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Chapter 5

Business and the uses of ‘civil society’: Governing Congolese mining areas

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Introduction

Not only development agencies, international organisations and international NGOs intervene in postcolonial societies but also multinational companies.[1] These companies are today expected to promote the building of liberal states and civil societies. Some of them in fact do engage in activities that follow this demand and engage in participatory community development and capacity building. In some areas in Africa, they are in fact amongst the most active promoters of what some refer to as ‘global liberal governmentality’ (Sending and Neumann, 2006). These are business spaces, and in particular areas of extraction that have received investment by large multinational mining companies, such as the Niger Delta in Nigeria or the Copperbelt in the Democratic Republic of the Congo and Zambia. These companies often refer to the people living adjacent to their operations as ‘their communities’ and in engaging with them draw on the discourse of civil society.

This chapter analyses companies’ practices in adjacent communities, using the case of mining companies in copper and cobalt–rich Southern Katanga in the Democratic Republic of Congo

(DRC). It looks at large and medium-sized multinational companies that have committed themselves to standards of corporate social responsibility. These are for this chapter the American company Freeport MacMoRan, Canadian First Quantum and Australian Anvil Mining. Examining the everyday practices of these companies allows to show ambiguous uses and effects of the idea of civil society and participatory community engagement.

Drawing on case studies from the early twentieth century and the post-2000 period, this chapter shows, firstly, that companies have always been comprehensively involved in ordering practices in adjacent communities. However, the participatory management of today is different from the coercive and disciplinary paternalism used to control local communities a century ago. However, despite this shift to a new liberal governmentality (Rose 1999), which emphasises the participation of the population in its own governance, there are also striking similarities between early colonial and contemporary corporate ordering attempts. Participation operates in concert with powerful techniques of coercion and indirect rule. While dominating official discourse, calling on self-responsible citizens coexists with fortress protection and older practices of paternalistic cooptation and indirect rule (Hönke 2013). In addition, participatory community engagement and recourse to the discourse of liberal civil society takes place selectively. Technocratic problem-solving-oriented cooperation and service-delivery is encouraged whilst other, contentious activity is silenced. The liberal claim of self-determination is in fact compromised by the recourse to indirect rule and coercion in order to secure stable working conditions, as well as managerial approaches to participation.

After an exploration of the literature on participatory community development and corporate-community relations, the chapter analyses continuities and changes in corporate community practices in the early twentieth century and the post-2003 period in Katanga, DRC. It examines how Western donor agencies join in with companies in building a service-oriented ‘civil society’ while excluding more critical voices. It also criticizes the lack of sustainability of corporate participatory community programs such as in times of economic crisis.

Foreign companies, local ordering and the community

In the context of an ongoing re-assemblage of local and transnational order (Agnew, 2009, Abrahamsen and Williams, 2010, Engel and Nugent, 2010), MNCs have become important governors. There is a large literature on corporate social responsibility (CSR), which focuses on companies’ contribution to development and security at the local level (e.g. Hamann *et al.*, 2008, Börzel *et al.* 2012). Corporate security practices have been discussed with regard to conflict and conflict prevention, yet this literature has been mainly interested in voluntary regulation and potential business contributions to collective goods provision (Haufler, 2001; Deitelhoff and Wolf 2010). These studies emphasize that companies engage with local communities and NGOs and sometimes even build up new civil society structures.[2]

In contrast to this literature, other studies point to the dark sides of corporate activities in and effects on local communities. Companies do use coercive force in order to protect their installations and shield them off from adjacent communities (Frynas, 2001; Drohan 2004; Hönke 2010). In addition, companies’ participatory community engagement gives rise to new forms of exclusion or sometimes simply maintains old hierarchies to achieve stability (Watts 2004b; Zalik 2004; Welker, 2009). Developmental approaches often remain piecemeal, cause conflict within adjacent communities and remain insulated from broader society (Ferguson 2005, Soares de Oliveria 2007: 103-122, Hönke with Thomas 2012). A few studies look at how companies react to community protest and their use of development approaches to prevent conflict with and attacks from communities and local militias (Watts, 2004a, Zalik, 2004). Looking at governance by companies from the ‘bottom-up’ perspective, these studies show that company practices are far from emancipatory forms of community participation and do not lead to meaningful redistribution of benefits.

How can we make sense of these parallel observations of corporate developmental engagement in communities on the one hand, and exclusionary and coercive practices on the other? How do we understand appeals to civil society and self-determination alongside paternalist and coercive practices? Governmentality provides an analytical tool to better understand the ensemble of these contemporary ordering practices and is particularly useful for making sense of them in non-state governance. Company activities have also rarely been studied from a perspective of ordering or policing.[3] However, by understanding corporate community policies as part of a policing – or ordering – project, I hold, we gain a better understanding of governance by companies. This perspective is inspired by Mark Duffield's work on the merging of security and development in Western interventions in the Global South (Duffield, 2001, Duffield, 2007). It is striking – and largely unexplored – to what extent this merging characterises ordering regimes in business spaces such as extraction enclaves.[4]

One of the key techniques of contemporary 'advanced liberalism' (Rose, 1999) has been described as 'governing at a distance': states, companies and community leaders involve intermediary groups (citizen groups, professionals, voluntary associations, social partners and private firms) in their own governance. Such a logic of governing at a distance works through responsible and self-governing entities (Sorensen and Torfing, 2007: 6). It is characterised by governing through market mechanisms and the promotion of individual responsibility and entrepreneurial values. Ownership, participation and self-determination are key principles.[5]

The underlying logic of such 'govern[ing] through freedom' (Rose, 1999, Krasmann and Volkmer, 2007) is, however, one of risk management. Managing security risks is less about causes and more about pre-emptively acting upon potentially problematic zones and groups of people (Rose, 1999). Feeley and Simon (1992) have observed a ‘new penology’ in which security governance shifts focus towards proactively ‘producing’ law-abiding citizens and making them participate in their own policing. Yet at the same time, potential offenders and entire places defined as uncertain are excluded, sealed off and managed in a more restrictive way, before any crime has been committed, in order to prevent future harm to others (Jones, 2007). By so ‘making up governable spaces’ (Rose, 1999), liberal governmentality redefines spaces of in- and exclusion.

