

advocacy for a real change in the way local and regional actors craft and defend their »Congo interests«.

So, interventionism is like »interest«, a sensitive and paradoxical topic. A little bit like the food in a hotel in the Woody Allen's movie »Manhattan«: it is at the same horrible and there is not enough of it either.

The aim of this paper was to show that the variety and the conflicting nature of *interests* in Congo accounts a lot for this country being what many see as a »crab basket«. That is, a construction in which the satisfaction of interests will either never be grounded on compromise, or will entail such a dramatically sub-optimal level of compromise, that it will not

even be desirable. At the same time and paradoxically, Congo has also long suffered from a crucial lack of *interest* from the part of the international community, that partly left it slipping on the slope of tragedy and collapse, in a war that lasted seven years.

Thus, the new exciting challenge Congo is now facing is not really to bridge a gap between various rival interests competing at various levels. It is rather to find an acceptable manner of having these interests competing, on a ground that is not necessarily detrimental to the common Congolese good, and to the building of an acceptably democratic and accountable state. In short, a way to put the crabs out the basket.

# Ethical Reflections on the Intervention of the UN and EUFOR in the D.R.Congo

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**Abstract:** This article outlines the necessity to go beyond a one dimensional approach in dealing with the major crises of our time. The author advocates a »holistic« approach or what he calls the Good Samaritan Model, as an ethical response to protracted conflicts in today's world. The relative successful story of the intervention of the UN and Eufor in the crisis in the Democratic Republic of Congo is used as an illustration to support the ethics of pacification from outside based on the Good Samaritan Model.

**Keywords:** RD Congo, ethics, theory, intervention, conflict

## 1. Introduction

I intend to address four main issues in this article. First, I would like to briefly outline the problems at stake in the Congo's crisis. Second, I will critically examine the main ethical theories with regard to a foreign intervention in a country faced with protracted conflict and war. Third, in the light of this second part, I will ethically assess the intervention and the role of the UN and Eufor in the D.R.Congo. Fourth, by way of conclusion, I will highlight some pending challenges in respect to the future of the Congo and thereby some ethical principles that may constitute a solid basis for an ethics of peacebuilding based on »pacification from outside«.

## 2. A Brief Analysis of Congo's crisis

There are numerous, and at times, contradictory analyses about the crisis of Congo. However, one can point out five main dimensions of the crisis affecting Congo, from independence to the present time. These five dimensions are as follows: colonialism, geostrategic equation power, political power, economic factor, and cultural pluralism.

The fact of colonialism can hardly be considered as a happy event, at least for the colonized people. Such is the case with the Congo, which was the Belgian colony Congo under King Leopold II. Historians are keen to point out that the colonization of Congo by Belgium represents the worst case among other colonies in Africa<sup>1</sup>. Unlike in other African countries colonized by the British whose approach was more pragmatic,

1 Cf. Adam Hochschild, *King Leopold's Ghost. A Story of Greed, Terror, and Heroism in Colonial Africa*, London: Houghton Mifflin Company, 1998.

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and less paternalistic, Congo was under a staunch rule of paternalism and subjugation by its colonial master to such an extent that when, in 1960, the country became independent very few Congolese were really prepared to take up the responsibility of running the country. This unpreparedness paved the way to amateurism, »bricolage«, mismanagement, chaos, and eventually to violence. The history of Congolese people is still tied to this sad page of its past, even though efforts for the formation of competent and responsible civil servants have been one of the main concerns after independence.

The geostrategic equation power refers to the cold war period. The latter can be described as a time when the two superpowers of the world at that time considered Congo (and other African countries as well) as having a strategic position on the African continent in the war between the West and the East. Congo was considered as an ally of the West for promoting the capitalist ideology versus the communist ideology. The brutal death of Patrice Emery Lumumba in 1961 and the rise to power of Mobutu in 1964 are tied to this geostrategic factor. Patrice Lumumba was seen as the »enemy« of the West, while Mobutu was considered as the »friend« of the West.

