

stage and has reached the upper level; in the years following the war the first Congolese universities were opened. With the gradual development of education, new generations ready to play a more and more important part in the modern organization of the country have come to the fore.

The country itself has undergone a sort of internal cleavage which has divided its population, until recently entirely rural and faithful to the customs of the clans, into two groups, one rural, the other urban. For both of these groups it has been necessary to consider measures calculated to assure their well-being while taking into account their different mentalities.

The great mass of the Congolese population has remained entirely rural. In order to stabilize it and prevent it from drifting into the urban centers or the factories, welfare measures have been undertaken. A « Native Welfare Fund » endowed with resources amounting to three billion francs has been established; it operates exclusively in the native centers. At the same time, policies concerning themselves with the peasantry and the agricultural co-operatives have been initiated. They tend to improve the standard of living of the peasantry and to create an atmosphere favorable to the maintenance of the rural communities by giving them better living conditions.

On the other hand, more than three million natives — a quarter of the population — have flocked to the centers. This multitude of uprooted people have entered upon a new and absolutely different path which is becoming more and more westernized. Here also appropriate measures have been considered. New houses have been built by the thousands, social institutions have been created, the worker's security has been organized, and a system of pensions introduced and generalized.

But the problems of the present-day Congo are not limited to this phenomenon of the urbanization of a part of the rural

has become sounder. The country has reached the stage of systematic and scientific exploitation of its natural wealth, working methods have been modernized, more and more factories have been built, and domestic trade has been developed. Finally, a great many Belgian industries have understood the needs that arose out of this evolution and, taking advantage of local conditions, have created in the Congo new outlets which have increased their field of activity.

The decision, after prolonged study, to utilize the immense hydro-electric resources of the Congo River in the region of Inga marked a new economic step forward. The production of the first kilowatt from Inga, expected in 1964, will be at least as important for the Colony as the stage marked by the laying of the first railroad or the casting of the first ingot of copper.

In addition to this decision to exploit the potential of electric energy which will permit vast industrialization, the most important event in the economic domain was unquestionably the conception and realization of the Ten Year Plan. The latter, through large investments, has brought about an improvement in the economic substructure. When this plan comes to an end, it is expected to be followed up by a new plan centered on developing the productivity of the home market, which is an element of stability. This will be plainly a long-term task, based at one and the same time on a sense of reality and broad vision.

Hand in hand with this economic progress, a rise in the standard of living can be noticed; there is a definite improvement in the personal and social status of the natives.

As a result of the Ten Year Plan the country has become so well equipped with hospital services that today most of the leading cities have a modern medico-surgical center supplemented by dispensaries in the rural areas. Education, starting from the most rudimentary level, has rapidly gone beyond the secondary

Only the collaboration of groups — white and black — in a complete equality of rights can permit the realization of the desired Belgo-Congolese community. The development of Belgium's work in the Congo leads directly to this democratic equality. Indeed, through the rise in the standard of living, the ever-increasing emphasis placed on education, and the introduction of material and intellectual wealth, the work accomplished has permitted the natives to occupy more and more important places in society, to such an extent that already some of them can claim the right to assume duties and posts formerly held by their civilizers. The rôle of the universities in the formation of a local « intelligentsia » will be of first importance in this respect. Right now this raises the question of replacing Belgians by natives, and also a problem of integration.

It is this problem of integration — the integration of new individuals and new classes of different origins — that the Congo faces today. The manner in which it will be solved, at the very moment when Africa is awakening, will decide what direction the next phase of the Congo's history will take.

The Congo of today, thanks to an awareness born of the war, is beginning to ask questions about the democratic way of life. To these first questions the first answers have already been given. Measures of decentralization and deconcentration have been taken to render more flexible the functioning of the administrative machine; the right of workers to form labor unions and the rights of these unions have finally been recognized; and a first step toward a democratic regime has been taken by giving the Congolese cities and native communities a statute resembling the Belgian communal institutions.

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The Congo is thus gradually ceasing to be a colony and is becoming a country.

