

Law, Religion and Reconciliation in Africa



Edited by
M. Christian Green
Jean-Baptiste Sourou
Célestin Gnonzont



16 THE PEACE OF WAR IN AN AGONISTIC SPACE: CRITICAL PERSPECTIVES ON THE AFRICAN GREAT LAKES REGION

Emmanuel Bueya Bu-Makaya, SJ¹

*Quantité de textes bilatéraux ou multilatéraux, renforcés par le travail
des organisations internationales, annoncent ou prescrivent la paix. Ils ne
suppriment pas la guerre, même s'ils l'interdisent.*

Pascal Chaigneau²

INTRODUCTION

It is easy to believe that all conflicts can be resolved through an irenic process and that all forms of violence can be stopped. After all, all humans are rational beings, concerned with peace and working for social harmony. This optimism, which is something of a liberal ideology, permeates the epistemological atmosphere of peace studies with a theology of reconciliation for the man *imago Dei*, different theories of conflict and negotiation research.

This chapter takes as its starting point the post-electoral crises and civil and military conflicts that are shaking the African continent and the reconciliation or reconstruction initiatives that have resulted from them. Conflict must be understood as a clash of antagonistic forces, and reconciliation is essentially about establishing or re-establishing these relationships in a crisis situation. To achieve this restoration or transformation of relationships between individuals or between institutions, truth and reconciliation commissions or traditional or indigenous religions, churches and religious institutions are used as funders or facilitators for anti-violence programmes. The famous African palaver is also evoked as a means of forgiveness or deliverance from the demons of conflict. It is a rich range of methods of peace. But, very often, we do not take the time and precaution to examine the places where these institutions of reconciliation come from and the circumstances in which they operate in order to better understand their own challenges and the limits of their promises to humanise reconciliation.

Indeed, what happens when all these mechanisms fail, as evidenced by the cases in the African Great Lakes region and around the world?³ The answer to this question

- 1 St Pierre Canisius Faculty of Philosophy, Loyola University of Congo (ULC), Kinshasa, DRC.
- 2 Chaigneau P (ed.). 1998. *Dictionnaire des relations internationales* [Dictionary of International Relations]. Paris: Economica, 313. ["A number of bilateral and multilateral texts, reinforced by the work of international organisations, announce or prescribe peace. They do not suppress war, even if they forbid it."]
- 3 The current example is the deadly fighting between the State of Israel and Palestine, despite numerous peace agreements.

does not always lie in the imperfection of these mechanisms and the limits of their strategies. It is possible to reflect on the conditions of possibility of the non-dualistic metaphysics of reconciliation itself and on the realistic demands of remission in the symbolic field of interests. We can go further by evoking the ethical perspective of living with these divergent interests and antagonisms without them leading to anthropological one-upmanship. In other words, human beings can consent to dissensus without their dialectical relations falling into the trap of polarisation.⁴ This dissensus is a changing dynamic that must be well managed for a better stability of society.⁵ To do this, it is necessary to think of a way of life that prioritises not irenicism but agonism.⁶ This is the thesis of this chapter, which was born out of the observation of security in the African Great Lakes region, particularly in the eastern part of the Democratic Republic of the Congo (DRC).⁷

There are four points to this reflection. The first part is a semiotic evaluation of the war of meaning: we are looking for an epistemological framework that helps us understand the grammar of this violence. The second is a phenomenology of this violence: the DRC is a bloody diamond caused by the massive presence of armed groups and military troops of diverse origins and contradictory agendas. The third point is a hermeneutic of this violence: it is in fact a war economy that the rhetoric of reconciliation seems to ignore or, at the very least, to relieve of any lethal coefficient. The fourth point is an alternative of peace to war, or rather a pragmatic approach to the palaver: one does not seek the conciliation of opposites in an irenicism of interests, one opts rather for compromise which ensures the agonism of the same interests.⁸ For there is no absolute peace if there is an uncompromising consensus. In other words, there is no peace without negotiation, no negotiation without compromise and no compromise without concession. Conceptually, agonism is

4 Scherrer CP. 2001. *Genocide and Crisis in Central Africa: Roots of Conflict, Mass Violence, and Regional War*. London: Praeger, 3.

5 Thoreau HD. 1993. *Civil Disobedience and Other Essays*. New York: Dover Publications, 3-4.

6 Agonism, in biology or politics, is a form of conflict in which one group of individuals seeks to gain a dominant position while acknowledging the existence of the other. Unlike antagonism, which aims at the total ouster of the adversary, agonism includes the adversary in a form of domination that is rather an inclusive inequality. In the present work, this concept means inclusion, suspension of conflict, and consensus on dissensus. To better understand this approach, we will resort to the ethics of agonism. A fuller explanation will be given in the remainder of this text.

7 Congo is in Central Africa rather than East Africa, and the lakes occupy only the eastern part of the country.

8 The peace of war is the restoration of equilibrium, where order succeeds disorder through legitimate violence. From the biblical point of view, war is a punishment for a transgression, a violation of justice. This is the case in the first chapter of the second book of Samuel. For more information, see Schreiber JP. 2006. *Théologies de la guerre* [Theologies of War]. Brussels: Presses de l'Université de Bruxelles, 12. As part of this reflection, we affirm that conflict is inherent in human nature. Conflict management involves the use of negotiation as well as violence. As the saying goes, "He who wants peace prepares for war." This peace of war must always be maintained, restored, consolidated and imposed. This requires the use of force. Instead of the violence of war, we propose an ethic of agonism.

a philosophical approach that recognises the difference of opinion, conflicts and tensions inherent in all human reality. The ethic of agonism makes it possible to live with these differences without polarizing them. Irenism, on the other hand, recognises conflicts but tries to reduce them, by minimizing their scope and seeking convergences despite the persistence of divergences. The purpose of this chapter is to examine this tension between agonism and irenicism.