The political dimension of Congo's crisis stems from the two aforementioned dimensions, that is, colonialism and the geopolitical power equation of the cold war era. Congo's history is marked by over thirty years of dictatorship by Mobutu's regime. Despite the fact Mobutu is seen by many Congolese as the architect of unity and the sentiment of nationalism among Congolese, one cannot deny the fact that he was at the same time the leader who initiated a culture of fear, corruption, terror, repression of basic human rights in the country – to such an extent that under Mobutu's regime, Congo was really a phantom, a ghost, a stateless nation; a property of one man to whom all citizens had to obey like sheep following their shepherd. The irony is that despite the massive and ostensible violation of human rights, financial mismanagement, corruption, nepotism and the like, Mobutu was always supported by the West and seen as one of the »best African allies and friends of the West«. This reluctance and laxity of the West to condemn the abuse of human rights and mismanagement by Mobutu's regime have eventually paved the way to a tradition of corruption, mismanagement and, dictatorship in the country.

The process of democratization that started in 1990 signalled the end of Mobutu's regime and thereby the end of a long time of personal rule. But, peace and stability had yet to come in the country. Thirty two years of dictatorship do not vanish like a drop of water in the ocean. It takes time to heal the wounds, reconcile people, forgive and reconstruct the country. The attempt, in 1992, by the Sovereign National Conference, presided by the Catholic Bishop Laurent Monsengwo, to achieve these noble goals ended in failure and opened up a long period of endless negotiations and turmoil. It is in this context of political confusion that war broke out in 1997, starting from the Eastern part of the country; a war that some call the »African World War«, since it involved seven countries (Rwanda, Uganda, Angola, Zimbabwe, Burundi, Namibia, and Chad).

The economic factor represents another important dimension for understanding the crisis of Congo. As is well known, Congo is a »geological scandal«; a blessed country in terms of natural resources. Copper, diamond, zinc, cobalt, silver, timber, tin (cassiterite), niobium (or columbium), tantalum, coltan, hydroelectric capacities, etc. abound. Tantalum, for example, is currently a hot item in the world market; it is used in mobile phones, PC, play stations, but also in chemical factories and even for making weapons.

Several reports have shown some international mining companies supporting militias and other rebel groups just for the sake exploiting natural resources in some parts of the Congo, especially in the Eastern part of Congo (i.e., Ituri), which, according to some studies, has important strategic reserves. The involvement of some neighbouring countries, namely Rwanda and Uganda, was not done for political reasons only, but also and mainly for economic reasons, because of all the material benefits that these countries were expecting to get from Congo's vast natural resources.

Last, but not least, the factor of cultural pluralism represents another dimension of Congo's crisis. Very often, in many analyses of Congo's crisis, there is a tendency to downplay the cultural factor. Yet this factor is perhaps the most important element to take into consideration when dealing with the Congo's crisis, because it is the determinant factor that explains internal dissensions and conflicts among Congolese themselves.

Congo is a mosaic of traditions, people, tribes, ethnic groups and languages. There are, at least, 200 ethnic groups. This cultural diversity is richness. But, it can also be a problem if it is not well handled. And this is what happened after the collapse of Mobutu's regime. The process of democratization that started in 1990 was indeed a time of discovery and affirmation of personal identities and cultural differences. This eventually led to all types of claims and demands from ethnic minority groups that felt excluded and marginalized during the thirty two years of Mobutu's iron rule. It is in this context that the so-called Banyamulenge insurrection started in 1996 in the Eastern part of Congo, an insurrection that led to the six year war that is at the center of the Congo's crisis.

### 3. A Brief Critical Examination of the main Theories on »Pacification from Outside«

The moral question to be examined here with respect to war, and particularly, to Congo's war is simple: was it a »good« thing or rather a »bad« one for the UN and Eufor to intervene in Congo? This ethical question is purely theoretical and primarily concerns the legitimacy of any foreign intervention in a context of crisis. It does not deal with the nature of the intervention where one would rather assess the morality of the »means« used in order to achieve the pursued goal.

It is obvious that the two levels are linked. But at the same time, a distinction between the two levels of ethical inquiry is important in order to distinguish two facts: the intervention *per se*, that is, the act of intervention itself, and the means used

during the intervention. Without such a distinction, one can easily dismiss as »bad« the intervention while what is actually assessed as »bad« are the »means«. So, my approach in dealing with the moral question about the intervention of the UN and Eufor in Congo stands at this double level of inquiry.