What will the Congo be like in the future? It is premature to venture a forecast because too many dynamic forces are still in the making, too many essential factors have just begun to take shape, and too many imponderables may still intervene. But the entire policy of the government is leading the country in the direction of a Belgo-Congolese community free from racial discrimination.

The absence of racial discrimination is a principle that has been stressed many times in the speeches of the Belgian ministers and of the governors general. This is not just a matter of empty words; legal measures and regulations have implemented the principle. Thus, since many years, by a procedure of registration the Congolese who have reached an adequate level of education are granted the same rights provided for in the written civil laws governing Europeans; furthermore, an interracial character has been given to education even as far as the university, where today students of all color and all origin mix. Recently a new bill still further enforced this policy of Belgium by decreeing that any act of racism manifesting not only racial and tribal hatred, but even mere aversion, would be punishable by one to three years of imprisonment.

**PART III
BASIC
ORGANIZATION**

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ADMINISTRATIVE
INSTITUTIONS

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NOTE OF THE PUBLISHERS.

THIS BOOK WAS ALREADY IN THE PRESS WHEN THE BELGIAN CONGO'S IMPORTANT POLITICAL REFORMS WENT INTO EFFECT. THESE REFORMS WILL BE EXPLAINED IN VOLUME 2.

1. The Congo and International Law.

A.

The International Status of the Congo.

From 1885 to 1908, the Congo was linked with Belgium through the person of King Leopold II, who was thus the ruler of both countries.

From then on, the Congo was bound by a series of international obligations. No sooner had the leading European powers recognized the sovereignty of the territory in its original form of the Association Internationale du Congo (International Association of the Congo), when it participated as a co-signatory in the General Act of Berlin and endorsed, together with the other countries occupying the conventional basin of the Congo, a series of agreements: humanitarian agreements to suppress slavery and improve the moral and material condition of the blacks; commercial agreements guaranteeing free trade and forbidding monopolies and privileges (1).

(1) See Part 2: « A History of the Congo », Chapter III: « The Congo in Our Time ». — « Creation of the Congo Free State ».

priority; furthermore, the members assume humanitarian obligations to which Belgium had already subscribed in other terms half a century ago when the Congo Free State came to an end. Moreover, these nations—and therefore Belgium—undertake to foster the ability of the non-autonomous populations to govern themselves, and promise to take into account the political aspirations of these populations and help them in the gradual development of their free institutions within the limits appropriate to the special conditions prevailing in each territory with respect to the particular stage of evolution reached by its population.

Besides, the members of the United Nations are to furnish regularly to the Secretary-General—by way of information and with due regard to considerations of security and constitutional order—statistical information and other data of a technical nature relating to economic and social conditions and also to educational progress in the territories for which they are respectively responsible with the exception of territories under trusteeship subject to other arrangements.

Such are—in addition to the numerous agreements concerning special matters—the fundamental international obligations to which Belgium has subscribed in the full exercise of her sovereignty over Congolese territory.

B.

The Legal Status of the Inhabitants.

The question of a possible Congolese nationality was the subject of heated debate for a long time. The origin of this controversy was the maintenance in the civil code of the Congo, after its attachment to Belgium, of provisions taken over from a law of the Congo Free State dating from 1892.

At the time when, by the Law of 1908, Belgium assumed sovereignty over the territories comprising the Congo Free State, intimate ties were created between the mother country and the Congo; henceforth the two formed one and the same state.

Exercising the full sovereignty bestowed upon her over the African territories by the Law of 1908, Belgium declared that it was assuming and making its own the obligations of the former Congo Free State. This involved, in the domain of international law, a continuation of the obligations born of the General Act of Berlin. The latter had meanwhile been modified in commercial matters by the Conference of Brussels of 1889 (1). These obligations, transferred to Belgium on October 18, 1908, were for the most part enumerated in the Colonial Charter, the basic law of the Belgian Congo.

In 1919, after World War I, the Convention of Saint-Germain-en-Laye modified both the General Act of Berlin and the Act of Brussels. These modifications concern chiefly the conditions under which countries could benefit by free trade in the Congo basin, reserving this right to the countries that were signatories of the Convention and authorizing Belgium to fix customs duties as she saw fit. But, on the whole, the basic principles of the régime set up by the Act of Berlin were maintained; they remain in full force today, whether with regard to freedom of navigation, free trade, or to the great humanitarian ideas on which Belgium's work in Africa was based.