Participatory approaches to community development promoted by companies’ CSR departments follow such logic. Strategies of including ‘responsible community’ in transnational governance hence coexists with forms of indirect rule and coercion. Activating modes of governance are seemingly contradicted, yet also complemented, by their interrelation with sovereign and disciplinary modes of power in local practice. As has been argued for other cases, it is the interplay of these different modes of governing that characterises liberal governance (Valverde, 1996, Hindess, 2001). There are double standards and paradoxes within liberal political thinking: illiberal practices of governing are part and parcel of the liberal tradition, for those unable to govern themselves as well as those opposed to liberal market order. This is reflected in company community management. Parallel logics and double standards characterise the practice of securing commercial extraction (Hönke 2013, 2012). In addition, a depoliticized understanding of participation limits, inconsequence, the participatory measures themselves (Cleaver, 1999, Cooke and Kothari, 2001, Dill, 2009),

The following sections reconstruct the ordering practices of mining companies. Two questions stand out in guiding the analysis: First, what is actually new about ‘new’ community practices? And second, what is the regime of practices within which participatory community engagement takes place? In other words, what are the (contradictory) dynamics around contemporary corporate community policies?

Before I turn to my empirical case, a brief discussion of what might be considered ‘new’ about external actors’ community engagement is due. Mamdani (1996) for instance discusses ‘old’ colonial and ‘new’ postcolonial forms of indirect rule. He describes colonial domination as based on a system of indirect rule in which subjects depended on the absolute powers of a local chief acting between them and the colonial government. His model of ‘decentralised despotism’ is based on evidence from rural areas. Companies in early industrial ventures partly relied on such repressive, indirect arrangements of control, while at the same time establishing their own bubble of semi-private governance in which they had far-reaching powers based on delegated authority from the colonial administration. From the early 20th century, companies increasingly governed this bubble according to a biopolitical logic (Foucault 2004 [1979]) aimed at creating an industrial workforce. Despite an overall rationality of ‘commandment’ – according to Mbembe (2001) the exercise of arbitrary and little conditioned power based on racial distinctions – industrial enclaves in Africa were constructed as islands of modernity (Ferguson 1999) in which ‘advanced liberal’ – if disciplinary-paternalist – modes of governing prevailed.

‘Indirect private government’, described by Mbembe as a new manner of ruling contemporary spaces in the peripheries, shares some important characteristics with governance in the early colonial period. Indirect private government is characterised by privatised sovereignty within ‘more or less autonomous pockets’ (Mbembe 2001: 80) within states in which market logics prevail. I agree that such forms of ruling have become more important in current processes of de/reterritorialisation in Africa (Hönke, 2010). However, despite a return to more private government, such as in the era of business empires of the 18th and 19th century, how companies seek to produce order today is different from the past. It does not always entail increased violence and coercion, as is the case in the war economies of extraction Mbembe (2001: 79) refers to. New technologies of governing used by multinational companies aim at reducing direct, physical violence and instead promote development and participation. Companies selectively engage in governing localities in order to ensure production and engage in developmental schemes of 'improvement' (Murray Li, 2007).

Contemporary 'schemes of improvement' share some similarities with colonial ideas of betterment and techniques of indirect rule (Cooke, 2003). However, participatory engagement with communities today is embedded in the more activating logics of advanced liberalism than the paternalist discipline of the past. To some extent in contrast to Cooke, I hold that it is important to distinguish between community engagement that outsources local governance to chiefs and strong men – as described in Mamdani's decentralised despotism model – and participatory engagement with individuals and groups in the context of contemporary corporate risk management. In corporate ordering practices, techniques of indirect rulecoexist with techniques of participatory engagement yet are clearly distinct from them (Hönke 2013; 2012).

In order to develop the these argument I now turn to the case of mining companies in Katanga, starting with a discussion of company interventions in adjacent communities in the early twentieth century followed by an analysis of contemporary community interventions.

Between coercive and paternalist discipline – companies' ordering practices in the early twentieth century

The first industrial mining companies began operating in Sub-Saharan Africa in the last quarter of the nineteenth century. As elsewhere, setting up industrial extraction projects was closely related to colonial occupation and the establishment of direct control over African territory. In the Congo Independent State (the Belgian Congo from 1908), the Union Minière du Haut Katanga (UMHK) was founded in 1906 to explore what is today Katanga and to set up industrial copper extraction. Despite the difference of the colonial context, UMHK, like contemporary mining companies in the DRC, operated in an institutional context characterised by weak state capacities and plural authorities: no state monopoly of violence was in place and various actors competed over local power. Looking at UMHK's ordering practices reveals another striking similarity between the two periods: maintaining industrial production involved not only protecting private property with private force but also interventions in adjacent areas in order to create stable working conditions.

