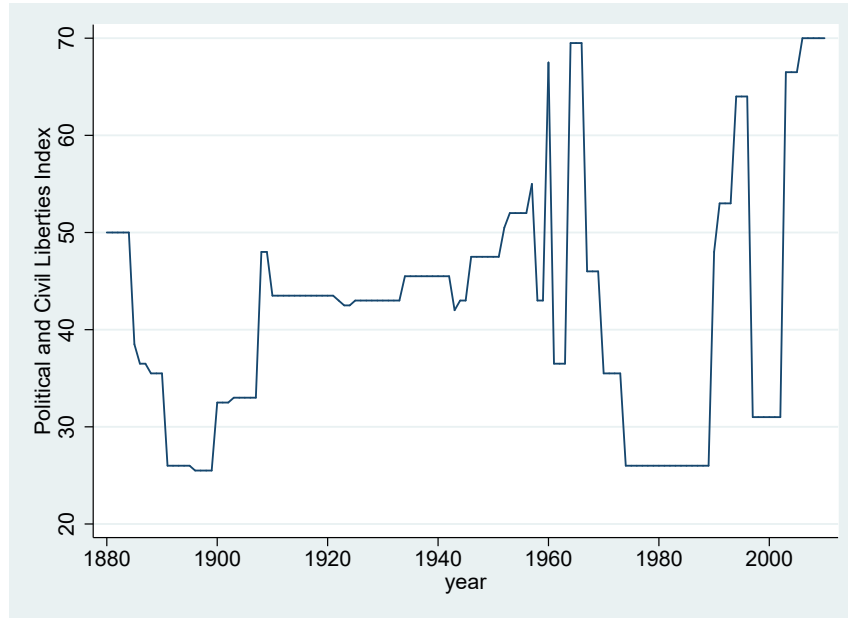


Figure 5: Political Rights and Civil Liberties Index, 1880-2010

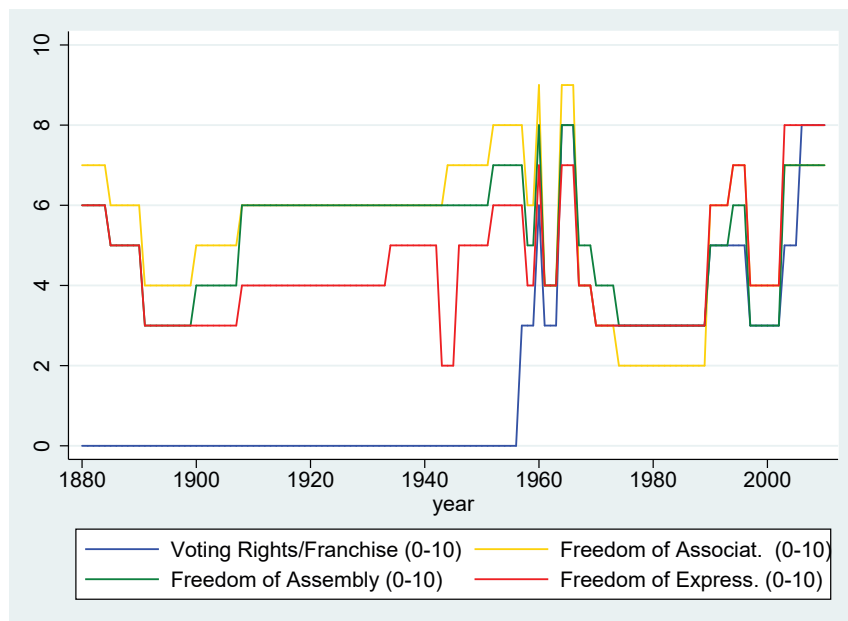


Figure 6: Voting rights, freedoms of association, of assembly and of expression 1880-2010