WAR OF MEANING OR CONFLICT OF INTERPRETATIONS?

The official discourse on the war in the Democratic Republic of the Congo lends itself to a plurality of interpretations. From the fear of revenge or self-defence of Rwandans to the search for eternal enemies on Congolese soil, we move on to the pastoral exhortations of the Congolese bishops calling for reconciliation against the whining of the Congolese government stuck in the posture of a tragicomic victim. We thus navigate from the meaning of war to the war of meaning and vice versa. The discourse is polysemic. The words testify to a system that is sometimes realistic, sometimes idealistic. But what is the point when the peace of war prevails over the urgency of peace of hearts? Evangelical reconciliation is overtaken by a political realism that triumphs everywhere.

Obviously, war is not always a good thing. In the DRC, it is an unprecedented humanitarian catastrophe. Pacifists, therefore, seem to find in peace their fundamental interest. They are busy preaching forgiveness, dialogue and reconciliation at all costs. This may be the role of religions in Africa, including Catholic Christianity. In his synodal exhortation *Africa Munus*,⁹ Pope Benedict XVI presents a Church at the service of reconciliation, justice and peace. Indeed, the Church wants to be the hut in the middle of the village. In the DRC, the Church has often been involved in civic education for transparent elections. In Africa, it is present in the conduct of national conferences to rebuild the postcolonial state in crisis.¹⁰ The Catholic Church has been active in the Truth and Reconciliation Commissions to reconcile citizens wounded by artificial divisions and to plan together for their future. In doing so, the Church shows that religion can ideally consolidate living together.¹¹ The interest of the Church lies in this function of social coherence.

However, in several African countries plagued by divisions and wars, the impact of religion – or, more accurately, the role of religion – has been ambiguous. This is the case in the Great Lakes region.¹² In the DRC, ravaged by the violence of rebellions and the chaos of ethnic conflicts, the Church oscillates between the discourse of

9 Benedict XVI. 2011, *Africa Munus* (Post-Synodal Exhortation), 19 November, paras 17-30.

10 Eboussi F. 1993. *Conférences nationales en Afrique subsaharienne: une affaire à suivre* [National Conferences in Sub-Saharan Africa: A Case to Follow]. Paris: Karthala, 12.

11 This is the case of Archbishop Desmond Tutu, who chaired this commission in the Republic of South Africa.

12 There is an abundant literature on this topic. See, for example, McCullum H. *The Role of the Church in the Genocide in Rwanda*. Expert report commissioned by the International Criminal Tribunal for Rwanda, October 2001.

reconciliation and the rhetoric of self-defence. In Rwanda, the Catholic Church “has been” accused of complicity or passivity in the war between the rebels of the Rwandan Patriotic Front (RPF) and government soldiers of the Rwandan Armed Forces (FAR) in 1994. The escalation of the genocide makes it virtually impossible to speak of a definitive reconciliation. The Church thus appears to be a prisoner of the ideology of the victors of the confrontation who have become the dominant masters of the political game. Throughout the region, the Association of Episcopal Conferences of Central Africa (ACEAC) has not yet developed a common discourse that goes beyond the competition of memories. The realism of the political gesture prevails over the idealism of the religious creed.

This realism does not mean the failure of institutions that promote the values of dialogue, forgiveness and peace. On the contrary, it leads us to see reconciliation not as the elimination of any possibility of conflict, but as the art of living in a multiverse of interests. We go beyond realism and idealism to reflect on the fundamental presupposition that precedes all violence.¹³ Peace becomes the rhetoric of the improbable, where war is seen as a lucrative business.

A PHENOMENOLOGY OF CONFLICT: THE BLOODY DIAMOND

The violence of war in the African Great Lakes region is to be read in the context of realism as a theory of international relations, which shows the world as an anarchic space where each actor fights for its interests and survival.¹⁴ In this logic of interests, war is a means of access to the resources of power, wealth and valour. Each state presents itself as the ultimate unit that defends its own sovereignty.¹⁵ A state that is weak to defend its interests easily falls prey to other, stronger states. They impose their domination by violence. A profitable war economy has been established in the Great Lakes region, and even peace operations are being transformed into lucrative activities. The law is called upon to regulate this violence, and peace becomes a matter of checks and balances through agreements, treaties, mandates and missions. As a result, binding texts are adopted and efforts are made to enforce them. In reality, peace is unstable. As Pascal Chaigneau has described the instability of peace, “its random nature, especially if it allows for specific constraints, makes it largely dependent on circumstances.”¹⁶

This is what is happening in the DRC, which has become a bloody diamond.¹⁷ Peace is far from being achieved through dialogue and agreements. The over-militarisation

13 We reflect more deeply on the process of legal conceptualisation, on the threshold of man’s humanity and on the inhumanity of his crimes.

14 Daddow O. 2017. *International Relations Theory* Los Angeles: Sage Publications Ltd, 218-219.

15 See Bartelson J. 2001. *The Critique of the State*. Cambridge: Cambridge University Press, 182-188.

16 Chaigneau, *Dictionnaire des relations internationales*, 323.

17 Pope Francis. 2023. Apostolic Journey of His Holiness Pope Francis to the Democratic Republic of Congo and South Sudan (Ecumenical Pilgrimage for Peace in South Sudan)

of the east of the country indicates a mercantile logic of war and peace.¹⁸ Thousands of peacekeepers have settled there for nearly twenty years without bringing any significant peace. Troops from neighbouring countries rushed in, amplifying the militarisation of the region. They secure buffer zones defined by a new logic of appropriation. For nearly thirty years, the war that took place there took on the colours of a lucrative business.