Integrating Katanga as a supplier of cobalt and copper into the world market, industrial mining profoundly shaped local social, political and economic structures. For our purposes, the early regime of governing extraction based on forced labour and coercion (see Higginson, 1989) is of less interest than the increasingly paternalist, disciplinary logic of managing the company and its workforce introduced by the UMHK management from the 1920s. As a new mode of exercising power, disciplinary practices revolved around the idea of transforming subjectivities in order to build a mass labour force that was cheap but fit for modern industrial extraction. The company changed from governing through corporal punishment to more indirect and productive modes of power. It got deeply involved in workers' lives and thus in the labour settlements that it simultaneously sought to isolate from the 'traditional', 'pre-modern' world surrounding them (Hönke 2013, chapter 6).

Liberal theories conceptualise private property as the natural domain of private governance. In the period from the 1880s to the 1920s this domain consisted of an extended, semi-private area. UMHK controlled a closed realm extending from the workplace to entire labour settlements in which workers lived with their families. The company encouraged monogamous marriages and provided workers with such families with accommodation, food rations, healthcare and schooling (for a description see Dibwe dia Mwembu, 2001). '[A]n army of agents from helping professions and missionary societies' (Higginson, 1989) were sent into the labour camps, not only with medicine but also with moral visions of how African workers and families should behave. In the spirit of a new rationality of governance that Michel Foucault describes for Europe as a regime of discipline and biopolitics, the control and (re)production of life became the focus of interventions aimed at the production of a permanent class of wage labour (Stoler and Cooper, 1997: 31f).

The colonial administration and the UMHK 'sought to reach further under the workers' caps while tying their hands faster to new pacesetting machinery' (Higginson, 1988: 2). The virtues of the new industrial discipline were punctuality, temperance and sexual restraint. In the workshops, priests from the Benedict Fathers and African auxiliaries were supposed to teach apprentices respect and passivity in the face of superior European civilisation. They were also expected to educate workers in European ways of life and turn them away from 'backward African customs' (Higginson, 1988: 6f). In a way the camps were the colonial version of the *cités ouvrières* built in Europe in the nineteenth century to (re)produce, cater for and control a new, disciplined industrial labour force (Peemans, 1997: 37). It was not the company alone that maintained this extractive order. The company, Catholic Church and, with time, increasingly the colonial state ran a regime of coercive paternalism in extended pockets of territory: the mines and the labour settlements in their direct vicinity. In the settlements, two authorities maintained a totalitarian subculture: 'the compound head, responsible for discipline maintenance, and the [Catholic] teacher-preacher responsible for morals and learning' (Vellut, 1983). The colonial state appeared as a tax collector and as a punishing agent of last resort.

What emerged at the end of the 1920s around the mines of Katanga was thus a regulatory regime of discipline as known from early labour cities in Europe, yet in a more coercive and exclusive form (for other cases see Mitchell, 1991, Legg, 2007). Isolating the bubble of industrial, disciplinary order established in the labour camps from an environment perceived as hostile and more disorderly (Dibwe dia Mwembu and Kalaba Mutabusha, 2005: 62), the disciplinary regime within the extended fortress of the mine was, however, in sharp contrast to the scope of disciplinary regimes observed in Europe that targeted entire populations within state territories. UMHK rarely got directly involved in governing the communities and urban areas outside the extended zone of semi-private governance described above, such as the new mining cities of Elizabethville (Lubumbashi), Jadoville (Likasi) and Kolwezi (Fetter, 1976).

Alongside coercion, which according to Legg (2007) and Mbembe (2001) were characteristic for colonial governmentality, in the restricted territory of the workplace and the workers' compounds, whose boundaries were closely policed, the company increasingly adopted a rather paternalistic style of governing. However, there was no recourse to the notion of civil society nor was participation and self-determination an important feature of the workforce-focused corporate community policies of the past. What we find, instead, is a territorial bubble of semi-private governance in which disciplinary power became the dominant mode of governing the workforce.

Between participatory community engagement and indirect rule, post-2000

How do these paternalist techniques of securing production – by transforming subjectivities and building and growing labor communities – differ from today's new concern about communities? Companies have been increasingly exposed to social and political conflicts that emerge from the environment in which they operate. In contexts in which host states are not able to provide stable working conditions and protect industrial extraction, security managers have become increasingly concerned with managing security risks that they believe emanate from local communities. Managing volatile social and political environments, companies have become involved in securing extraction through selected engagement in adjacent communities.

A managerial approach to risk governance, which characterises the new liberal governmentality, was first developed in the business sector (Johnston and Shearing, 2003: ch. 3). Since the 1990s, larger and more visible companies started to turnto less reactive and more pre-emptive modes of dealing with potential issues of insecurity. Security managers complement reactive punishment with acting on risks pre-emptively. What has been described for policing, which since the 1980s has turned to a kind of 'actuarial risk management' (O'Malley, 1996), has therefore travelled to remote business spaces in the South. Security governance now works more through managing particular risk groups, issues and spaces.

In the policing literature, such techniques have been well described so far with regards to urban phenomena, such as shopping malls and gated communities. Here, the 'good community' – the inhabitants of the middle class neighbourhood, the consumers – are invited to use and help protect these spaces. However, physical barriers, but also cameras, patrols and spatial design exclude those with supposedly 'threatening' behaviour: potential 'criminals', hawkers and non-consumers (see e.g. Jones, 2007).