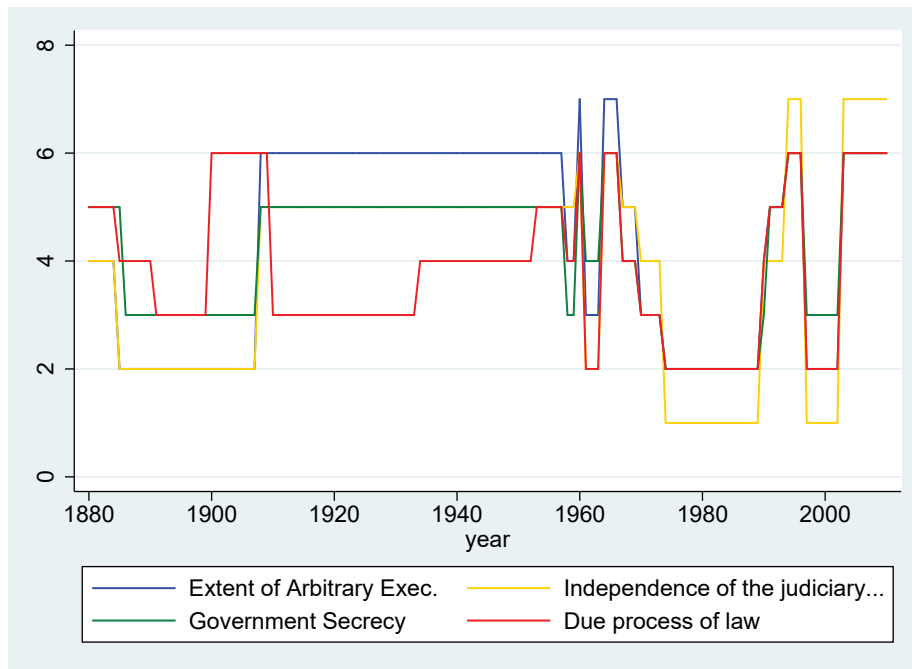


Figure 7: Extent of Arbitrary Executive Power, Independence of the judiciary and Legislature, Government Secrecy/indemnity and Due process of law 1880-2010

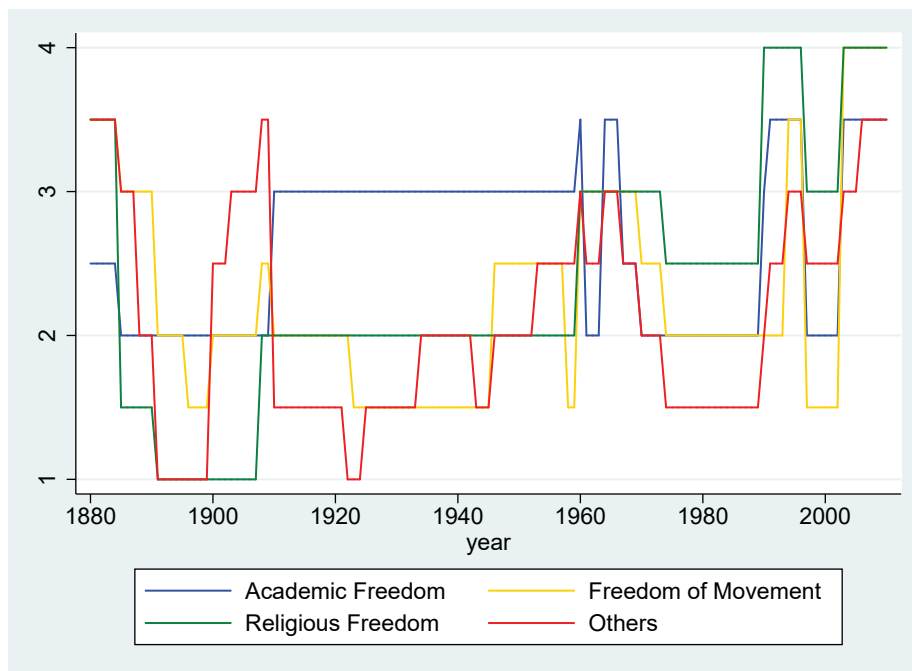


Figure 8: Academic Freedom, Freedom of Movement, Religious Freedom and Others, 1880-2010