The World War in the African Great Lakes

The French historian Gérard Prunier speaks of the war in the DRC as a world war in Africa.¹⁹ After the fall of the capital, Kinshasa, the new masters replaced the Zairean elite of the old regime and behaved like warlords in conquered land.²⁰ In 1998, the new president, Laurent-Désiré Kabila, asked his allies to return to where they had come from, in accordance with the wishes of the Congolese population, which was increasingly annoyed by their arrogance. These former allies then created another rebellion with Congolese partners: the Congolese Rally for Democracy (RCD), which later split into two rival factions. Uganda followed Rwanda's lead and created its own rebellion: the Movement for the Liberation of Congo (MLC) led by a Congolese face (Jean-Pierre Bemba). To deal with this new war unleashed by neighbouring countries, one of which, with Congo, is a member of the Economic Community of the Great Lakes Countries (CEPGL),²¹ the president at the time, Laurent-Désiré Kabila, turned to the countries of the Southern African Development Community (SADC) of which Congo was a member.²² Troops from foreign countries, including Angola and Zimbabwe, came to the aid of the new regime. This third civil war in Congo lasted five years (1998-2003). In addition to the DRC, eight African countries participated: Angola, Chad, Namibia, Zimbabwe, Sudan, Rwanda, Burundi and Uganda.²³ It has killed 5.4 million people and displaced millions of refugees.²⁴

The result of this continental war is not peace, but rather hundreds of millions of dollars spent on military equipment and millions of human lives lost, among

[31 January – 5 February 2023], Meeting with the authorities, civil society and the diplomatic corps, 31 January.

18 Omelenge CN. 2023. *Les guerres à l'est de la RD Congo, entre génocide et statocide* [The wars in eastern DRC: between genocide and Statocide]. Paris: L'Harmattan; Lorgerie P. "In eastern DRC, the 'all-out' mobilization of soldiers without borders", *Africa XXI*, 23 June 2023.

19 Prunier G. 2009. *The World War in Africa: Congo, the Rwandan Genocide and the Making of a Continental Catastrophe*. Oxford: Oxford University Press, 73-99.

20 Ngolet F. 2011. *Crisis in the Congo: the Rise and the Fall of Laurent Kabila*. New York: Palgrave MacMillan, 21-23; Renton D, Seddon D and Zelig L. 2007. *The Congo: plunder and Resistance*. London: Zed Books, 184-206.

21 See the official website at: cepgl.org

22 See the official website at: sadc.int

23 Reyntjens F. 2009. *The Great African War: Congo and Regional Geopolitics, 1996-2006*. Cambridge: Cambridge University Press, 207.

24 Mamdou S. 2018. "Congo's Third Civil War 1998-2003," *BlackPast.org*, 20 March.

other outcomes. The countries that commit to it are not the richest in the world. On the contrary, they are counting on the dividends of this lucrative war. This is the case of Zimbabwe, which was later mentioned in the 2001 UN report on the illegal exploitation of the DRC's natural resources.²⁵ This report sheds light on the illegal exploitation of natural resources and other forms of wealth in the DRC. It examines the various illegal activities taking place there and the economic, political and security consequences of these activities. It identifies the actors involved in this looting and proposes recommendations to put an end to it. Written by a group of UN experts, the report cites Rwanda and Uganda for the refining of Congolese gold and the export of coltan from Congo which they do not produce.²⁶ An elite mafia network has taken control of Congo's vast and rich territory to plunder its natural resources. United Nations peacekeepers were deployed to provide logistical support to the Armed Forces of the Democratic Republic of the Congo (FARDC), in accordance with their United Nations Organising Mission in the Democratic Republic of the Congo (MONUC) under Security Council Resolution 1856, adopted in 2008.²⁷

Sixteen thousand peacekeepers in DRC

This UN mission is not the first in the DRC. Two weeks after the independence of the DRC, on 13 July 1960, the United Nations approved the creation of an intervention force and called for the withdrawal of all Belgian troops. The United Nations Operation in the Congo (ONUC) landed in the DRC and remained there for four years (14 July 1960 – 30 June 1964). ONUC was floundering in the quagmire of the fledgling Congolese state, plagued by rebellions. Alarmed by the worsening crisis, UN Secretary-General Dag Hammarskjöld flew to the DRC on 18 September 1961. The objective of this trip was to negotiate a ceasefire between ONUC and Moïse Tshombe's Katangese gendarmes. But Hammarskjöld died near Ndola, in northern Zambia, in a plane crash. The results of this 1964 mission were far from satisfactory. The following year, on November 24, 1965, the Chief of Staff, Lieutenant-Colonel Joseph Désiré Mobutu, staged a coup d'état and seized power, thus ending the democratic game in Congo.

Forty years later, the same international institution (UN) is once again present in the DRC through MONUC (November 1999 – June 2010) and MONUSCO

25 See United Nations Security Council. 2001. Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, UN Doc S/2001/357, 12 April, paras 154-170.

26 Report of the Group of Experts, paras 45-68.

27 United Nations Security Council. 2008. Security Council resolution 1856 (2008) [on the extension of the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)], adopted at its 6055th meeting, on 22 December 2008 (S/RES 1856-92008); Jacquemont P. 2009. "La sortie de crise dans l'est du Congo et les perspectives de coopération régionale" [The Exit from the Crisis in Eastern Congo and the Prospects for Regional Cooperation], *Monde en développement* [Developing World], 3(147):93-108.