With companies in Katanga we find similar patterns. Corporate security strategists see security risks to mining companies as increasingly emanating from adjacent communities. Companies in Katanga refer to these communities ambiguously as both their most immediate threat and a potential belt of protection for operational security.[6] Therefore they complement their traditional ‘fortress mentality’ (Johnston and Shearing, 2003), which made them concentrate on protecting the narrow space of private property through fencing-off, deterrence and surveillance, with flexible engagement in the ‘community belt’, trying to make these communities partners in policing the enclave. I term ‘community belt’ the space that companies refer to as their communities and theatre of operation (Hönke 2012, 2013). Sometimes this is geographically defined by companies as, for instance, the communities within a particular distance or as the host administrative unit. What is important about the new rationale of managing order within this belt is, however, that companies no longer take on direct territorial control over these areas, such as was the case with the extended labour camps run by UMHK in the early colonial period. While there are still small labour compounds for a limited number of expatriate and more senior employees, the ‘community belt’ refers to the inhabited space around mining operations into which tnew forms of participatory community engagement flexibly and selectively stretch out.

Conflicts with communities erupt over access to land, over relocation, and more generally over who has to bear the costs of mining and how the benefits of extraction should be distributed. In addition to frequent violent confrontations with artisanal miners, there are other examples of how communities turn to confrontational methods in Katanga in order to make such claims. In a settlement formerly run by state-owned mining company *Gécamines* close to Kolwezi, for instance, inhabitants organised protests and took a mine manager hostage to pressure the Canadian company FQML to repair the local sewage system.[7] Firms thus complain that they are under pressure to take on more and more social functions.[8]

The phenomenon is not specific to Katanga. Situated at the bottom of a transnational, asymmetric field of struggle, indigenous communities stage conflicts at the very local level of transnational economic ventures to claim rights and redistribution of benefits of natural resource extraction (see Szablowski, 2007). In more and more places, these conflicts are no longer repressed or mediated by host state governments. In addition, communities link up more easily with transnational INGOs or media and thus are more likely to effectively damage companies' reputation.[9]

As a result, local security governance has changed:

> Security has evolved over the years and many people think […], see security as a main guarding function, iron gates, securing an office complex or mine complex against theft or wrongdoing. […] In a broader context, certainly, the industry has evolved over the last 10 years. …security moved on. It's much more of a risk management role we now fulfill.[10]

This view is supported by the observation of an NGO project manager working with another mining company. He saw 'more and more interest to really link the agendas of security and social development […] in the last two years with a lot of the major internationally listed companies' in Katanga.[11] It is striking the extent to which the trend of merging security and development in liberal global governance that Mark Duffield (2001, 2007) has described for the field of peace operations and aid is also evident in the field of commercial security governance.

In protecting commercial extraction, multinational mining companies in Katanga now also draw on techniques of dialogue and participatory development management in order to make adjacent communities partners in policing the extraction enclave. A social and community manager describes how, through dialogue with communities and education, his company was trying to make people accept its mining operations in their midst as ‘patrimoine de leur environment’: as a property and valuable part of their environment that they want to protect.

In his account, the exclusive, island-like character of the ‘community belt’ becomes evident. The idea is to make the poor village communities adjacent to the mine partners of the company’s private, for-profit endeavour. Once communities perceive their own well-being and prosperity as linked to that of the company, according to the approach’s rationality, they will socially sanction theft from the mine and help to denounce illegal intruders and thieves.[12] Companies consider communication a key technique for preventing insecurity. They have established regular consultations with communities in the neighbouring ex-Gécamines cities, as well as in villages. These are also supposed to dissolve grievances by giving people the opportunity to express complaints and demands without resorting to violence.

However, the liaison officers can also be interpreted as an extended arm of in-house intelligence, as they are informants placed within communities and provide local information.[13] This makes community engagement an ambivalent endeavour. Liaison officers formally have a social mandate, but can be seen as additional important set of ‘eyes and ears’ for the company in the mining communities.[14] In this logic they are part of the intelligence services, an early warning system that should increase awareness of risks.

Another aspect of this new form of community engagement is strategic philanthropy, or investments in communities in order to placate critics or improve a companies’ reputation which have no clear relationship to the negative externalities and thus responsibilities a company has for the effects of its core business practices. Such social investment might do ‘good’ in that it might improve collective goods provision in local communities. Contracted by Anvil Mining, the NGO Pact, for instance, introduced new participatory procedures around

Anvil's operations. Pact sought to form local development committees to represent communities better *vis-à-vis* the company. Companies thus call on those living around mining sites to represent 'the' local communities. Those representatives then make up community development committees that have at least two functions. Those organised by the NGO Pact decide – from a set of potential options – what to spend the companies' social investment on. Through these committees, the company also asks community members to take responsibility for local security – and thereby the protection of company assets.[15]

Such involvement, however, has important indirect effects on local politics and the distribution of power and authority in the local arena. The committees mentioned above are part of a company procedure that is represented as a-political and functionally specific. However, these institutions and the selection of those supposed to represent 'the community' in them is highly political. Social investment usually benefits some but puts other people in a locality at a disadvantage.[16] Such unequal distribution of corporate social investment is created through the fabrication of forums that include those in alliance with the company but excluding others who raise critical issues.[17] In fact, companies create political institutions parallel to existing state and customary political structures at the local level. These might call local political hierarchies into question and introduce (democratic) change.

However, in the eyes of companies, democratic participatory community engagement can easily contradict private security interests. Instead of contributing to the companies' overall goal of achieving stable working conditions, these may undermine social and political stability. Therefore, firms steer clear of too progressively intervening in local social and political hierarchies, and often steer clear of engaging with critical ONGs or marginalised groups. On the contrary, they often rely on clientelistic, stability-oriented arrangements of indirect rule – sometimes under the cover of CSR – by working with the strongest and officially recognised local authority regardless of that person's legitimacy in the eyes of the local population (Hönke, with Thomas 2012; Hönke 2013; Geenen and Hönke forthcoming). Anthropologist Marina Welker (2009) has shown this for mining company Newmont's community programs in Indonesia, which it introduced after being criticised for partnering with the regime and not working enough with local communities. She demonstrates how the company nurtures existing patrimonial networks through CSR and sides with incumbent, conservative chiefs against environmental activists to maintain stability.