5 The Evolution of the Political instability Index in DRC

Relying on international databases entails a severe constraint in terms of the time span. With the MEPV and the FDP databases the time interval goes from 1964 to 2008. When we consider the GDELT database time coverage even shrinks to 1980-2008. Figures 9 and 10 show the evolution of the political instability index respectively with and without the GDELT database. Before 1980 we may focus on Figure 9 as it has the longest time coverage. For the interval 1980-2008, we will rely on Figure 10, even though it broadly shows the same evolution as Figure 9.

A high value of the index corresponds to a higher level of political instability. The value of the index is high before 1965 (coup of Lieutenant-General Mobutu) because of the Katanga secession and diverse rebellions. The index drops significantly afterwards with the establishment of the Second Republic in 1967. It increases from 1968 to 1976 but at a lower level than before 1965 and reaches a plateau during that period. This corresponds to an attempted coup against the president Mobutu in June 16th, 1975 and the emergence of a hotbed of tension in Angola favored by a series of factors: the migration in Angola of some of the “Katangan gendarmes”, veterans of the Congo’s crisis in the 1960s,²⁸ the Angolan War of Independence, and the Angolan Civil War.

The Congolese involvement in the last conflict through the support of the Frente Nacional de Libertação de Angola (FNLA, in English National Front for the Liberation of Angola) backfired. In 1977 and 1978 the Congolese government faced two successive conflicts in Katanga: Shaba I in 1977 and Shaba II in 1978 caused by the foray of the “Katangan gendarmes” in Congo. The Congolese government had to resort to international help through a French airlift of Moroccan troops to end the Shaba I crisis. President Mobutu managed to contain the Shaba II crisis with the support of the French Foreign Legion. The high value of the index in the late 1970s may also be explained by a new failed coup attempt against the Marshal Mobutu on February 18th, 1978.

From 1980 to 2008, we prefer to rely on the Figure 10. This graph portrays the evolution of the political instability index computed with the GDELT data. This database presents highly disaggregated information on all the events involving conflicts that can potentially undermine the stability of a country. Two variables of this database measure the potential impact of these events on political instability: the variable GoldsteinScale captures the theoretical potential impact that a type of event will have on the stability of a country and the variable AvgTone which reports the average “tone” of all documents containing one or more mentions of this event during the 15 minutes update in which it was first seen. It can serve as a proxy for the “impact” of that event.

We observe several spikes in the 1980s. This may be related to the political tension that arose with the creation by 13 MPs of an opposition party (UDPS: “Union pour la Démocratie et le Progrès Social”). As only one political party was allowed at the time, this will trigger a spiral of repression: the 13 founders of the UDPS will be sentenced to 15 years in prison and the party supporters will be

²⁸They were also veterans of the Angolan War of Independence, and of the Angolan Civil War.

subject to further harassment by the security forces. In the 1990s three pics can be distinguished: in 1991 there is a tension built up between the President of the Republic and the National Conference, in 1993 there is surge of ethnic violence in Kivu and in 1997 there is a regime change with the access to power of Laurent-Desiré Kabila. The tensions reached a maximum in 2003 after the assassination of Laurent-Desiré and the persistence of ethnic warfare in Kivu. The tensions seem to ease in 2006 with the adoption of the Third Republic Constitution, but regain momentum in 2007 with violence in Bas-Congo and Kivu and clashes in Kinshasa between Government forces and Jean-Pierre Bemba's fighters.