The question of the intervention of a foreign agency into a situation of conflict or war, or what can be called »pacification from outside«, is a well debated issue in the literature of political science. One can outline two main arguments, or two main schools, on this issue: the realist/neorealist school and the liberal school.

The realist/neorealist school holds that any foreign intervention in a given country is morally bad. Even though the neorealists accept the principle that an intervention is needed when vital issues of state security and survival are at stake for them in an internal crisis elsewhere«, the realist/neorealist school, in general, argues that any intervention from outside in a given crisis has to be avoided<sup>2</sup>. Their position on the act of intervention *per se* is incisive: no intervention in other countries' business! The act of intervention or »pacification from outside« is »morally bad«.

A critical examination of the morality of the realist/neorealist school shows us that this school is based on wrong premises. There are, at least, three main reasons behind the realist/neorealist position on intervention. First, the realist and/or neorealist school easily associates intervention with the use of force. Thus, if the use of force is morally bad, by the same fact, the act of intervention has to be avoided. The mistake here lies in the confusion between intervention and the use of force. As I said earlier, intervention *per se* has to be distinguished from the use of specific means. Put it more clearly, one should distinguish what I would term here the »*jus ad interventum*« and the »*jus in interventio*«. The latter deals with the morality of the ways and means of the procedure, while the former concerns the morality of the procedure *per se*. By assimilating both, the realist school is quick to reject, *a priori*, any foreign intervention in another country.

Second, the realist school advocates the principle of non intervention because it believes that intervention does not really help, in the long run; it does not solve the internal problems of a country; and, moreover, there is always a risk of overcommitment. In the same line, it is argued here that not only intervention can be risky and costly, but also »there are too many dogs fighting in the world arena« (Stanley Hoffmann) to such an extent that it becomes impossible to intervene everywhere in the world. Hence, prudence, moderation, at best neutrality in other countries' internal crises! The realist school argument here is also morally flawed because indifference and non intervention can be source of grave violations of human rights, a source of huge humanitarian crisis. The case of genocide in Rwanda where the UN adopted such a principle of »wait and see« is eloquent.

Third, the realist school advocates the principle of nonintervention for another main reason, namely, the sanctity of the principle of national sovereignty as »the cornerstone of the post-Westphalian world order and of its corollary, the principle of nonintervention. The latter is seen as protecting not only the state against outside interference and subversion, but also its citizens, for whom the state is the precondition of order and the focus of social identity.«<sup>3</sup>

The question of sovereignty is indeed a crucial issue in today's world. But there are two opposed conceptions of this notion. On the one hand, there is a radical conception of the principle of national sovereignty where the latter simply means no intervention at all in another country, and on the other hand, the relativistic conception where the principle of sovereignty would imply that any foreign intervention in a given country would require a prior approval the concerned country. One should avoid these two extreme positions and understand the principle of national sovereignty both as the responsibility for the state to protect its identity and at the same time the responsibility of other states to protect other states' identities. Put in terms of responsibility, the question of national sovereignty becomes not only a matter of one individual state, but also that of other states in international affairs – to such an extent that any nonintervention from the international community in a state whose identity is at stake faces the charge of irresponsibility.

David Hollenbach puts it as follows: »in cosmopolitanism, the common humanity of all people is seen as the basis of worldwide moral community. The scope of political and moral responsibility is defined in terms of the need to protect and respond to the needs of all the members of this global humanity«<sup>4</sup>. And relying on Martha Nussbaum's argument and the Catholic social thought, Hollenbach again states: »Martha Nussbaum, for example, has argued that the community of all human beings has primacy over narrower communities defined in terms of nationality, ethnicity, or religion. Indeed on one occasion she called nationality and ethnicity »morally irrelevant« characteristics«... There are strong affinities between such a secular cosmopolitan approach and that of many religious communities, including Christianity. Catholic social thought, for example, holds that all human beings are created in the image and likeness of God and thus all have a common dignity as members of a single human family.«<sup>5</sup>