Hence community forums can theoretically be used in order to raise concerns. However, because of a biased selection process and asymmetric power relations, this is not often the case. Practices of clientelism and co-optation coexist with the participatory development engagement described above.

This co-optation model is in the long tradition of indirect rule. It consists of supporting chiefs and local big men to guarantee local order. As chiefs are legally 'pas important, mais indispensable'[18] in local politics in the DRC, they have been set up as privileged contacts and partners of mining companies. While mining legislation officially deprives them of their land rights, they have an important role in local governance: local administration, if there is any, depends on chiefs and without them, nothing works.[19] Local government in the DRC has not been elected since the 2006 adoption of a new constitution calling for local elections. Decentralisation, also enacted in the new constitution, has still not been implemented, either at provincial or district and lower levels. Local elections have not taken place and the lower tiers of state administration are built on 'traditional chiefs' and local power structures (Young and Turner, 1985). While the Congolese constitution and mining code attribute both mineral and surface rights to the state, concentrating the politics of mining in the hands of central government, traditional authorities are the main *de facto* authorities at local level.

This is evidenced by the capacity of chiefs to mobilise communities in favour of or against companies. In mid-2008, for instance, a confrontation between the company TFM and local communities on the issue of employment appears to have been orchestrated by one of the local chiefs.[20] In another case of violent attacks against Anvil Mining in early 2008, these seem to have been organised by the local chief in reaction to his conflict with the company.[21] In the mining regions, therefore, a clientele pattern of firm-chief interaction goes far beyond customary forms of paying tribute to local authorities. Chiefs have been put on company payrolls and receive strategic investments in their jurisdiction in exchange for social peace.[22] The security manager of a multinational company in Katanga puts this pragmatic approach to managing security through indirect rule as follows: 'We are stuck to those who are legally in power. There is no purpose in lamenting about the authorities. You want that copper? Deal with it'.[23] With regard to the host state, the rentier state literature and others have described at length how this logic strengthens unaccountable political regimes (Reno, 1997). With regards to company–state relations, I have argued elsewhere (Hönke, 2010) that the increasing role of corporate entities in security governance can be understood as a new form of indirect discharge, used by external governments and, in the case of Katanga, by the Kabila government. They quasi-outsource policing functions to mining companies.

In addition, participatory engagement is limited in itself. Due to a discursively predetermined setting, the set of policies that communities can actually decide about and implement is limited. Liberal economic institutions and a global CSR discourse set clear boundaries within which self-determination is possible. Investors' property and mining rights, for instance, usually trump customary land rights and customary artisanal mining rights. Certain forms of claim making are delegitimized as undemocratic, or even criminalized. Local residents and artisanal miners in the Kolwezi area in Katanga, for instance, do not channel their protest through community forums. They don't have access to them, or consider them as ineffective in attaining their goals. They are an expression of a managerial approach to participation that often rather serves as another technique of control than helping emancipation (Cooke, 2001; see also Cruikshank 1999). If people turn to alternative strategies, such as demonstrations, blockades, and trespassing, these are treated as illegitimate and are met with repression (Hönke 2013).

To summarise, the case of mining companies' ordering practices in Katanga shows that contemporary participatory management is different from the coercive and disciplinary paternalism companies used to control local communities in the past. While multinational companies engage beyond the fortress of the mine in adjacent communities – as in early colonialism, and much more than in the intervening years – the contemporary rationality of ordering is considerably different. It is less territorial and more activating in how it calls on individuals and communities to take responsibility for maintaining order around the mines. However, while companies promote participatory engagement and civil society to some extent, they also stick to powerful local actors that are crucial for stability. This poses a constraint to alternative, more representative political structures and emancipatory policies that participatory engagement could potentially encourage (see e.g. Hickey and Mohan, 2005). Companies are conservative forces in the sense that they side with those in power for legal and *de facto* physical security (Reno, 2004). Apart from their growing importance in local ordering, this importance of indirect rule shows striking similarities with the early colonial period.

Donors, 'good' and 'bad' civil society and the global economic crisis

Two additional points shall be raised in this final section. The first relates to how *external governments* perceive of and police civil society in the field of extractive industries in the

DRC. The second is about the slowdown in demand for copper and cobalt in the context of the global economic crisis and how this has affected corporate community policies.

It is striking, firstly, that similar to multinational mining companies, donor agencies that work on resource governance in Katanga, such as the British DfID and the American USAID, also have a selective take on ‘legitimate’ protest and ‘good’ (as well as ‘bad’) civil society. Representatives of both agencies only consider service-providing, problem-solving oriented NGOs collaborating with companies as ‘good’ and legitimate parts of civil society. By contrast, they criticise watchdog NGOs, which observe and denounce companies’ security and human right practices, as useless and problematic.[24] These are not mere personal points of views by individuals in Katanga. This distinction has practical effects in that donors fund service-oriented NGOs such as Pact Congo, but not critical observers, such as Global Witness or ACIDH. However, the public shaming of multinational mining companies by the latter has been crucial in making companies engage in participatory community engagement.