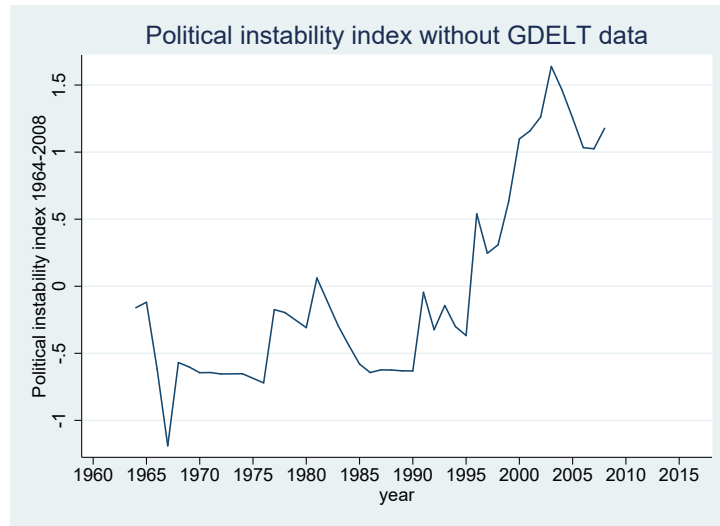


Figure 9: Political Instability without GDELT data, 1964-2008

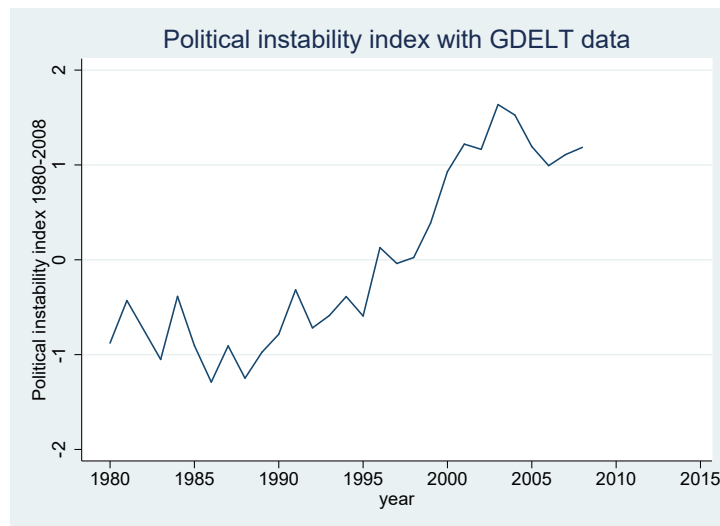


Figure 10: Political Instability without GDELT data, 1980-2008

6 Conclusion

In this study we present a new database of de jure property rights and political rights and civil liberties indices and a de facto political instability index. The time coverage of the facto political instability index is much shorter than the time span of the de jure indices. The reason being that, because of the absence of reliable administrative data in DRC, we could not implement the methodology of the preceding contributions that share the same objective of measuring such indices for African countries (Fedderke et al., 2001; Fedderke and Garlick, 2010; Fedderke et al., 2011; Gwenhamo et al., 2008; Letete, 2015; Zaaruka and Fedderke, 2011*a,b*). Nevertheless, the evolution displayed by this index provides an interesting insight: despite the peaks and troughs which build up the volatility of the index and correspond to different episodes of the dynamic political processes experienced by DRC (coups, transitory regimes, etc.), this index shows up a clear upward trend. This suggests that political instability has dramatically increased since the beginning of the democratization process. This evolution displays the mere challenges triggered by DRC democratization process.

The de jure indices display different patterns. They all display a sharp decline during the 1885-1908 period and the Second Republic. During the Second Republic the decrease in the property rights index corresponds to the “Zairianisation-Radicalization” episode, the decrease of the political rights and civil liberties index corresponds to a longer period: the consolidation of Mobutu’s dictatorship (1974-1989). Obviously the two periods overlap. The political index display more volatility which to correspond to coups and changes of regimes. There is however a distinctive feature between the two indices, the property rights index was at a higher level in the Belgian Colony than in the precolonial period while this is the opposite for the political and civil liberties index. So there is convergences and divergences between the evolutions between the two series. It will be interesting to analyze how they impact the dynamics of income in DRC. The long time-span of these de jure indices will be quite helpful in this regard.