That is why, following the 2001 report by the International Commission on Intervention and State Sovereignty, created through the initiative of the Canadian government to reflect on the possible legitimacy of humanitarian intervention to prevent atrocities like the genocide in Rwanda or the ethnic cleansing in Bosnia, the heads of most nations of the world gathered in New York for a special »World Summit« session of the United Nations General Assembly, declared that each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes

3 Ibid., p. 277.

4 David Hollenbach, Internally Displaced People, Sovereignty, and the Responsibility to Protect (Paper delivered at the Conference on Ethical Responsibilities toward Forced Migrants as a Framework for Advocacy: African Perspectives, Nairobi, Kenya, October 12-15, 2006).

5 Idem.

2 Stanley Hoffmann, « The Debate about Intervention », in Turbulent Peace. The Challenges of Managing International Conflict, edited by Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington; D.C.: United States Institute of Peace Press, 2001), pp. 273-283.

against humanity. But, the wider international community shares this responsibility and through the United Nations may use »appropriate diplomatic, humanitarian and other peaceful means, or military means may be used to exercise this responsibility if peaceful means prove inadequate... to help to protect populations« from these crimes.«<sup>6</sup>

The principle of nonintervention is thus based on wrong anthropological premises. It has a saline, parochial vision of humanity. It stands as denial of the principle of universality of humanity, in that it tends to define humanity in terms of the particular and not in that of the universal shared by particulars. At the age of a networked world, such a principle is simply obsolete and thus not acceptable.

The liberal school advocates the principle of intervention, even though it also promotes the principle of state sovereignty. The main argument of the liberal view that one can find in Immanuel Kant, John Stuart Mill, Michael Walzer, and John Rawls – *mutatis mutandis* – can be framed as follows: the rights of territorial integrity and political sovereignty have to be observed. However, (coercive) intervention is allowed in grave or »egregious« (Rawls) cases, that is, when »domestic institutions violate human rights« or »limit the rights of minorities living among them«, or, as Michael Walzer put it, when they are »a response (with reasonable expectation of success) to acts that shock the moral conscience of mankind«, because »government armies engaged in massacres are readily identified as criminal.«<sup>7</sup>

The trouble with the liberal view on intervention is that the line between imperialism and intervention is thin. The main liberal argument for intervention tends to see intervention in terms of replacing non democratic regimes by democratic ones. A liberal conception of democracy may not represent a sufficient moral ground for a legitimate intervention in a given country. Moreover, the liberal conception of intervention tends to limit the latter to the change of a political regime, leaving aside other dimensions which are important for an acceptable ethics of intervention, as I shall indicate later on. Intervention is a long-term process that cannot be limited to one factor, the process of election to change the political regime.

The ethical examination of the question of intervention becomes more complex and more difficult when one tackles the second level of inquiry, that is the use of means during the intervention or the »*ius in invento*«. Here, the question is no longer whether, in a situation of protracted conflict or war, a foreign intervention is morally acceptable or not; rather, the question is: how can a foreign intervention help a country to come to terms with conflict, violence and war that are tearing it apart? To put it in moral terms: what are the acceptable means that a foreign intervention can use in order to overcome a serious humanitarian crisis, due to conflict and war, in a given country?

Here again political analysts differ. There are at least four main schools of thought with regards to this question. First, what I would call the structural school. This school advocates the use of force, military intervention, in order to come to terms

with conflict, violence and war in a given country. Any intervention at that level should use force in order to put an end to the crisis. Force, more precisely, military force, according to this school, is a true political instrument, a necessary and efficient tool to achieve political and social stability. It opens up ways of negotiating and possibility of reaching consensus and thereby peace.