(June 2010 – present). In fact, on the judicial and institutional level, we are moving from ONUC to MONUC and then to MONUSCO. Changes are made based on political circumstances and international issues. Reading the changes in the UN missions in the DRC, one can see that each mission has a legal regime that takes legal form from the respective UN resolutions. It is not a question of engaging or justifying them, but of becoming aware of these changes and the mixed results of these missions. The objectives are constant: to protect civilians and to build peace. But MONUSCO's results are far from satisfactory for the population, which accuses these peacekeepers of inactivism despite the impressive number of its troops and its gigantic budget.²⁸ Their inaction is so demobilizing that former President Joseph Kabila has called for their departure. Instead, they renewed their mandates. Disappointed, the current president of the state, Félix Tshisekedi, turned to the EAC to put an end to this interminable war.

More than 120 rebel groups in eastern DRC

In several African countries, the end of a regime has led to the liquefaction of military corps. This is the case of the ex-FAZ (Zairian Armed Forces) of the former Zaire, the ex-FAR (Rwandan Armed Forces) of the regime of Rwandan President Juvenal Habyarimana. These former soldiers join the camp of militias, rebels and government soldiers. There is a growing “fraggementation” of armed groups.²⁹ They rub shoulders with military troops from different countries. Every day, more and more of these armed groups arrive in the DRC. The circulation of arms makes this proliferation more abundant. In 2010, there were 75 and in 2020, there were 120. In fact, in the war economy, the majority of these groups are used to protect multinationals outside of weak or no state control.³⁰ The human cost of this war economy is enormous: nearly 6.9 million displaced people and refugees, broken families, ravaged villages and other after-effects, while cargo planes full of minerals fly over Congolese territory. It is in the context of this ambiguity of cost-effective interventions that it will be necessary to evaluate the peace mechanisms that secure the bloody diamond.

²⁸ In this regard, Mr. António Guterres recommends the allocation of \$1 023 267 600 to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in his proposed budget (A/73/816) for the period from 1 July 2019 to 30 June 2020. See United Nations General Assembly. Fifth Committee 2019. “Fifth Committee: UN Mission in DRC Budget Cuts Endorse ‘First Peaceful Transfer of Power’”, UN Doc AG/AB/4324, 22 May.

²⁹ The neologism comes from Cameroonian political scientist Modeste Paulin Mba Talla. He combines the words fragmentation, emergence, and migration to designate this liquefaction of the military corps and the movement of both into new corporations.

³⁰ Dénault A, Abadie D and Sacher W. 2008. *Le Canada noir: pillage, corruption et criminalité en Afrique* [Black Canada: Looting, Corruption, and Crime in Africa]. Montreal: ecosociety, 20.

REPOSITIONING: RATIONALISATION OF INTERESTS

During his visit to the DRC, Pope Francis compared the country to a diamond: “Dear Congolese women and men, your country is truly *a diamond of creation*; but you, all of you, are infinitely more precious than all the good things that come out of this fertile soil!”³¹ But this diamond is bloody.³² It’s not a metaphor: it’s the same blood in which coltan, cobalt, copper and the people swallowed up in their trafficking are bathed.³³ As Congolese political scientist Georges Nzongala writes:

The war in the Great Lakes region is a “war for resources” initiated by militarist regimes in search of buffer zones of security, territorial expansion and economic exploitation in a country of fabulous wealth but without a state or army worthy of the name. It is an armed conflict fuelled from the outside but which allows local warlords to use control of populations and natural resources as a springboard to the conquest of power. This type of conflict requires at least two preconditions: the existence of abundant natural resources and the collapse of the state.³⁴

For some, it is simply a dialectic of competition and cooperation between the parties, each protecting its own interests. It is in this forced interdependence that the meaning and effectiveness of agreements and dialogues is at stake. It is not a question of peace as such, but of the desirability of a new power-sharing framework.

Peace agreements through the prism of repositioning

Cameroonian political scientist Mba Talla describes the war in the DRC as a “civil war”,³⁵ that is an armed conflict at the confluence of three types of conflict (interstate war, intra-state war and irregular war). Alliances are made and broken according to the interests of the belligerents. From 1996 to 2010, some fifteen conferences, negotiations and peace agreements for the DRC were held in various African countries. These include the Lusaka Agreement,³⁶ the Sun City Agreement,³⁷ the

31 Pope Francis. 2023. “Address of His Holiness Meeting with Authorities, Civil Society and the Diplomatic Corps” Garden of the Palais de la Nation (Kinshasa), 31 January.

32 Bounemi, D. 2005. “Blood Diamond”, *Outland* 2 (11):155-157.

33 Kara S. 2023. *Cobalt Red: How the blood of the Congo Powers our lives*. New York: St Martin Press.

34 Nzongala-Ntalaja G. 2003. “War, Peace, and Democracy in the Congo”, *Journal of African Elections* 2(1):8.

35 Mba Talla MP. 2012. *Emergence, “fragnégation” et perpétuation des rébellions au Congo-RDC (1990-2010): une sociologie politique des groupes armés* [Emergence, “fragnégation” et perpétuation des rébellions au Congo-RDC (1990-2010): une sociologie politique des groupes armés], PhD thesis, University of Ottawa. Article 347. Civil war differs from civil war in that it is a mixture of several types of quantitative and qualitative violence.

36 United Nations Security Council. 1999. Letter Dated 23 July 1999 from the Permanent Representative of Zambia to the United Nations Addressed to the President of the Security Council, UN Doc S/1999/815, 23 July.