Appendix A: Description of the databases used to build the political instability index

Major Episodes of Political Violence (MEPV) dataset

This dataset includes the following list of variables:

- “Independent State” indicator: 0 = non-independent state; 1 = independent state.
- INTIND: Magnitude score of episode of warfare episode occurring in a non-independent state and/or associated with an attempt to gain independence for the state (i.e., war of independence), Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes (INTIND is not added to aggregate totals, see below)
- INTVIOL: Magnitude score of episode(s) of international violence involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- INTWAR: Magnitude score of episode(s) of international warfare involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- CIVVIOL: Magnitude score of episode(s) of civil violence involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- CIVWAR: Magnitude score of episode(s) of civil warfare involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- ETHVIOL: Magnitude score of episode(s) of ethnic violence involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- ETHWAR: Magnitude score of episode(s) of ethnic warfare involving that state in that year, Scale: 1 (lowest) to 10 (highest) for each MEPV; Magnitude scores for multiple MEPV are summed; 0 denotes no episodes.
- INTTOT: Total summed magnitudes of all interstate MEPV, $INTTOT = INTVIOL + INTWAR$.
- CIVTOT: Total summed magnitudes of all societal MEPV, $CIVTOT = CIVVIOL + CIVWAR + ETHVIOL + ETHWAR$.

- ACTTOTAL: Total summed magnitudes of all (societal and interstate) MEPV, $ACTTOTAL = INTTOT + CIVTOT$.
- NBORDER: (2-numeric) Number of neighboring states sharing a border with the identified state.

Forcibly Displaced Populations (FDP) dataset

This dataset provides information on the following list of variables:

- SOURCE: Number of Refugees (x1000) Originating in the Named Country at the end of the Designated Year.
- IDP: Number of Internally Displaced Persons (x1000) in the Named Country at the end of the Designated Year.
- HOST: Number of Refugees (x1000) Hosted by the Named Country at the end of the Designated Year.

GDELT event dataset description

Table 1: GDELT 1.0 event dataset.