New international obligations were contracted by Belgium at the end of World War I when, by the Law of December 14, 1945, she ratified the Charter of the United Nations. Chapter XI of that Charter contains notably a declaration relating to non-autonomous territories which applies to the Congo. By this declaration the members of the United Nations recognize the principle according to which the inhabitants of these territories should have

(1) See *ibidem*.

recognized by modern democracies. As for the press, no steps can be taken against it that are not in conformity with the legal provisions governing it (1).

In regard to civil rights — viz., rights concerning persons and relations established between them — a written statute fully guarantees these to Belgians from the mother country and to foreigners who have settled in the Congo. The personal status of the latter is determined by their own national laws insofar as these are not contrary to public order. The native population is ruled, according to the extent of its evolution, either by the written statute or by a native statute; the degree of evolution that permits the natives to be placed under the written statute is officially recognized in the course of a special procedure: « im-matriculation » (registration). Every Congolese has the right to be registered as soon as he has attained his majority according to the Civil Code, if he can show by his training and his way of living that he has reached a stage of civilization that proves him fit to enjoy the rights and fulfill the duties stipulated in the written legislation. It must be emphasized that registration does not create a way of life but merely certifies that the person registered has already acquired a way of life which will enable him to conform to the written law from a civil and commercial point of view.

In regard to duties toward the community, the penal code as well as the police and security regulations apply to all the inhabitants of the Congo; but the natives living in their native milieu are in addition governed by their customs and traditions with regard to infractions not provided for by the written law or when the public prosecuting attorney deems it preferable to refer the matter to the native judge.

Such are the broad outlines of the status of the Congo's inhabitants.

(1) See, in regard to regulations concerning the press, Part 5, Chapter VI: « Cultural Life ».

Today this controversy has died out and it is the unanimous opinion that Congolese nationality no longer exists. However, numerous legal texts use the term « Congolais » (Congolese). How can this term be interpreted?

It is not a question of a nationality, but of a special status. Since the Belgian Constitution provides that the Congo can be governed according to special laws, it can be said that the Congolese are Belgians enjoying a special status: in other words, what distinguishes the Belgians living in the mother country from the Congolese is that the latter are Belgians with a Congolese status. Such is the meaning now given to the word « Congolese ».

But what are these Congolese?

Most of them are natives — and only those born in the Congo of native parents are recognized by law as natives. To these are added children found on Congolese soil or born of legally unknown parents. Besides, non-natives who were naturalized during the lifetime of the Congo Free State are also considered Congolese; but this category is insignificant, since there were only two such cases.

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Within the country, the main points in the status of the Congo's inhabitants are as follows:

All the inhabitants enjoy the public rights recognized by the Colonial Charter, which contains various articles copied from the Belgian Constitution. These rights are: freedom of the individual, freedom of worship, the right to an education, freedom of opinion, freedom to seek employment, the inviolability of the home, the protection of property, the right to petition, freedom from censorship of correspondence, etc.; in short, the great public rights

A. The Legislative Power.

Laws

The Belgian Parliament is the supreme legislator for the Congo. The laws voted by the Parliament are final, and there is no appeal from them. The Colonial Charter provides that every law, from the moment it is made public, has the effect of abrogating without further consideration any provisions of decrees that are contrary to it. The Charter also stipulates that courts and tribunals may apply decrees only insofar as they are not contrary to the laws.

It must be pointed out that certain matters are reserved by the Colonial Charter to the jurisdiction of the Parliament: budgets of receipts and disbursements, general accounts, loans, etc.; but, on the whole, the Parliament has rarely intervened in purely legislative matters; in this it has carried out the intentions of the Belgian Constituent Assembly.

Decrees

Indeed, the decrees — although subordinate to the laws in principle — have constituted the backbone of Congolese legislation.

A decree is an act of the King functioning as a legislator. The Colonial Charter has delegated to the King — who, in the mother country, shares in the legislative power — the right to take, for overseas territories, measures which in Belgium would have to be the subject of a law. The King is therefore the colonial legislator par excellence. He cannot delegate his power.