37 Global and All-Inclusive Agreement on the Transition to the Democratic Republic of Congo, *Official Journal*, Special Issue, 5 April 2003, 59-65.

Addis Ababa Agreement³⁸ and the Nairobi Agreement,³⁹ none of which resulted in genuine peace.⁴⁰ It's not about reconciliation, it's about power-sharing. These agreements are violated when the balance of power shifts and interests are threatened. Only two of these agreements have been a semblance of success where power-sharing has satisfied the protagonists: the Lusaka Agreement of 4 May 2001 and the Sun City Agreements of February to April 2003.⁴¹ The first enshrines the end of hostilities (ceasefire), political transit and regional engagement; the second strengthens the political transition and broadens the inclusion of political actors (1+4 formula). In order to strengthen reconciliation and reunify the different factions, each occupying a part of the territory, a process of integration of all dissident elements into the army corps was put in place. These operations of mixing and integration within the Armed Forces of the Democratic Republic of the Congo (FARDC) have made it possible to whitewash war criminals, warlords and rebels. In this context of compromise, the reconciliation process is only a repositioning strategy or a tactic of legitimization for those who benefit from it. Peace agreements will be monitored by mediation mechanisms, and always through the prism of interests.

Emissaries of peace: Diplomacy through the prism of interests

Moved by the Congolese tragedy, the "international community" has repeatedly sent emissaries whose neutrality is problematic for the protagonists of the conflict. Three cases illustrate this observation. First, the African Union sent Togolese diplomat Edem Kodjo in 2015 as a facilitator of the Congolese dialogue. The latter reveled in the favours of the Kabilist regime and was disavowed by the Congolese political opposition.⁴² Second, U.S. Secretary of State Anthony Blinken, during a tour of the Great Lakes region, used ambiguous language depending on whether he was in Kigali or Kinshasa. In the eyes of the Congolese population, he was more inclined to electric batteries than to populations in distress. At the end of this tour, a press release from his department concluded:

The Department of State today released the Memorandum of Understanding on Electric Vehicle Battery Value Chains signed by the United States on December 13, 2022, at the U.S.-Africa Leaders' Summit. As part of this, the United States will support the Democratic Republic of Congo (DRC) and Zambia's commitment to jointly develop a supply chain for electric vehicle batteries. The DRC produces more than 70% of the world's cobalt. Zambia

38 African Union. 2013. "Peace, Security and Cooperation Framework for DRC and the region signed in Addis Ababa", 24 February.

39 Yusuf M. 2022. "DRC Peace Talks End Amid Hopes of Opening Dialogue with M23", *Voice of America*, 6 December.

40 Marriage Z. 2013. *Formal Peace and Informal Warfare: Security and Development in the Congo* London: Routledge.

41 These agreements culminate in a 1+4 power-sharing agreement.

42 "DRC: Facilitator Edem Kodjo rejects opposition 'rally'," *Jeune Afrique* [Young Africa], 25 July 2016.

is the world's sixth-largest producer of copper and the second-largest producer of cobalt in Africa.⁴³

The third mediator was Burundian President Évariste Ndayishimiye, who launched into a laborious explanation of the war in the DRC. He told the story of the two children who fought over the property and resorted to third-party arbitration. He concluded his story by pointing out how this outside arbiter took the best part of the good and left the protagonists in their discussion.

Diplomacy serves national interests. Saying so is a truism. Demonstrating this makes it possible to understand what is at stake in war and the cost of peace. These emissaries and mediators were far from being doves of reconciliation. These are policies that are easily swallowed up by the economic interests of their respective countries. After all, the mission of the state you lead is to provide citizens with goods in exchange for their obedience. It is therefore necessary to leave politics and turn to religious institutions that promote universal brotherhood.

The Jubilee Year through the prism of capital

On the subject of reconciliation, Pope Benedict XVI is pragmatic: "In order to encourage reconciliation in communities, I heartily recommend, as did the Synod Fathers, that each country celebrate yearly a day or week of reconciliation, particularly during Advent or Lent."⁴⁴ At a time when violence is intensifying in Africa (in the DRC, in the Great Lakes region and elsewhere on the continent), the Symposium of the Episcopal Conferences of Africa and Madagascar (SECAM) "will be able to help bring this about and, in accord with the Holy See, promote a continent-wide *Year of Reconciliation* to beg of God special forgiveness for all the evils and injuries mutually inflicted in Africa, and for the reconciliation of persons and groups who have been hurt in the Church and in the whole of society".⁴⁵ It would be an extraordinary Jubilee Year "during which the Church in Africa and in the neighbouring islands gives thanks with the universal Church and implores the gifts of the Holy Spirit", especially the gift of reconciliation, justice and peace.⁴⁶ These are the recommendations proposed, but the political reality does not follow these pastoral exhortations of the Roman Pontiff. The evangelical ideal clashes with political realism, which makes it almost impossible to carry out a modest or ambitious pastoral project of peace.

Indeed, in September 1996, a Rwandan-backed rebel movement, the Alliance of Democratic Forces for the Liberation (AFDL), took up arms against the Congolese state. Immediately, government forces (Zairian Armed Forces: FAZ) were sent

43 U.S. Department of State. Spokesperson's Office. 2023. "U.S. Releases Memorandum of Understanding Signed with Democratic Republic of Congo and Zambia to Strengthen Electric Vehicle Battery Value Chain," 18 January.