Variable name	Type 1	Type 2	Description
GLOBALEVENTID	INTEGER	NULLABLE	Globally unique identifier assigned to each event record that uniquely identifies it in the master dataset.
SQLDATE	INTEGER	NULLABLE	Date the event took place in YYYYMMDD format. See DATEADDED field for YYYYMMDDHHMMSS date.
MonthYear	INTEGER	NULLABLE	Alternative formatting of the event date, in YYYYMM format.
Year	INTEGER	NULLABLE	Alternative formatting of the event date, in YYYY format.
FractionDate	INTEGER	NULLABLE	Alternative formatting of the event date, computed as YYYY.FFFF, where FFFF is the percentage of the year completed by that day.
Actor1Code	STRING	NULLABLE	The complete raw CAMEO code for Actor1 (includes geographic, class, ethnic, religious, and type classes). May be blank if the system was unable to identify an Actor1.
Actor1Name	STRING	NULLABLE	The actual name of the Actor1.
Actor1CountryCode	STRING	NULLABLE	The 3-character CAMEO code for the country affiliation of Actor1.
Actor1KnownGroupCode	STRING	NULLABLE	If Actor1 is a known IGO/NGO/rebel organization with its own CAMEO code, this field will contain that code.
Actor1EthnicCode	STRING	NULLABLE	If the source document specifies the ethnic affiliation of Actor1 and that ethnic group has a CAMEO entry, the CAMEO code is entered here.
Actor1Religion1Code	STRING	NULLABLE	If the source document specifies the religious affiliation of Actor1 and that religious group has a CAMEO entry, the CAMEO code is entered here.
Actor1Religion2Code	STRING	NULLABLE	If multiple religious codes are specified for Actor1, this contains the secondary code. Some religion entries automatically use two codes, such as Catholic, which invokes Christianity as Code1 and Catholicism as Code2.
Actor1Type1Code	STRING	NULLABLE	The 3-character CAMEO code of the CAMEO “type” or “role” of Actor1, if specified. This can be a specific role such as Police Forces, Government, Military, Political Opposition, Rebels, etc, a broad role class such as Education, Elites, Media, Refugees, or organizational classes like Non-Governmental Movement.
Actor1Type2Code	STRING	NULLABLE	If multiple type/role codes are specified for Actor1, this returns the second code.
Actor1Type3Code	STRING	NULLABLE	If multiple type/role codes are specified for Actor1, this returns the third code.
Actor2Code	STRING	NULLABLE	The 3-character CAMEO code for the country affiliation of Actor2.
Actor2Name	STRING	NULLABLE	The actual name of the Actor2.
Actor2CountryCode	STRING	NULLABLE	The 3-character CAMEO code for the country affiliation of Actor2.
Actor2KnownGroupCode	STRING	NULLABLE	If Actor2 is a known IGO/NGO/rebel organization (United Nations, World Bank, al-Qaeda, etc) with its own CAMEO code, this field will contain that code.
Actor2EthnicCode	STRING	NULLABLE	If the source document specifies the ethnic affiliation of Actor2 and that ethnic group has a CAMEO entry, the CAMEO code is entered here.
Actor2Religion1Code	STRING	NULLABLE	If the source document specifies the religious affiliation of Actor2 and that religious group has a CAMEO entry, the CAMEO code is entered here.
Actor2Religion2Code	STRING	NULLABLE	If multiple religious codes are specified for Actor2, this contains the secondary code. Some religion entries automatically use two codes, such as Catholic, which invokes Christianity as Code1 and Catholicism as Code2.
Actor2Type1Code	STRING	NULLABLE	The 3-character CAMEO code of the CAMEO “type” or “role” of Actor2, if specified. This can be a specific role such as Police Forces, Government, Military, Political Opposition, Rebels, etc, a broad role class such as Education, Elites, Media, Refugees, or organizational classes like Non-Governmental Movement.
Actor2Type2Code	STRING	NULLABLE	If multiple type/role codes are specified for Actor2, this returns the second code.
Actor2Type3Code	STRING	NULLABLE	If multiple type/role codes are specified for Actor2, this returns the third code.

Table 2: GDELT 1.0 event dataset (continued).