One weakness of this school is that it considers force as the only way to solve conflicts. It leaves aside other factors such as mediation, negotiation and economic sanctions as possible means for conflict resolution. Besides, any peace process imposed by force is always fragile since the balance of power can shift at any time. A study done by Patrick M. Regan and Aysegul Aydin from Birghamton University, New York, reveals that military intervention undertaken independently of diplomatic efforts will prolong the expected duration of a conflict, while mediation (the third party diplomatic efforts) to achieve a settlement will shorten the duration of a civil war. The study shows that, for example, when the rebels who have less capability than the government, any external support for the rebels »will increase their expectations for victory, increase the level of demands they make for a settlement, decrease the amount of concessions they are willing to make, and therefore extend the duration of a conflict.«<sup>8</sup> Thus, »once supported materially, warring parties look for solutions to their disputes in fighting rather than the negotiating table. That is, military or economic interventions influence the structural relationship between combatants in a way that increases the incentives to fight over negotiate«. One case study is the civil war in Angola, 1975-1991<sup>9</sup>.

This is to say the use of force as a form of intervention must be well determined and applied only in some circumstances that require the use of force to protect and save life. But, beyond that, force *per se* can only create, sooner or later, more problems, more conflicts, and more instability. The actual case of the crisis in Iraq where force is used as the main means of political and social change is eloquent.

The second school of thought here is the economic and/or diplomatic sanctions school. The proponents of this trend believe that by imposing economic and other diplomatic sanctions on a country that abuses human rights and violates other international laws, one can secure peace and justice in that country. Systematic application of economic sanctions or diplomatic restrictions to the main actors of the conflict is thus believed to enhance global peace and human rights.

This punitive solution is a form of intervention that has two weaknesses. First, economic sanctions hurt the poor more than those who are really responsible for conflict and war. Second, the outcome of such a process is never certain in the sense that nobody can determine when excepted change will really happen. The road to change can be indeed long and uncertain. In a study on »UN Sanction Regimes and Violent Conflict«, Chantal de Jonge Oudraat shows that »since the end of the Cold War, the United Nations Security Council has

8 Patrick M. Regan and Aysegul Aydin, « Diplomacy and Other Forms of Intervention in Civil Wars », in *Journal of Conflict Resolution*, Vol. 50 (October, 2006) 736-756, at 743.

9 *Ibid.*, p. 743.

6 *Idem.*

7 Stanley Hoffmann, *art.cit.*, pp. 74-75.

increasingly used economic sanctions for preventing, managing, or resolving violent conflict. Indeed, since 1989 the UN Security Council has imposed economic sanctions sixteen times – compared with twice the number in the period from 1945 to 1988).<sup>10</sup> The conclusion of the study is worth noting: »The political effectiveness of many of these sanctions regimes has been limited. They often imposed tremendous economic costs on the target countries, but they have not always changed the political behaviour of the leaders of those countries. Moreover, the economic impact on the countries in question has had many unintended social and humanitarian effects, leading many commentators to question the morality of economic sanctions as a policy instrument.«<sup>11</sup>

This is to argue with Oudraat that »sanctions are no panacea... they are blunt instruments« and should be imposed only when they are part of a more comprehensive approach to the conflict resolution question.

The third school with regard to the *jus in interventio* is what I would call the Saint Egidio's school, thus named after the Saint Egidio community, a Catholic lay group that initiated mediation in Mozambique's civil war in the early 1990s. This school represents the approach of a nongovernmental organization, based on one main element: a discreet dialogue or diplomacy in view of persuading and mainly reconciling the parties in conflict or war.

To be sure, this discreet and skilled behind-the-scene approach can have some success – the case of Mozambique. But its capacity to come to terms with conflicts or war when the latter are at their peak is very limited. The Saint Egidio's approach is appropriate when conflicting parties are ready for dialogue and consensus and not when the crisis has gained some uncontrollable proportions. Success here is not always easy and guaranteed. Other approaches can therefore be necessary and appropriate to achieve success.

The fourth school is the comprehensive, the holistic school, or what I would name, the Good Samaritan School. The approach here is to seek for a comprehensive or long-term solution to a given crisis. Actually, all the above mentioned schools fail to properly address the issue of the *jus ad interventum* and that of the *jus in interventio* because they lack a comprehensive approach. They tend to focus on only one aspect, – force, change of leadership, election, sanctions, etc., and most of the time at the expense of the others. They are a one-dimensional model of conflict resolution.