The Government of the Congo.

2.

In the system of government prevailing in the Congo, we find the classical conception of the division of powers in three branches: legislative, executive, and judicial.

In conformity with the provisions of the Belgian Constitution — which specifies that any colonies, overseas possessions, or protectorates that Belgium may acquire will be governed in accordance with special laws — the Law of October 18, 1908, called the Colonial Charter, organized these powers and their operation by giving them a character peculiar to the Congo, and sometimes rather different from the system found in the mother country.

Uvundi for his countersignature and to three consultative bodies : the Government Council of the Belgian Congo if the acts are of a general and permanent nature ; the governor general and the Colonial Council in all cases. This system, because of the experience and knowledge of African questions possessed by the bodies consulted, affords a guarantee of competence in the exercise of the royal prerogative.

Ordinance-Laws

For his part, the governor general possesses, according to the terms of the Colonial Charter, a certain amount of law-making power ; but it is strictly limited to urgent cases and cannot affect existing laws, which fully retain their sovereign power.

With these reservations, the governor general may temporarily suspend decrees and issue ordinances having the force of law ; these ordinances will have a validity limited to six months, unless a new decree approves them. Their validity may be restricted to a part of the territory.

Custom (Unwritten Law)

Side by side with this body of written law, custom remains a very vigorous legislative source in the Congo. Indeed, every year the native tribunals hand down no fewer than four hundred thousand decisions. However, the authority of custom is limited : on the one hand, custom applies only to those natives who have not been registered, and on the other, it has validity only insofar as it is not contrary either to public order or to written law. Nevertheless, it rules most aspects of the lives of numerous inhabitants of the Congo.

When acting in the capacity of legislator, the King does not escape the constitutional rule which requires the ministerial countersignature for each of his acts.

Furthermore, he is assisted in the exercise of this important function by an advisory body, the Colonial Council, whose seat is in Belgium. The Colonial Council, presided over by the minister of the Belgian Congo and Ruanda-Urundi, is made up of fourteen members, eight of them named by the King, three elected by the Senate, and three by the Chamber of Representatives. Its chief mission is to give its opinion — except when action is urgent — on every bill proposing a decree.

When action is urgent, decrees are submitted to the Council within ten days after being issued. The minister of the colonies must, in this case, explain why action was urgent, and the Colonial Council may express its comments in a report published within a month from the day the decree was issued. However, such decrees have been rare. Inasmuch as the legislative body itself has established a judicial principle which gives a rather restrictive sense to the idea of urgency. Thus, between 1919 and 1932, out of several hundred decrees, only twenty-four were treated as urgent ; between 1933 and 1957, in spite of the immense increase in the volume of legislation, barely thirty-seven have followed this exceptional procedure.

In addition to the intervention of the Colonial Council, the King is furthermore obliged — this time because of rules that are in force — to consult other government agencies. Thus it happens that every bill proposing a decree which constitutes general and permanent legislation must be submitted either to the Government Council in Leopoldville or to its permanent delegation in Brussels. Besides, all proposed decrees, whatever they are, must be submitted to the governor general for his advice.

Thus we note that the acts of the King in his legislative capacity are submitted to the minister of the Congo and Ruanda-

B. The Executive Power.

By virtue of the provisions of the Colonial Charter, the King possesses the executive power that permits him to make rules and regulations necessary for the execution of laws and decrees.

Here again a difference appears between government in the

Congo and in Belgium. Indeed, in Belgium, the extent of the royal executive power is determined by the Constitution, while in the Congo it is determined by the Colonial Charter which, it must be recalled, is merely a legislative act. The result is that Parliament, the sovereign lawmaker, may at any moment right-fully intervene in the matter and modify by a new law the power that has been granted.

The King may delegate the exercise of this executive power, but only at certain levels and for certain matters.

Thus, he cannot delegate the special powers granted to him by the Colonial Charter, especially in budgetary, financial, and monetary matters. Neither can he delegate certain powers which, according to the general opinion, are of such a nature that any delegation of them is out of the question such are the pardon power and the right to conclude international treaties.