Variable name	Type 1	Type 2	Description
IsRootEvent	INTEGER	NULLABLE	The system codes every event found in an entire document, using an array of techniques to deference and link information together. A number of previous projects such as the ICEWS initiative have found that events occurring in the lead paragraph of a document tend to be the most “important.” This flag can therefore be used as a proxy for the rough importance of an event to create subsets of the event stream.
EventCode	STRING	NULLABLE	This is the raw CAMEO action code describing the action that Actor1 performed upon Actor2.
EventBaseCode	STRING	NULLABLE	CAMEO event codes are defined in a three-level taxonomy. For events at level three in the taxonomy, this yields its level two leaf root node. For example, code “0251” (“Appeal for easing of administrative sanctions”) would yield an EventBaseCode of “025” (“Appeal to yield”). This makes it possible to aggregate events at various resolutions of specificity. For events at levels two or one, this field will be set to EventCode.
EventRootCode	STRING	NULLABLE	Similar to EventBaseCode, this defines the root-level category the event code falls under. For example, code “0251” (“Appeal for easing of administrative sanctions”) has a root code of “02” (“Appeal”). This makes it possible to aggregate events at various resolutions of specificity. For events at levels two or one, this field will be set to EventCode.
QuadClass	STRING	NULLABLE	The entire CAMEO event taxonomy is ultimately organized under four primary classifications: Verbal Cooperation, Material Cooperation, Verbal Conflict, and Material Conflict. This field specifies this primary classification for the event type, allowing analysis at the highest level of aggregation. The numeric codes in this field map to the Quad Classes as follows: 1=Verbal Cooperation, 2=Material Cooperation, 3=Verbal Conflict, 4=Material Conflict.
GoldsteinScale	STRING	NULLABLE	Each CAMEO event code is assigned a numeric score from -10 to +10, capturing the theoretical potential impact that type of event will have on the stability of a country. This is known as the Goldstein Scale. This field specifies the Goldstein score for each event type. NOTE: this score is based on the type of event, not the specifics of the actual event record being recorded thus two riots, one with 10 people and one with 10,000, will both receive the same Goldstein score. This can be aggregated to various levels of time resolution to yield an approximation of the stability of a location over time.
NumMentions	INTEGER	NULLABLE	This is the total number of mentions of this event across all source documents during the 15 minute update in which it was first seen.
NumSources	INTEGER	NULLABLE	This is the total number of information sources containing one or more mentions of this event during the 15 minute update in which it was first seen.
NumArticles	INTEGER	NULLABLE	This is the total number of source documents containing one or more mentions of this event during the 15 minute update in which it was first seen.
AvgTone	FLOAT	NULLABLE	This is the average “tone” of all documents containing one or more mentions of this event during the 15 minute update in which it was first seen. The score ranges from -100 (extremely negative) to +100 (extremely positive). Common values range between -10 and +10, with 0 indicating neutral.
Actor1Geo_Type	INTEGER	NULLABLE	This field specifies the geographic resolution of the match type and holds one of the following values: 1=COUNTRY (match was at the country level), 2=USSTATE (match was to a US state), 3=USCITY (match was to a US city or landmark), 4=WORLDCITY (match was to a city or landmark outside the US), 5=WORLDSTATE (match was to an Administrative Division 1 outside the US roughly equivalent to a US state). This can be used to filter events by geographic specificity, for example, extracting only those events with a landmark-level geographic resolution for mapping.
Actor1Geo_FullName	STRING	NULLABLE	This is the full human-readable name of the matched location. In the case of a country it is simply the country name. For US and World states it is in the format of “State, Country Name”, while for all other matches it is in the format of “City/Landmark, State, Country”. This can be used to label locations when placing events on a map.
Actor1Geo_CountryCode	STRING	NULLABLE	This is the 2-character FIPS10-4 country code for the location.
Actor1Geo_ADM1Code	STRING	NULLABLE	This is the 2-character FIPS10-4 country code followed by the 2-character FIPS10-4 administrative division 1 (ADM1) code for the administrative division housing the landmark. In the case of the United States, this is the 2-character short form of the states name (such as “TX” for Texas).
Actor1Geo_ADM2Code	STRING	NULLABLE	For international locations this is the numeric Global Administrative Unit Layers (GAUL) administrative division 2 (ADM2) code assigned to each global location, while for US locations this is the two-character shortform of the states name (such as “TX” for Texas) followed by the 3-digit numeric county code (following the INCITS 31:200x standard used in GNIS).

Table 3: GDELT 1.0 event dataset (continued).