Secondly, the rise in commodity prices and the subsequent investment boom that took place in Katanga from 2004 to 2008, during which most of the material presented above was collected, was followed by a bust from late 2008 onwards. As a consequence, mining companies cut back on their activities in the region or even closed down (Mthembu-Salter 2009). This has had tremendous effects on corporate community engagement policies, which points to further limitations of corporate civil society policies. Besides cutting back on core business activities, companies have cut back even more on participatory community engagement. NGO Pact Congo for instance had run the community program for Anvil Mining and other companies before the crisis. It had also developed and implemented an integrated development and security program in the Kolwezi area, the Kolwezi Artisanal Mining Project, which was to an important extent financed by mining companies that operate in this region.[25] A core component of these programs was the empowerment of the local population that was negatively affected by industrial mining and in conflict with companies and/or government officials. They sought for instance to build stakeholder forums in which local residents and artisanal miners got together with mining company representatives and government in order to prevent conflict and develop alternative development options. These programs were closed down because mining companies withdraw their funding in the wake of the bust. Eventually, Pact closed down its offices in Katanga.[26] These consequences of the economic crisis underline that in addition to their selectivity and hybridity, corporate participatory community engagement also lacks sustainability.

Conclusion

In recent years, multinational companies have emphasized more and more that they were contributing to preventing conflict, and to building states and civil societies in Africa. This chapter has shown that engagement in African societies by firms is not entirely new. Companies operating in the early colonial period intervened in adjacent communities. These interventions were, however, driven by a disciplinary logic and focused on neatly delimited territory. Their major goal was to produce a mass labour force. The UMHK in Katanga created an extended bubble of semi-private governance largely shut off from its larger environment.

Contemporary strategies of participatory development and CSR, are no longer concerned with disciplining and transforming people. However, they are problematic in their own right. In order to strategically manage security risks that may potentially emanate from adjacent communities, the ‘community belt’ as become a space in which firms concentrate selective interventions. In contrast to the enclaves of the past, this ‘belt’ is less territorial. It has no fixed demarcations and remains a social space with flexible borders. Community engagement within this belt is, however, hybrid and has exclusionary and depoliticising effects.

Despite the emphasis on the population’s role in its own governance, there are in fact striking similarities between early colonial and contemporary corporate ordering attempts in the postcolonial world. In everyday practice, for instance, old techniques of cooptation and indirect rule persist. Whereas a new liberal governmentality dominates the discourses of development, state-building and corporate community engagement, companies police adjacent communities with recourse to indirect rule and coercion as well (see also Hönke 2012, 2013). While multinational companies are expected to, and increasingly do, engage in participatory community development, there are thus ample reasons for critically (re)examining governance interventions by profit-oriented actors such as multinational companies.

However, such critical engagement is not only apt in the case of private for-profit actors. It is striking to what extent companies refer to the same discourses as states and international organizations. The rationalities of new liberal governmentality are widely shared and transcend supposed boundaries between profit and not-for-profit, state and non-state spheres. However, the liberal claim to self-determination and democratic procedures in these governance interventions is compromised by managerialism and the recourse to indirect rule and coercion in order to ensure stability.

References

Abrahamsen, R. and Williams, M.C., 2010. *Security Beyond the State. Security Privatization and International Politics*, Cambridge: Cambridge University Press.

Agnew, J., 2009. *Globalization and Sovereignty*, Lanham: Rowman and Littlefield Publishers.

Börzel, T. A. and Hönke, J., 2012. *Security and Human Rights. Mining Companies Between International Commitment and Corporate Practice.* Baden-Baden, Nomos.

Börzel, T.A., Hönke, J. and Thauer, C., 2012. Corporate Responsibility, Multinational Corporations and the Nation State. Does it Really Take the State?, in: *Business and Politics* 14: 3, 1-34.

Cleaver, F., 1999. Paradoxes of Participation: Questioning Participatory Approaches to Development. *Journal of International Development*, 11: 4, 597–612.

Cooke, B., 2001. *From Colonial Participation to Development Management*, IDPM Discussion Paper Series, Working Paper 63, Manchester.

Cooke, B., 2003. The New Continuity with Colonial Administration. Participation in development management. *Third World Quarterly*, 24: 1, 47-61.

Cooke, B. and Kothari, U. (eds.) 2001. *Participation: The new Tyranny?*, London: Zed Books.

Cruikshank, B., 1999. *The Will to Empower: Democratic Citizens and Other Subjects*, Ithaca, NY: Cornell University Press.

Deitelhoff, N. and K.-D. Wolf, (eds.) 2010. *Corporate Security Responsibility?* Basingstoke: Palgrave.

Dibwe Dia Mwembu, D., 2001. *Bana Shaba Abandonnés Par Leur Père : structures de l'autorité et histoire sociale de la famille ouvrière au Katanga, 1910-1997*, Paris: L'Harmattan.

Dibwe Dia Mwembu, D. and Kalaba Mutabusha, G., 2005. Lubumbashi. Des lieux et des personnes *In* D. De Lame & D. Dibwe Dia Mwembu (eds.) *Tout passe. Instantanés* *populaires et traces du passée à Lubumbashi*, Tervuren: Musée royal de l'Afrique centrale.

Dill, B., 2009. The Paradoxes of Community-based Participation in Dar es Salaam. *Development and Change,* 40 : 4**,** 717-743.

Drohan, M., 2004. *Making a Killing: how and why corporations use armed force to do business*, Guilford, CT: Lyon's Press.

Duffield, M., 2001. *Global Governance and the New Wars. The Merging of Development and Security* London, New York: Zed Books.

Duffield, M., 2007. *Development, Security and Unending War. Governing the World of People,* Cambridge: Polity.