44 Benedict XVI, *Africa Munus*, para 157.

45 Benedict XVI, *Africa Munus*, para 157.

46 Benedict XVI, *Africa Munus*, para 157.

to the front. On 29 October 1996, the Archbishop of Bukavu, Msgr. Christophe Munzihirwa, was assassinated by the Rwandan army.⁴⁷ The martyred Church is in turmoil because of this violence.⁴⁸ In November 1999, forty-one Congolese bishops, seven Burundian bishops and Rwandan bishops, all members of the Episcopal Conference of the Great Lakes, met in plenary assembly in Nairobi and launched an appeal to the Catholic faithful and men of good will: "In view of the tragic situation that our countries and our region are experiencing, we feel it urgent to address the following message: "You are all brothers" (Matthew 23:8): stop wars." Put your sword back in the scabbard; all who take the sword will perish by the sword (cf. Matthew 28:52)."⁴⁹ Their discourse was lost in the fog of the spiritual ideal. Fourteen years later, in July 2022, the bishops of the same association of episcopal conferences of Central Africa met in Kinshasa, from 6 to 10 July, for their 14th ordinary plenary assembly.⁵⁰ They recited the biblical commandment, "Thou shalt not kill. Be your brother's keeper."⁵¹ They were not immune to national and tribal allegiances. These burdens have exiled their utterances into the empyrean of wishful thinking. They seem incapable of a discourse that transcends the competition of memories.

This is a situation in which the different Congolese, Rwandan and Ugandan Christian communities share the same regional or Christian history, but with interpretations influenced by their respective hermeneutical positions. This shared past is interpreted by conflicting narratives due to interests, identity, positioning, and other factors. This competition can be emotional, especially as it emphasises collective memory, testimonies, claims and oral narratives that engage the protagonists and can contribute to building social cohesion to the detriment of the opposing group. This memory, manipulated or abused, leads to war.

In fact, war is a counterpart of capitalism: arms manufacturers make a fortune from the violence they fuel by supplying more weapons than sanctions to the belligerents.⁵² So, won't we have to find another way to approach conflict between humans? This is where the traditional wisdom of the palaver comes into its own.

47 Mbiribindi, D. 2017. *Un chemin des béatitudes : Monseigneur Christophe Munzihirwa, jésuite, évêque et martyr de la paix* [A Way of the Beatitudes: Monsignor Christophe Munzihirwa, Jesuit, Bishop and Martyr of Peace]. Kinshasa: Loyola, 13.

48 ELA JM. 1980. *The Cry of the African Man: Questions to Christians and the Churches of Africa*. [The Cry of the African Man: Questions to Christians and the Churches of Africa]. Paris: L'Harmattan, 19.

49 Bishops of the DRC, Burundi and Rwanda, "You are all brothers and sisters (Mt 23:8): stop the wars!", *Congo-Africa* 39 (340):581.

50 Assembly of Episcopal Conferences of Central Africa (ACEAC).

51 Malenge JB and Kombe C. 2022. "Thou shalt not kill! Be your brother's keeper. The Appeal of the Bishops of the African Great Lakes Region," *Vatican News*, 11 July.

52 Rashid A. 2023. "As the war in Ukraine drags on, the U.S. arms industry is reaping the rewards," *AnalystNews.org*, 17 May.

AGONISM AS ACCEPTANCE OF CONFLICT

In this mercantile atmosphere of interests, neither religion nor politics can guarantee a path of reconciliation as long as both are perceived in a logic of antagonisms. It is in the modern palaver that we can expect this ethic of agonism that can offer space for peace and stability. But first of all, it is necessary to understand what the palaver is, well beyond the multiple misinterpretations attributed to it. In Africa, palaver is a communication process that involves the participation of all members of society to discuss important issues, settle disputes and make decisions that involve everyone. Practised in the public space, it is a means of promoting mutual understanding, social reconciliation and the peaceful resolution of conflicts within the community. Palaver does not avoid differences and does not avoid dialectics. It tackles them all head-on in order to find consensus, as it is fundamentally a space for dialogue open to all voices and at the same time a mediation mechanism for the stability of the community.

In the same vein, agonism is a philosophical concept that seeks stability by emphasizing the recognition and acceptance of conflicts and tensions inherent in political and social life. Differences of opinion, conflicts of interest, plural beliefs, social tensions are inevitable as inherent conflicting elements of problematic human nature. Instead of trying to eliminate them altogether, they should be integrated into social dynamics and managed constructively. In this sense, the ethic of agonism promotes dialogue, deliberation, consultation – the clash of ideas from which the light of truth springs, and the constructive confrontation of points of view in a dialectic that shakes off the yoke of ignorance. It recognises the multiplicity of viewpoints and makes a reasonable effort to compromise. The ethics of agonism has been extensively elaborated by philosophers such as Chantal Mouffe,⁵³ it is applied in philosophy, politics, social life and other spaces. With the notion of palaver as a space for discussion, it opens the way to an epistemology of reality beyond dualisms.

Religion: A place of relative ambivalence

Indeed, in the public sphere, religion is ambivalent, because its object is apprehended within the framework of “social or historical relativity”.⁵⁴ It can contribute to peace, conflict or even injustice. It can be used either to encourage peaceful means or to justify belligerent means. In fact, both approaches have their origins in the same tradition and coexist dialectically. God is both a warrior who liberates the people in battle (books of Judges and Joshua) and a peacemaker (Ezekiel 37:26). Jesus is the victorious hero of the principalities of the world (Colossians 2:15), the Prince of Peace who invites his hearers to love their enemies (Matthew 5:44-45) and the one who forgives those who crucify him (Luke 23:34).

