

## THE BLURRED LINES OF LEGALITY

*Customs and Contraband in the Congolese M'Bomu Region, 1889-1908*

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Much has been written about the Congo Free State and its king. Nevertheless, we still have only a limited understanding of what the Independent State of the Congo – an apparent anomaly – exactly was or what its creators wanted it to be, how it operated and evolved, and what kind of impact it had on African societies and vice versa. A lot of questions remain unanswered, with many myths still to be deconstructed. This article aims to contribute to understanding the Free State and its many manifestations and contradictions. To achieve this, the article focuses on a new theme – customs and contraband – from a new perspective – the involvement of the state in illicit trade – using a large set of various records from different archives. Some of these records have never been used before and were indeed thought lost or destroyed. The result is a surprising story of how Leopold's under-staffed and under-financed administration tried to rule and to exploit a distant border region and how it dealt with the many difficulties that arose.

## I. Introduction

Almost all research about the Congo Free State (CFS) deals at least to some extent with the violent exploitation system that was put in place by Leopold II to extract rubber. In fact, for researchers working on the early colonial state in the Congo basin it is almost impossible to avoid the subject. Nevertheless, there is more to the Congo's early colonial history than red rubber, amputated hands and a megalomaniac, money-loving Belgian king. In recent work, scholars have started to pay attention to a different aspect of colonial revenue extraction in the Free State : customs and contraband.

Jelmer Vos analyzes how the 'logic and dynamics' of the rubber trade in the south-eastern Kwango basin conflicted with the interests of the CFS. Although the Free State tried to rein in contraband, the illegal export of rubber, ivory and slaves to Angola continued on a large scale. Prices were higher in this neighboring colony and Angolan merchants offered guns and ammunition in exchange for Congolese products. These barter products were in high demand but could not be sold in the Free State<sup>1</sup>. Daniel Vangroenweghe describes how the smuggler Charles Stokes operated in the contested borderland between the CFS, German East Africa and the Imperial British East Africa Company and how he was captured and hung by one of Leopold's military expeditions when he tried to sell

firearms to rebellious Zanzibari merchants in January 1895<sup>2</sup>. Jean-Luc Vellut studies the Luso-African trade networks that connected the coastal Benguela region in Angola to the Katangese borderland. Via this route ivory, rubber, slaves and firearms continued to be smuggled in and out of the Free State despite Leopold's attempt to divert trade flows to Bas Congo<sup>3</sup>.

Vos, Vangroenweghe and Vellut focus mainly on smuggling networks and to a lesser extent on the colonial state. As a result of this perspective, they tend to oversimplify the Free State's attitude towards contraband : all three authors present trafficking as a problem that the CFS tried but failed to curb and hence place smugglers in opposition to the colonial state. Because of their focus on traffickers, Vos, Vangroenweghe and Vellut shed insufficient light on two issues that have been stressed by the general literature on contraband. First of all, Allan Karras argues that states did not always try to curb trafficking. States were not only poorly equipped to curtail smuggling effectively : they simply lacked the tools even to detect the majority of illicit trade. States understood little about smuggling and its scale. In cases where the administration was aware of trafficking, smuggling was often met with tolerance. According to Karras, states condoned smuggling for two main reasons : the costs of effective border policing often exceeded potential customs revenue and states realized that trafficking could never be fully contained<sup>4</sup>. A second

1. JELMER VOS, "The Economics of the Kwango rubber trade c.1900", in *Angola on the Move : Transport Routes, Communications and History*, 2008, p. 85-98. 2. DANIEL VANGROENWEGHE, *Voor rubber en ivoor. Leopold II en de ophanging van Stokes*, Leuven, 2005. 3. JEAN-LUC VELLUT, "Katanga, Bié, Benguela and Beyond : The Cycle of Rubber and Slaves, 1890-1910", in *Portuguese Studies Review*, no. 19, 2011 (2&1), p. 133-152. 4. ALAN KARRAS, *Smuggling. Contraband in World History*, Plymouth, 2010.

issue that Vos, Vangroenweghe and Vellut tend to overlook, is the important role of state agents in smuggling networks<sup>5</sup>. Karras argues that the same officials who were responsible for the monitoring and taxing of cross-border trade were often involved in trafficking, especially in distant border regions where central control was weaker. According to Karras, this is one of the main reasons why states knew so little about contraband<sup>6</sup>. Other scholars such as Wim Klooster and Eric Tagliacozzo also highlight the role of corrupt officials in smuggling networks<sup>7</sup>.