Engel, U. and Nugent, P. (eds.) 2010. *Respacing Africa,* Leiden: Brill.

Feeley, M.M. and Simon, J., 1992. The New Penology: Notes on the Emerging Strategy of Corrections and its Implications. *Criminology,* 30: 4**,** 449-474.

Ferguson, J., 1999. *Expectations of Modernity: Myths and Meanings of Urban Life on the Zambian Copperbelt*, Berkeley: University of California Press.

Ferguson, J., 2005. Seeing Like an Oil Company: Space, Security, and Global Capital in Neoliberal Africa. *American Anthropologist,* 107: 3**,** 377-382.

Fetter, B., 1976. *The Creation of Elizabethville, 1910-1940,* Stanford: Hoover Insitute Press.

Foucault, M., 2004 [1979]. *Geschichte der Gouvernementalität II. Die Geburt der Biopolitik,* Frankfurt am Main: Suhrkamp.

Frynas, J.G., 2001. Corporate and State Response to Anti-Oil Protests in the Niger Delta. *African Affairs,* 100: 398**,** 27-54.

Geenen, S. and Hönke, J. (forthcoming). 'Land Grabbing' by Mining Companies. State Reconfiguration and Local Contentions in South-Kivu, DRC, in Ansom, A. (ed.) *Land Grabbing in the Great Lakes Region of Africa, Woodebridge: James Currey.*

Hamann, R., Woolman, S. and Sprague, C., 2008. *The business of sustainable development in Africa : human rights, partnerships, alternative business models,* New York: United Nations University Press.

Haufler, V., 2001. *A Public Role for the Private Sector: industry self-regulation in a global economy,* Washington, DC: Carnegie Endowment for International Peace.

Hickey, S. and Mohan, G., 2005. Relocating Participation Within a Radical Politics of Development. *Development and Change,* 36: 2**,** 237-262.

Higginson, J., 1988. Disputing the Machines: scientific management and the transformation of the work routine at the Union minière du Haut-Katanga, 1918-1930. *African Economic History,* 17**,** 1-21.

Higginson, J.E., 1989. *A Working Class in the Making: Belgian colonial labor policy, private enterprise, and the African mineworker, 1907-1951*: University of Wisconsin Press.

Hindess, B., 2001. The Liberal Government of Unfreedom. *Alternatives,* 26: 1**,** 93-111.

Hönke, J., 2010. New Political Topographies. Mining companies and indirect discharge in Southern Katanga (DRC). *Politique Africaine,* 120**,** 105-127.

Hönke, J., 2012. Multinationals and Security Governance in the Community. Participation, discipline and indirect rule. *Journal of Intervention and Statebuilding,* 6: 1, 89-105.

Hönke, J., 2013. *Transnational Companies and Security Governance. Hybrid Practices in a Postcolonial World,* London: Routledge.

Hönke, J., with Thomas, E., 2012. *Governance For and Against Whom? Business contributions to collective goods and bads in Sub-Saharan Africa.* Working Paper Series Research Centre Governance N° 31, Berlin.

Jahn, B., 2007. The Tragedy of Liberal Diplomacy: Democratization, Intervention, Statebuilding (Part I), *Journal of Intervention and Statebuilding,* 1: 1, 87-106.

Johnston, L. and Shearing, C., 2003. *Governing Security. Explorations in Policing and Justice,* London, New York, NY: Routledge.

Jones, T., 2007. The Governance of Security: Pluralization, Privatization, and Polarization in Crime Control. *In* M. Maguire, R. Morgan & R. Reiner (eds.) *The Oxford Handbook of Criminology*. Oxford: Oxford University Press, 841-865.

Krasmann, S. and Volkmer, M. (eds.) (2007) *Michael Foucaults "Geschichte der Governementalität" in den Sozialwissenschaften. Internationale Beiträge,* Bielefeld: Transcript.

Kühn, F., 2010. *Sicherheit und Entwicklung in der Weltgesellschaft. Liberales Paradigma und Staatsaufbau in Afghanistan*, Wiesbaden: VS Verlag für Sozialwissenschaften.

Legg, S.I., 2007. *Spaces of Colonialism: Delhi's urban governmentalities,* Malden, MA; Oxford: Blackwell Publishing.

Mamdani, M., 1996. *Citizen and Subject. Contemporary Africa and the legacy of late colonialism,* Princeton, NJ: Princeton University Press.

Mbembe, A., 2001. *On the Postcolony,* Berkeley, CA: Univ. of California Press.

Mitchell, T., 1991. *Colonizing Egypt,* Los Angeles, CA: California University Press.

Mthembu-Salter, G., 2009. Natural Resource Governance, Boom and Bust: The Case of Kolwezi in the DRC, Occasional Paper N° 35, South African Institute of International Affairs.

Murray Li, T., 2007. *The Will to Improve Governmentality, Development, and the Practice of Politics* Durham: Duke University Press [a.o.].

O'Malley, P., 1996. Risk and Responsibility. *In* A. Barry, T. Osborne and N. Rose (eds.) *Foucault and Political Reason: Liberalism, Neo-Liberalism, and Rationalities of Government.* Chicago, IL: Chicago University Press, 189-208.

Peemans, J.-P., 1997. *Le Congo-Zaire au gré du XXième siecle: état, économie, société, 1880-1990,* Paris: L'Harmattan.

Reno, W., 1997. African Weak States and Commercial Alliances. *African Affairs,* 96: 383**,** 165-185.