Moreover, the King can delegate the executive power only to persons and to organized bodies that are officially subordinate to him. The persons to whom such power is delegated are the minister of the Belgian Congo and Ruanda-Urundi, the governor general, and the provincial governors.

The minister of the Belgian Congo and Ruanda-Urundi therefore also exercises the executive power, but only to the extent that it has been delegated to him by a royal decree or directive.

Moreover, it is his rôle to countersign the King's acts relating to the Congo; only in case of his absence or inability to sign could another minister legally countersign the acts of the King. This is a function which is in a way peculiar to the minister of the Belgian Congo and Ruanda-Urundi. However, in the matter of foreign policies, this function is not within the province of the minister of the colonies; it devolves upon the minister of foreign affairs. Indeed, since the Congo and the mother country form one state, it is indispensable that complete unity should be maintained in their relations with other countries.

The governor general also shares in the exercise of the executive power.

He is the King's representative in the Congo. The Colonial Charter authorizes him to exercise through ordinances the executive power that the King delegates to him. It is evident that the King can limit or modify this delegated power; but, in the absence of any stipulation to the contrary, the governor general is authorized, in the spirit of the provisions of the Charter, to exercise — without let or hindrance — the executive power by means of ordinances.

As for the governors of the provinces who represent the governor general in their circumstances, they exercise the executive power through regulations within the limits of administrative ordinances. This delegation of authority has been given them by means of a decree of the Regent, dated July 1, 1947.

Finally, on a subordinate level, the district commissioners and their deputies, the territorial administrators together with their assistants — all see to it that the decisions of the executive power are carried out.

may request its opinion on action proposed to carry out decrees — both royal and ministerial — whether they concern organic laws or simple regulations.

As for the administrative section of the Council of State, it is a court for settling claims concerning administrative matters. It is vested with the power to annul decisions of the executive if it deems them to be vitiated by illegal exercise of power or if it believes that they constitute misuse of authority. Thus it protects the individual against possible arbitrary acts on the part of the authorities. All inhabitants — without distinction of origin — of Belgium, the Belgian Congo, or Ruanda-Urundi have the right to claim this protection.

D.

The Judicial Power.

The principle of the separation of powers, recognized in Belgium by the Constitution, has been applied to the Congo; as in Belgium, the judicial power in the Congo is independent of the executive power, being exercised in the name of the King by the courts and tribunals with the Court of Appeal of Belgium as the last resort.

The Colonial Charter itself establishes the prerogatives of the judicial power. Thus it stipulates that the administrative authority can neither prevent, stop, nor suspend the action of the courts and tribunals. Furthermore, it gives to the courts and tribunals the right to enforce the acts of the executive — whether rules or regulations — only insofar as they conform to the laws and decrees. It even determines the careers of magistrates by taking certain special measures, particularly in such matters as transfers, suspensions, and removals.

The Council of State.

C.

The Belgian Council of State was created fairly recently. In fact, it was instituted by the Law of December 23, 1946. It is a high administrative body whose jurisdiction extends to Belgium, to the Congo, and to the territories under trusteeship.

It is divided into two sections, each concerning itself with a clearly defined activity: the legislative and the administrative section.

The rôle of the legislative section is to assist the government in the drawing up of legal texts.

In Belgium, except for budgetary laws, the ministers must submit to the legislative section of the Council of State for its well considered opinion the texts of all its preliminary drafts of laws. The ministers may likewise ask for an opinion on every proposed law or decree; this jurisdiction of the legislative section extends to any proposed action concerning both organic laws or simple regulations. But the opinion given does not concern either the substance or the expediency of the texts. The legislative section of the Council of State limits its action to examining the drafting, the terminology employed, and possibly the conformity of the texts with existing legislation or rules; as far as the acts of the executive are concerned, it pays particular attention to their legality.