This article aims to fill in the gaps in the innovative and important work of Vos, Vangroenweghe and Vellut by studying how the Free State dealt with contraband in the M'Bomu basin, a border region in the north of the Free State<sup>8</sup>. Firstly, I analyze to what extent colonial agents were involved in trafficking. Secondly, the article examines how far Leopold's administration was aware of illicit commerce and to what extent smuggling was met with tolerance rather than with measures to curb

the issue. In addition, this article researches why the Free State dealt with contraband in the way it did. As has been mentioned before, Karras argues that states refrained from establishing a reliable customs system because the effective control and taxing of cross-border trade was thought to be impossible and unprofitable. This contribution therefore examines how far the idea that the control of an uncontrollable border would not be cost-effective determined the colonial attitude towards contraband in the Congo basin.

Klooster rightly criticizes Karras for paying insufficient attention to the negotiation process between weak colonial states and borderland elites who often monopolized economic resources. According to Klooster, the colonial state could only maintain itself locally through negotiation with these elites. This was an additional reason why smuggling was often tolerated in practice<sup>9</sup>. Klooster's claims confirm the conclusions of prominent specialists such as Kimba Idrissa<sup>10</sup>, Paul Nugent<sup>11</sup>, Christopher Vaughan<sup>12</sup> and Dmitri van den Bersselaar<sup>13</sup>.

5. Vellut treats the role of corrupt Portuguese officials but not of Leopold's administrators.

6. ALAN KARRAS, *Smuggling. Contraband and Corruption in World History*, Plymouth, 2010.

7. WIM KLOOSTER, *Illicit Riches : Dutch Trade in the Caribbean, 1648-1795*, Leiden, 1998.

ERIC TAGLIACOZZO, *Secret Trades, Porous Borders : Smuggling and States Along a Southeast Asian Frontier, 1865-1915*, New Haven, 2005. 8. See map 1 for the location of this region.

9. WIM KLOOSTER, "Smuggling : Contraband and Corruption in World History (review)", in *Journal of World History*, no. 22, 2011 (2), p. 375-377.

10. KIMBA IDRISSE, "Histoire des douanes nigériennes : la première expérience d'une administration douanière ou l'échec d'une politique économique, 1898-1918", in *La France et l'Outre-mer. Un siècle de relations monétaires et financières. Colloque tenu à Bercy les 13, 14 et 15 novembre 1996*, 1998,

p. 133-176. 11. PAUL NUGENT, *Smugglers Secessionists & Loyal Citizens On the Ghana-Togo Frontier*, Athens, 2002.

12. CHRISTOPHER VAUGHAN, "Violence and regulation in the Darfur-Chad borderland c. 1909-1956 : Policing a colonial boundary", in *The Journal of African History*,

no. 54, 2013 (2), p. 177-198. 13. DMITRI VAN DEN BERSSELAAR, "Somboddy must necessarily go to bring this drink'. Gin smugglers, chiefs and the state in colonial Ghana", in *Cultural and Social History*,

no. 11, 2014 (2), p. 243-261.