53 Mouffe C. 2013. *Agonistic: thinking about the world politically*. London/New York: Verso.

54 Appleby RS. 2015. “Religious Violence: The Strong, the Weak and the Pathological”, in Omer A, Appleby RS and Little D (eds). *The Oxford Handbook of Religion, Conflict and Peacebuilding*. Oxford: Oxford University Press, 33-57.

Alongside pacifist doctrines based on religion, theologies of war developed at the same time for essentially ethical purposes.

This is how the Catholic Church developed a law to war detached from the theory of war in response to the trivialisation of conflicts. In this Catholic tradition, St. Thomas Aquinas is the first to propose a theory of war that may or may not be just: "Let it always be a sin to make war."⁵⁵ War, then, is a means of stopping evil. It is in this perspective of self-defence that we must read the Congolese bishops who declare: "Our nation is in danger! If we are not careful, we will wake up one morning in a country that has become balkanized in one way or another. It is imperative to reduce the cost of living for our institutions and leaders in order to strengthen our defences, modernize and equip our armed forces accordingly, and motivate our security forces."⁵⁶ On the one hand, the region's clergymen are advocating reconciliation. But it shows its limits in the face of the danger that threatens their respective nations. The Bishops of Congo therefore call for the strengthening of the means of defence and the motivation of the security forces. The logic of the national interest therefore stipulates that whoever wants peace will have to prepare for war. This peace is lodged at the end of the cannon. In this context of antagonisms, religion does not lead to any irenicism in this public space where politics is confronted with the enigma of evil.⁵⁷

Politics: A place of non-dualistic ethics

There seems to be a belief that the word circulates fraternity or that the rational discussion it generates steers partners away from any attempt at violence or paves the way for reconciliation. The use of lies in politics shows that this is not self-evident in the field of competing interests. It is important to find a *modus operandi* that is far from polarisation and exclusivism.⁵⁸

Indeed, in the theory of democracy, there is a place for transparent communication that guarantees the truth. It cannot, therefore, be discovered in a simple "consciousness – world" relationship, but in a dialogue with another consciousness that also seeks to establish a relationship with the world. The German philosopher Jürgen Habermas defines communicative interactions as follows and enumerates the conditions for the validity of communicative action:

I call communicative interactions in which participants agree to coordinate their action plans in good understanding. The agreement thus concluded is then determined to the extent of the intersubjective recognition of the

55 St. Thomas Aquinas. *Summa Theologica*, II, II, q 40, art 1.

56 Atemanke J. 2022. "The Catholic bishops of the D.R. Congo denounce the "deterioration of security" and call for collective action, *Aciafrique*, 11 November.

57 Ricoeur P, 1986. *Le mal, un défi à la philosophie et à la théologie* [Evil, a challenge to philosophy and theology]. Geneva: Labor et Fides, 13.

58 Arendt H. 1972. "Lying in Politics: Reflections on the Pentagon Papers", Arendt H. 1972. *Crises of the Republic*. San Diego, New York, London: The Harvest Book Harcourt Brace & Company, 1-47.

requirements of validity. When it comes to explicitly linguistic processes of intercomprehension, the actors, in agreeing on something, issue demands of validity or, more precisely, demands of truth, correctness or sincerity, depending on whether they refer to something that occurs in the objective world, in the world of the social community or in the personal subjective world.⁵⁹

This ideal description gives democracy a *raison d'être*. Discourse is a prescription, but conformity to the truth is expensive. The balance of power determines the sincerity of the protagonists. The ethics of responsibility takes precedence over the ethics of conviction. The American political scientist John Mearsheimer wonders why leaders lie.⁶⁰ The responses he collects from fellow Americans indicate that lying is acceptable in certain circumstances. He cites a few examples of U.S. presidents guilty of accepted lies.⁶¹ Then he continues:

It is important to emphasize that in none of these cases did the president or his lieutenants lie for mere personal gain. They thought they were acting in the American national interest, which is not to say they were acting wisely in all cases. But the fact is that there are good strategic reasons for leaders to lie to their audience as well as to other countries. These practical logics almost always trump the well-known and widely accepted moral restrictions against lying. Indeed, leaders sometimes think they have a moral duty to lie to protect their country.⁶²

Lying is tolerated for good strategic reasons and for the national interest. This meta-moral pragmatism leads us to believe that lying and telling the truth are part of relations between states. As Mearsheimer puts it, "Leaders don't always lie about foreign policy, of course, but sometimes they deliberately say things or imply things they know aren't true. However, the public usually does not punish them for their deceptions, unless they lead to bad results. It seems clear that leaders and their views believe that lying is an integral part of international relations."⁶³

This political realism is far from communication ethics, where the truth and sincerity seem to be the conditions for the validity of dialogue. In a political context where lies have a highly variable moral coefficient, the irenic discourse of reconciliation and peace must not be a breeding ground for inefficiency. The truth becomes a state secret, safe from the desire to know in order to maintain a certain stability of reality or in the balance of power. This is the case with the death of Rwandan President Juvenal Habyarimana and the chaos that followed. Canadian journalist and author Judi Rever continues:

59 Habermas J. 1991. *Morale et communication* [Morality and Communication]. Paris: Cerf, 79.

60 Mearsheimer J. 2011. *Why Leaders Lie: The Truth About Lies in International Politics*. Oxford: Oxford University Press, 26.

61 Every president has his lie: George Bush (on the Iraq War), Franklin D. Roosevelt (on World War II) and Lyndon B. Johnson (on the North Vietnam War).