Reno, W., 2004. Order and Commerce in Turbulent Areas: 19th century lessons, 21st century practice. *Third World Quarterly,* 25: 4**,** 607-625.

Rose, N., 1999. *Powers of Freedom. Reframing political thought,* Cambridge: Cambridge University Press.

Sending, O.J. and Neumann, I.B., 2006. Governance to Governmentality: Analyzing NGOs, States, and Power. *International Studies Quarterly,* 50: 3**,** 651-672.

Soares De Oliveira, R., 2007. *Oil and Politics in the Gulf of Guinea,* London: Hurst & Columbia University Press.

Sorensen, E. & Torfing, J. (eds.) 2007. *Theories of Democratic Network Governance,* Houndmills: Palgrave.

Stoler, A.L. and Cooper, F. (eds.) 1997. *Tensions of Empire. Colonial Cultures in a Bourgeois World.* Berkeley, CA: California University Press.

Szablowski, D., 2007. *Transnational Law and Local Struggles: Mining Communities and the World Bank,* Oxford: Hart Publishing.

Valverde, M., 1996. 'Despotism' and Ethical Liberal Governance. *Economy and Society,* 25: 3**,** 357-372.

Vellut, J.-L., 1983. Mining in the Belgian Congo. *In* D. Birmingham & P.M. Martin (eds.) *History of Central Africa.* London: Longman, 126-162.

Watts, M., 2004a. Resource Curse? Governmentality, Oil and Power in the Niger Delta, Nigeria. *Geopolitics,* 9: 1**,** 50-80.

Watts, M.J., 2004b. Antinomies of Community. Some thoughts on geography, resources and empire. *Transactions of the Institute of British Geographers,* 29: 2**,** 195-216.

Welker, M.A., 2009. Corporate Security Begins in the Community: Mining, the Corporate Social Responsibility Industry, and Environmental Advocacy in Indonesia. *Cultural Anthropology,* 24: 1**,** 142-179.

Young, C. and Turner, T., 1985. *The Rise and Decline of the Zairian State,* Madison, WI: University of Wisconsin Press.

Zalik, A., 2004. The Niger Delta: 'Petro Violence' and 'Partnership Development'. *Review of African Political Economy 101,* 401-424.

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[2] See, however, Börzel and Hönke 2012 and Zalik 2004.

[3] See, however, Hönke, J. 2010, 2012 and Abrahamsen, R. & Williams, M.C., 2010.

[4] Exceptions are the case studies by Welker, M.A., 2009 and Zalik, A., 2006. See also Soares de Oliveira 2007: 107ff.

[5] For a discussion of these principles and their paradox effects in development and statebuilding interventions see Cleaver, F., 1999, Kühn, F., 2010, and Jahn, B., 2007.

[6] Interview with company manager security & development, November 21 2008, Kolwezi; Interview with Pact Congo, October 2007 & November 2008, Lubumbashi.

[7] Interview with company security manager, November 22 2008, Kolwezi.

[8] Interview with manager community relations and social development, October 3 2007, Johannesburg.

[9] See for instance the transnational campaigns against Anvil in Katanga and Anglogold Ashanti in Ituri (Börzel and Hönke 2012).

[10] Interview with ex-group security manager, October 26 2007, Ndola.

[11] Interview with Pact representative, October 17 2008, Lubumbashi. This refers to the period before the world economic crisis. See the last section of this chapter for the impact of the world economic crisis on the mining industry in Katanga and hence the community engagement of companies.

[12] Interview with company social development manager, November 15 2008, Lubumbashi.

[13] Interview with company security manager DRC, November 22 2008, Lubumbashi.

[14] Interviews with company security and social development managers, November 15 & 21 2008, Lubumbashi.

[15] Interviews with Pact Congo in November 2007 and 2008, DRC; Interviews with security and community managers of Anvil Mining, November-December 2008, DRC.

[16] For development management it has been shown that 'participation' often reproduces existing inequalities and hierarchies (Cooke and Kothari 2001).

[17] For a pertinent case in this regard in Eastern DRC see Geenen and Hönke (forthcoming). Michael Watts (2004b) shows how oil companies in the Niger Delta create new communal identities and divisions.

[18] Interview with World Bank Extractive Industries Programme, October 29 2008, Kinshasa.

[19] The Constitution 2006 and the new Mining Code 2002 attribute both mineral and surface rights to the state. Interview with CEO consultancy African Institute of Corporate Citizenship and former UNDP worker in the DRC, October 7 2008, Johannesburg.

[20] Interview with company social development and security managers, November 7 2008, Lubumbashi; Dan 2008: All Mine, Dan Rather Reports (Transcript). HDNet. September 23, 2008.

[21] Interview with advocate, November 19 2008, Kolwezi; Interview with World Bank Extractive Industries Programme, October 29 2008, Kinshasa.

[22] See footnote above; Interview with CEO consultancy African Institute of Corporate Citizenship and former UNDP worker in the DRC, October 7 2008, Johannesburg; Interview with company manager security and development, November 21 2008, Kolwezi.

[23] Interview with ex-security manager, mining company, Ndola, 26 October 2007.

[24] Interview with USAID country representative DRC, October 29 2008, Kinshasa and conversations November 4 2008, Lubumbashi; with DfID country representative, meeting in Kinshasa, and conversations November 4 2008, Lubumbashi.

[25] Interviews with Pact Congo representatives and with Anvil Mining representatives, October-November 2008, Lubumbashi.

[26] Pact Congo: Status Update 2009, unpublished document, mimeo. Interviews with former Pact Congo staff in Lubumbashi, Kinshasa and Kolwezi, September and October 2012.