A more global, comprehensive or »holistic« (C. A. Crocker's adjective) approach is needed for a sustained and lasting solution to a prolonged crisis. The comprehensive approach takes into account three elements: the *jus ad interventum*, the *jus in interventio*, and the *jus post interventum* in order to overcome the reductionism of the preceding schools. It is an inclusive approach. Thus, this school does not, a priori, exclude any possible means that can be used in order to solve a crisis:

10 Chantal de Jonge Oudraat, « UN Sanction Regimes and Violent Conflict », in *Turbulent Peace. The Challenges of Managing International Conflict*, edited by Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington; D.C.: United States Institute of Peace Press, 2001), p. 323.  
11 Idem.

neither military intervention, nor economic or diplomatic or political sanctions, nor dialogue in view of consensus and reconciliation. All means stands as possibilities to be used in order to achieve lasting peace and stability.

But there is more. The Good Samaritan approach will also focus on the reconstruction of social structures that will allow people to live a decent and normal life again, and possibly for good. Here the *jus post interventum* becomes crucial. Stanley Hoffmann puts it as follows: »In internal wars defeating the violator of human rights is only *the beginning of a long ordeal* that often requires more from international society than it is willing to devote to areas that are not strategically or economically important. For what is at stake after military victory is, in these cases, *the rebuilding or the building of a state, from the outside and by the outsiders*.«<sup>12</sup> This step is very demanding. Yet it stands as the *sine qua non condition* for the success of any foreign intervention in a given country.

#### 4. The Intervention of the UN and Eufor in the Congo: A successful story?

The considerations in the first part of this exposé have shown that Congo's crisis has led to the collapse of the state. After Mobutu, Laurent Désiré Kabila's regime and as well as Joseph Kabila's regime didn't put an end to conflicts and war in the country. The main problem that remained unsolved was that of the legitimate authority to organize and rule the country.

It is in this context of chaos and legitimate authority's vacuum that we have to situate and morally assess the intervention of the UN and later on that of the European force in Congo.

With respect to the *jus ad interventum*, it is obvious that, given the chaotic situation of the country as described above, it was »morally good« to intervene in the Congo instead of adopting a realist position of noninvolvement. The decision by the UN and later on by the Eufor to intervene in the Congo's international affair was »morally good«. Actually, this was in harmony with chapter VII of the UN Charter, which declares foreign intervention »necessary« (translate, »*morally good*«) when human lives are in danger in a given situation. The fact of sending to Congo one of the biggest peacekeeping troops in UN's history (17,000 troops) was certainly a major step to put under control the prevailing trend of violence and war in the country.

Moreover, the intervention of the UN and Eufor in Congo can fairly be considered as a successful story of a foreign intervention in another country, because, precisely, of the attempt to rely on a comprehensive approach in order to deal with the Congo's situation. As a matter of fact, the intervention of the UN and Eufor in the Congo was not solely based on one mandate, the use of force, but also on the humanitarian dispositions to rebuild the country on new bases, such as »to provide advice and assistance to the transitional government and authorities in accordance with the peace deal«, and »to provide assistance... for the re-establishment of a state based

12 Stanley Hoffmann, art.cit., p. 280 (emphasis added).

on the rule of law« and »to strengthen good governance and transparent economic management«<sup>13</sup>. The major role played here by MONUC (the United Nations Mission for Congo), the International Committee for Supporting the Transition (popularly known as CIAT), and also Eufor in order to support the transition to move forward and thereby prevent it from collapsing represents one element of the successful story of the pacification from outside. One positive outcome of this approach has undoubtedly been the success of the electoral process with the installation of an elected government that is now in place.

That said, this successful story of the intervention of the UN and Eufor in Congo still remains fragile; it is still facing many challenges for it to be complete and lasting. The pending challenge lies in the most difficult step, that is, the *jus post interventum*.

Indeed, if it is true that the intervention of the UN and Eufor in Congo has been a successful story, this is so with regard to the *jus ad interventum* and the *jus in interventum* and not yet certain with the post-election era.