62 Mearsheimer, *Why Leaders Lie*, 27.

63 Mearsheimer, *Why Leaders Lie*, 28.

All information and evidence collected by Washington must be declassified after 20 years. I made a request (under the FOIA, Freedom of Information Act) to the Geospatial Intelligence Agency for satellite imagery taken in RPF-controlled areas in 1994, and that request was denied. Washington has the same evidence of crimes in Congo, whether in Lamera, Tingi-Tingi, Kisangani, Biaro or Mbandaka. The evidence is there. 27 years after the genocide, the crimes of the RPF continue to be hidden.⁶⁴

For some, the truth about the plane crash is the beginning of true national reconciliation, for others it is the collapse of a system built on the afterglows of what happened. The paths of these truths do not necessarily lead to reconciliation. In the anarchy of the world order, the truth of the strongest takes the place of evidence, and its law of silence is the compromise of the moment. The national interest is the implicit norm in this conflict of interest.

Thus, strategic reasons dictate moral choices and guide policy decisions. In this teleologically utilitarian atmosphere, reconciliation as a process of restoration is judged in the light of the interests at stake. Animated by an indescribable eschatological impulse and a disarming realism, the pilgrim of peace oscillates between armed justice and the peace of war, the “not-yet” and the “already-there” of the kingdom. It is perhaps in this burst of pragmatism that we must situate the agonistic palaver that escapes extremes and settles into an uninterrupted dialogue.

The palaver: A space for uninterrupted dialogue

The palaver therefore seems to offer the way to redemption from the point of view of agonism. It saves reconciliation from irenicism. Therefore, it should be explored as a consultation framework where agonism takes precedence over antagonism. In other words, it is the place where interests are exposed, where conflicts are dealt with without pretending to eliminate them once and for all, and where positions are accepted without any threat of annihilation. To better understand this ethics of palatric agonism, we need to move away from ethical dualisms or non-dialectical ethics, where peace and violence are opposed as good and evil. Peace is a moral good to be sought, and violence is an evil to be avoided. In the dialectic of history, Peace has many forms and sometimes the form of peace of war. Agonism tries to get out of these Manichaeist metaphysics.

The different types of palaver institutions are grouped into two categories: irenic palaver and agonistic palavers. More specifically, this is the second category. In contrast to the bourgeois public space of John Rawls and Jürgen Habermas, where analytical reason reigns, the African palaver constructs a space for discussion where passion and reason coexist while revealing opposing fields of interest. Therein lies the enigma of the body. The same goes for pathos and the fire of desire. The Cameroonian philosopher Jean-Godefroy Bidima attests that “laughter, sighs, facial

⁶⁴ Rever J. 2022. “A War Without a Front in the Congo: Deception as an RPF Technique”, Kyoto University Conference Manuscript, 18 January, 6. See also Rever J. 2028. *In praise of Blood: The Crimes of the Rwandan Patriotic Front*. Toronto: Penguin Random House Canada, 151.

expressions, gestures, narrations take place. There is no public space without the body, without passion, without the pathetic dimension of the subject.”⁶⁵ It is a space of argument and passion with its multiple forms of rationality. Wounds are opened in public and closed with words, gestures and rituals. In this space, irenicism gives way to agonism. You don’t win a lawsuit, it restores the broken relationship. We don’t lock ourselves into polarizing positions. We agree to walk with differences, with a presupposition of ontological synodality. How to expand on a national and international scale that seems to be at work at the local (village) level is the challenge of the modern agonistic palaver. It postpones the hopeless discussion and promotes the advent of the truth. Conflicts are not eliminated. They remain open to negotiation, thus making the palaver a guarantee of security for all.

CONCLUSION

Interest is the fundamental issue at stake in action or even in relations between peoples, or even between states. When it is threatened, the system that legitimises it is shaken and the balance disturbed. Palaver can restore this balance. Palabrian agonism is best offered as an alternative, far beyond the genealogy of the concept of peace. Like the place where meaning is given, it is shaped by the other reality in an uninterrupted dialogue. Far from the trial, it is an ethic of the link well upstream of any judicial process of *homo criminalis*. The equilibrium of the system is restored in a dynamic process of compromise. It is not a question of reconciliation in the sense of psychosocial reparation,⁶⁶ but of a constructive confrontation of ideas, positions and ideologies, sometimes giving rise to a consensus by cross-checking.

Therefore, evoking war, peace or reconciliation presupposes above all the question of reference: Who is speaking? Where is he talking about? Why does he say this? Behind the seemingly neutral words, we discover sometimes insurmountable burdens legitimised by the same rhetoric of reconciliation. The genealogy of concepts, or rather their historicity, does not invite us to deconstruct the binary vision of human relations in terms of victors and vanquished, but rather to take into consideration the processuality of human affairs.⁶⁷ The analysis of this processuality indicates that “political notions and philosophical statements are neither absolute nor ahistorical”,⁶⁸ The conflict is inherent in a world dominated by the logic of interests. We must not dream of eliminating conflicts and differences. On the contrary, it is necessary to promote an ethic of agonism that makes room for peace and war, for deliberation, dialogue and negotiation without conflicts disappearing. Peace prepares for war.

65 Bidima JG. 1997. *Le palabre: une juridiction de la parole* [The Palaver: A Jurisdiction of the Word]. Paris: Michelon, 57.

66 Ury W. 2001. *Comment négocier la paix: du conflit à la coopération à la maison, au travail et dans le monde* [How to Negotiate Peace: From Conflict to Cooperation at Home, at Work, and in the World]. Paris: Nouveaux Horizons, 15.

67 The concepts used in the irenic approach: peace, agreement, negotiation, reconciliation, etc.

68 Bidima JG. 2000. “Le corps, le tribunal et l’espace public” [The Body, the Court, and the Public Space] *Politique Africaine* 1(77):106.