In the Congo, the situation is different. The colonial legislator is not obliged to submit to the legislative section of the Council of State, for its opinion, any proposed decrees, or legislative ordinances, or measures for carrying them into effect, whether these measures have been decided upon by the author-ities of the mother country or by those of the Congo. However, the statutes of the Council provide that the colonial authorities

This determination to preserve the independence of the magistracy was manifested for a long time by special measures taken with regard to the officers of the « Ministère Public » (Body of prosecuting magistrates) in their capacity of agents of the executive power. Thus until 1921, these officers — who were under the authority of the minister of the colonies — were not responsible to the governor general, but to the « procureur général » (high-ranking public prosecuting attorney) who in this matter represented the minister of the colonies. However, the exaggerated nature of such precautionary measures soon became evident, and today the magistrates of the « Ministère Public » are responsible to the governor general, representing in this capacity the minister of the Belgian Congo and Ruanda-Urundi. (1)

(1) See the following chapter : « The Judicial Organization ».

Administrative Institutions.

3.

The administration of the Congo is carried on by a double network of institutions, some of them located in Belgium, within the Ministry of the Belgian Congo and Ruanda-Urundi, the others functioning in Africa and grouped under the authority of the governor general.

A.

The Administration in Belgium.

Similar in its organization to the other Belgian ministries, the Ministry of the Belgian Congo and Ruanda-Urundi nevertheless differs from them in the much vaster field that falls within its province ; indeed, it exercises in regard to the Congo the sum total of the executive activities which, in Belgium itself, are shared by all the other ministries. In consideration of this much vaster field of action, the bureaus of the Ministry of the Belgian Congo and Ruanda-Urundi have at their head an official — the administrator general — who possesses much more extensive powers and authority than his colleagues, the secretaries-general of the other ministries.

This simple example shows the immense field of action covered by the Ministry of the Belgian Congo and Ruanda-Urundi inasmuch as a single one of its bureaus can assume duties so heterogeneous in character and so far-spread. The situation is the same for the second, third, and fourth bureaus which take in functions as varied as education, worship, foundations, social aid, native politics, public works, labor and state insurance, agriculture, commerce, the middle classes, the mines, the «Colonat», etc.

Only the fifth and sixth bureaus are homogeneous in character: one concerns itself with financial matters, ranging from loans and taxes to customs duties; the other deals with administrative services, pensions for the personnel in Africa, and the status of the personnel of the Congo and of the mother country.

B.

The Administration in the Congo.

The Administration in the Congo comprises two branches, both under the authority of the governor general: the central administration — or general government — which has its headquarters in Leopoldville, and the administration of the provinces.

The present organization functions in accordance with two decrees: a decree issued by the Regent dated July 1, 1947 and later modified several times, and a royal decree of February 13, 1957. These decrees were issued in order to adapt the administration to the new tasks created by the rapid evolution of the country. They have created a co-ordinated whole, in which it is easy to supply those who execute the laws with adequate conditions and equipment; besides, deconcentration is favored by putting at the disposal of the local authorities the necessary administrative means.

The central administration comprises, aside from the services of the Ten Year Plan, eight bureaus whose activities are co-or-

Furthermore, the Ministry of the Belgian Congo and Ruanda-Urundi differs from the other Belgian ministries in its functions. Whereas the latter are instruments of conception, control, and execution, the former's activities are limited to conception and control, execution being the function of the administration in the Congo. (1)

This difference in powers is noticeable also in the title given and the functions attributed to five out of the six high officials who direct the six bureaus comprising the Ministry of the Colonies. Indeed, they have the title of «royal inspector» and, in addition to their duties as directors general, they are vested with missions of inspection in Africa.

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The six bureaus of the Ministry of the Belgian Congo and Ruanda-Urundi deal with all the questions which — in Belgium itself — are divided among the various ministries.

Thus, the first bureau takes care of political, administrative, judicial, and medical questions. Assisted by the administration in Foreign Affairs, the latter retaining among its functions that of the external relations of Belgium with the Congo. Moreover, in respect to the penal code, the judicial organization, and the administration of the Congolese magistracy, it exercises the functions of the Ministry of Justice in Belgium. To this it adds the functions of the Ministry of the Interior for everything concerning political institutions in the Colony, and assumes the responsibilities of the Ministry of Public Health by organizing preventive and curative medicine in a country of some 13 million inhabitants.