As a matter of fact, a recent release report on Congo by the International Crisis Group (ICG) outlines some challenges that still face the newly (re)born country: a weak judiciary system that has favoured Kabila in the past; the dominance of Kabila's Alliance de la Majorité Présidentielle (AMP), greatly reducing the legislature's ability to provide a check on the executive with the risk of pushing the opposition to frustration that could lead to street action, and the worst armed confrontation; a widespread popular resentment of Kabila in the Western regions; lack of money in the state coffers that may endanger the promises during the electoral campaigns and the payment of salaries, forcing civil servants to take mass action; corruption; embezzlement of Customs revenue (between 60 and 80 per cent were not accounted for); an ill-disciplined and often abusive national army; the possibility of military confrontations in both the Eastern regions where militias still control large areas, and the west, where there may be civil unrest of violence; the creation of a professional national army for President Kabila still maintains a bloated presidential guard of 10,000-15,000 that is better equipped and paid than other units (24 \$ month salary per ordinary soldier!), and remains grossly ethnically constituted; poor health services; non-integrated armed groups or militias (roughly 8,000-9,000 Rwandan and Ugandan rebels on Congolese soil and perhaps another 5,000-8,000 Congolese militiamen); many weapons are still in circulation; the demobilisation process by the Congolese demobilisation commission (CONADER) has demobilized only 120,000 combatants throughout the country; etc.

These challenges are huge, but not daunting. The temptation for the international community would be to put an end to the intervention after the two first levels and leave the rest of the task to the concerned country. But such a temptation will be overcome so that the relative success obtained so far cannot turn into a failure. That is why the ICG's report strongly urges the UN to stay in Congo.

It is true that Congolese themselves have a great role to play in this process. But the support of the international community is also greatly needed in this process. Chester A. Crocker draws here important lessons from some case studies; he writes:

Experience suggests that most conflicts in the modern, post-1945, era do not resolve themselves. To bring them under control, some type of external, third-party initiative is usually required. To be sure, only the local actors are capable of creating the institutions and inclusive habits of governance that inhibit civil wars. But it is external parties that typically have the capacity to shape, directly and indirectly, the environment in which these dramas play out and – once a conflict spiral has begun – to influence the options available and the choices made by local actors. Admittedly, in a few places a home-grown process of peacemaking and reconciliation may prove successful. But even the South African case illustrates a significant pattern of outside influences supporting the locally controlled negotiation that produced the settlement and transition of 1993-94. It is striking how few conflict-torn societies possess anything approaching the wealth of civil society institutions, the extent of mediation and negotiation skills, and the depth of leadership found in the South Africa of the 1980s and 1990s. These resources for peacemaking do not exist in Tajikistan, Bosnia, Yemen, Burundi, Haiti, or most other troubled lands (i.e. Congo)...Outsiders will be needed for the foreseeable future to move peacemaking forward – by undertaking direct actions and diplomatic initiatives, defining the parameters of tolerable behaviour, and legitimizing principles for settlement and for membership of the global system<sup>14</sup>.

## 5. Conclusion

If the above mentioned considerations are plausible, it becomes easier to strongly advocate here for a moral principle that can define and determine the ethics of pacification from outside. This moral principle can be framed as follows: any foreign intervention in a country faced with a crisis of certain magnitude is morally good (legitimate) if and only if it adopts the Good Samaritan model whereby all the legitimate and appropriate dispositions related to the *jus ad interventum*, *jus in interventum*, and *jus post interventum* are taken into consideration. The case of the failure of the UN intervention in some countries (Rwanda), on one hand, and the relative successful story of the UN and Eufor intervention in Congo (and Liberia), on the other hand, compel us indeed to go beyond any partial, fragmented, half way, one-dimensional approach in dealing with the major and »egregious« crises (John Rawls's expression) of our modern times. And, if this principle sounds »okay«, the question to be addressed stands as follows: is our consumerist and market-oriented world ready to promote the Good Samaritan Model against the prevailing model of profit and self-interests that seems to dictate our behaviour? Here lies indeed the crux of the matter for the future of our »turbulent« world.

<sup>14</sup> Chester A. Crocker, « Intervention. Toward Best Practices and a Holistic View », in *Turbulent Peace. The Challenges of Managing International Conflict*, edited by Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington; D.C.: United States Institute of Peace Press, 2001), pp. 238-239.

<sup>13</sup> See report in *The East Africa Magazine* (January 22-28, 2007).