Variable name	Type 1	Type 2	Description
Actor1Geo_Lat	FLOAT	NULLABLE	This is the centroid latitude of the landmark for mapping.
Actor1Geo_Long	FLOAT	NULLABLE	This is the centroid longitude of the landmark for mapping.
Actor1Geo_FeatureID	STRING	NULLABLE	This is the GNS or GNIS FeatureID for this location. More information on these values can be found in Leetaru (2012) .
Actor2Geo_Type	INTEGER	NULLABLE	This field specifies the geographic resolution of the match type and holds one of the following values: 1=COUNTRY (match was at the country level), 2=USSTATE (match was to a US state), 3=USCITY (match was to a US city or landmark), 4=WORLDCITY (match was to a city or landmark outside the US), 5=WORLDSTATE (match was to an Administrative Division 1 outside the US roughly equivalent to a US state). This can be used to filter events by geographic specificity, for example, extracting only those events with a landmark-level geographic resolution for mapping.
Actor2Geo_FullName	STRING	NULLABLE	This is the full human-readable name of the matched location. In the case of a country it is simply the country name. For US and World states it is in the format of “State, Country Name”, while for all other matches it is in the format of “City/Landmark, State, Country”. This can be used to label locations when placing events on a map.
Actor2Geo_CountryCode	STRING	NULLABLE	This is the 2-character FIPS10-4 country code for the location.
Actor2Geo_ADM1Code	STRING	NULLABLE	This is the 2-character FIPS10-4 country code followed by the 2-character FIPS10-4 administrative division 1 (ADM1) code for the administrative division housing the landmark. In the case of the United States, this is the 2-character short form of the states name (such as “TX” for Texas).
Actor2Geo_ADM2Code	STRING	NULLABLE	For international locations this is the numeric Global Administrative Unit Layers (GAUL) administrative division 2 (ADM2) code assigned to each global location, while for US locations this is the two-character shortform of the state’s name (such as “TX” for Texas) followed by the 3-digit numeric county code (following the INCITS 31:200x standard used in GNIS).
Actor2Geo_Lat	FLOAT	NULLABLE	This is the centroid latitude of the landmark for mapping.
Actor2Geo_Long	FLOAT	NULLABLE	This is the centroid longitude of the landmark for mapping.
Actor2Geo_FeatureID	STRING	NULLABLE	This is the GNS or GNIS FeatureID for this location. More information on these values can be found in Leetaru (2012) .
ActionGeo_Type	INTEGER	NULLABLE	This field specifies the geographic resolution of the match type and holds one of the following values: 1=COUNTRY (match was at the country level), 2=USSTATE (match was to a US state), 3=USCITY (match was to a US city or landmark), 4=WORLDCITY (match was to a city or landmark outside the US), 5=WORLDSTATE (match was to an Administrative Division 1 outside the US roughly equivalent to a US state). This can be used to filter events by geographic specificity, for example, extracting only those events with a landmark-level geographic resolution for mapping.
ActionGeo_FullName	STRING	NULLABLE	This is the full human-readable name of the matched location. In the case of a country it is simply the country name. For US and World states it is in the format of “State, Country Name”, while for all other matches it is in the format of “City/Landmark, State, Country”. This can be used to label locations when placing events on a map.
ActionGeo_CountryCode	STRING	NULLABLE	This is the 2-character FIPS10-4 country code for the location.
ActionGeo_ADM1Code	STRING	NULLABLE	This is the 2-character FIPS10-4 country code followed by the 2-character FIPS10-4 administrative division 1 (ADM1) code for the administrative division housing the landmark. In the case of the United States, this is the 2-character short form of the states name (such as “TX” for Texas).
ActionGeo_ADM2Code	STRING	NULLABLE	For international locations this is the numeric Global Administrative Unit Layers (GAUL) administrative division 2 (ADM2) code assigned to each global location, while for US locations this is the two-character shortform of the states name (such as “TX” for Texas) followed by the 3-digit numeric county code (following the INCITS 31:200x standard used in GNIS).
ActionGeo_Lat	FLOAT	NULLABLE	This is the centroid latitude of the landmark for mapping.
ActionGeo_Long	FLOAT	NULLABLE	This is the centroid longitude of the landmark for mapping.
ActionGeo_FeatureID	STRING	NULLABLE	This is the GNS or GNIS FeatureID for this location. More information on these values can be found in Leetaru (2012) .
DATEADDED	INTEGER	NULLABLE	This field stores the date the event was added to the master database in YYYYMMDDHHMMSS format in the UTC time-zone. For those needing to access events at 15 minute resolution, this is the field that should be used in queries.
SOURCEURL	STRING	NULLABLE	This field records the URL or citation of the first news report it found this event in. In most cases this is the first report it saw the article in, but due to the timing and flow of news reports through the processing pipeline, this may not always be the very first report, but is at least in the first few reports.

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