(1) As a matter of fact, the administration in the Congo is not limited to executive activity. It should not be confused, in this respect, with bureaus of the national ministries that might be set up in Belgium outside the capital. In addition to its executive rôle, it has also — within the sphere of the executive power delegated to the authorities of the Congo by the Colonial Charter — the prerogatives of conception and control.

of the district commissioners who put the necessary personnel at their disposal. (1)

The territory constitutes the last administrative cell : there ends the stimulus given by the higher authority, and from there instructions are issued to the population for the carrying out of government programs. The rôle of the territorial administrator is delicate and complex : he must at one and the same time assure the progressive development of the territory entrusted to him, favor the advance of civilization in it, facilitate relations between the administration and the people, and also the reciprocal relations between the two elements of the population — African and European. At the same time, keeping constantly in touch with the native chiefs, he must always be prepared to maintain and, if necessary, to restore their authority ; finally, it is also his duty to safeguard and improve the existing institutions of the native populations. Indeed, it is the spirit, the enthusiasm, and the ceaseless activity of the territorial personnel that have given to the Congo of today its strength, cohesion, and stability. This personnel blazed the first trails through forests and marshes and is now guiding the first steps of the present generations in the path of democracy by fostering their apprenticeship in the new communal institutions.

With the assistance of the directors general, the governor general handles outstanding business and keeps control over the administration of the provinces.

The Congo is divided into six provinces. The administration of each of these is placed in charge of a governor assisted by two provincial commissioners.

The administration of a province comprises, in the capital of the province, a group of eight provincial services co-ordinated by a provincial secretary ; on the whole they correspond to the eight bureaus of the central administration, with the exception of the sixth. In fact, on the provincial level, postal, telephone and telegraph communications are not grouped, as at Leopoldville, are under the direct control of the corresponding bureau of the central administration.

The provinces are divided into districts administered by commissioners. The latter, placed under the direct authority of the provincial governors, have functions that involve making decisions and bearing responsibility. They are assisted in their tasks by one or more assistant district commissioners and, in everything that concerns agriculture and public works, the provincial governors put at their disposal itinerant technical advisers.

The districts are in their turn subdivided into territories ; these are governed by territorial administrators under the control

(1) It is the King who determines the number, boundaries, names, and capitals of the provinces. The governor general exercises the same prerogatives in regard to the districts and the territories.

A. Advisory Organizations.

At the various levels of conception and execution, the government of the Congo is assisted by the counsel of a group of advisory organizations : the Government Council and its Permanent Delegation, the provincial councils, and the territorial councils.

The Government Council

As early as 1911, in its first form of « Advisory Committee », an organization was created whose duty it was to advise the governor general on the questions he submitted to it.

This organization, which has now become the « Government Council », has evolved very rapidly, not only in its composition, but also in the way it is chosen and in its jurisdiction. The evolution has been a reflection of the changing living conditions in the country.

At first it was made up chiefly of civil servants, but gradually private citizens have become a more and more important element in it.

Until very recently, the private members represented the great economic groups and the interests of the natives. Today this conception of representation has been changed and it rests upon the existence of « socio-economic » groups : these are business, the independent middle classes, salaried workers, nobles, rural and advanced rural centers. All of these are bound to become integrated in the course of time, viz., to be composed of whites and blacks without discrimination, the latter having access to the business group as well as to that of the middle classes or that of salaried workers.

Political Institutions.

4.

Today the Congo is definitely a country in a transitional period, coming out of the paternalistic stage that was necessary to its growth and approaching the first phases of a democratic organization in which political institutions consisting of elected representatives of the population will have full play.

This evolution has already begun. It expresses itself on the one hand by a group of advisory bodies, themselves in constant evolution, and on the other hand by the organization of the first communal institutions of the country, institutions that already exercise certain sovereign prerogatives in their field.

This progress toward democracy is the goal of Belgium's declared policy toward the Congolese territory. It is the result of the continuous and concerted transformation of existing institutions. The latter, while remaining in close contact with reality, have not ceased to adapt themselves to a changing society, destined, by the express wishes of the authorities, to take the form of a Belgo-Congolese community made up of members equal in rights and free from all racial discrimination.