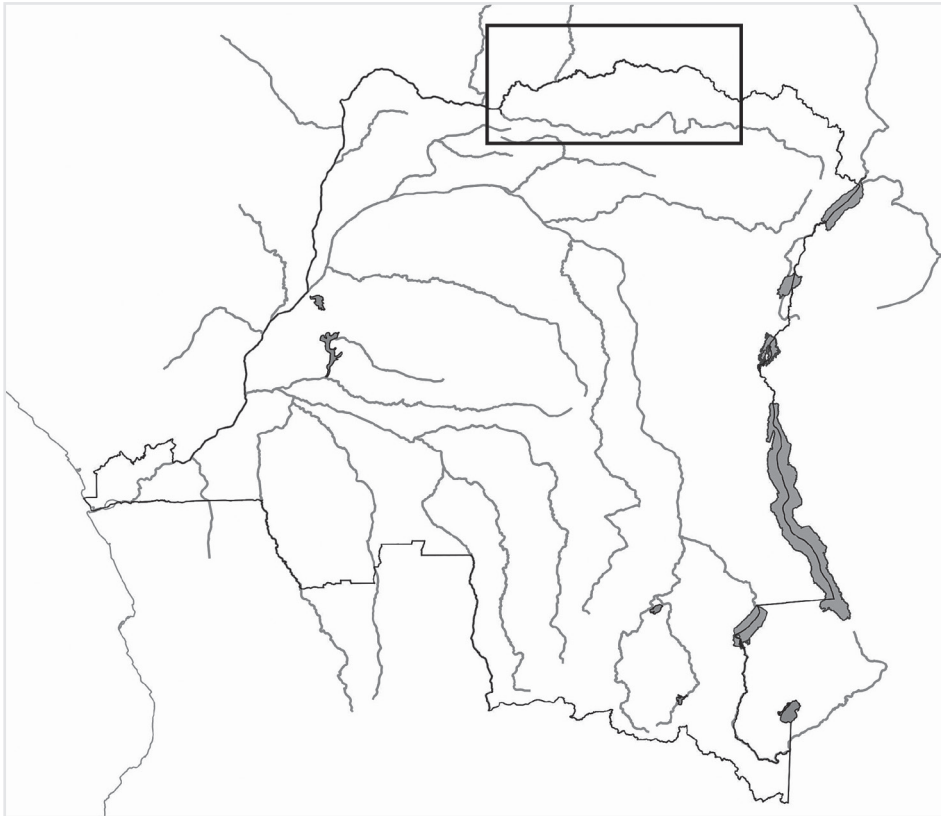
These scholars have demonstrated that customs policies and practice in African borderlands were to a large extent negotiated during colonial times. Interaction between the state and African societies resulted in trade policies adapted to the local economic context and in the arbitrary implementation of customs measures. This article therefore also examines how far negotiation of colonial rule with local elites might be an explanation for the way the Free State dealt with contraband in the M'Bomu basin.

This article has four sections. The first section explains the focus on the M'Bomu basin and discusses why the nature of the border running through this area complicates the study of contraband. The second part focuses on the various ways in which Leopold's agents were involved in trafficking. The third section of the article investigates to what extent the colonial administration was aware of illicit commerce and how the Free State dealt with smuggling. Lastly, the article examines how far colonial customs practices in the M'Bomu region were determined by a cost-benefit analysis on the part of Leopold's administration and by the negotiation of colonial rule with local elites.

## II. The M'Bomu borderland : a curious but interesting case for the study of customs and contraband

The case of the M'Bomu borderland was selected for three main reasons<sup>14</sup>. Firstly, this northern region has never before been studied from the perspective of trafficking and colonial border control. Secondly, the M'Bomu basin was located at the far end of many long-distance trade networks, as the second part of this article will show. Consequently, a lot of cross-border trade took place. This increased the opportunities for smuggling and complicated colonial attempts to control commerce. Thirdly, trafficking and customs patterns in the M'Bomu region are relatively well documented thanks to the records of the Oubangui-Chari colony in the French *Archives nationales d'outre-mer* and the personal records of colonial agents in the National Archives of Belgium, the Royal Museum for Central Africa, the Archives of the Belgian Royal Palace and – again – the *Archives nationales d'outre mer*. These records compensate for the poor state of the archives of the Congo Free State and Belgian Congo that have been neglected by the Belgian Ministry of Foreign Affairs and that remain largely inaccessible to this day<sup>15</sup>.

14. See map 1 for the location of the M'Bomu basin. 15. The lack of proper inventories explains why some of the references used in this article might appear rather unusual. The same is true for some of the personal records kept in the Royal Museum for Central Africa.

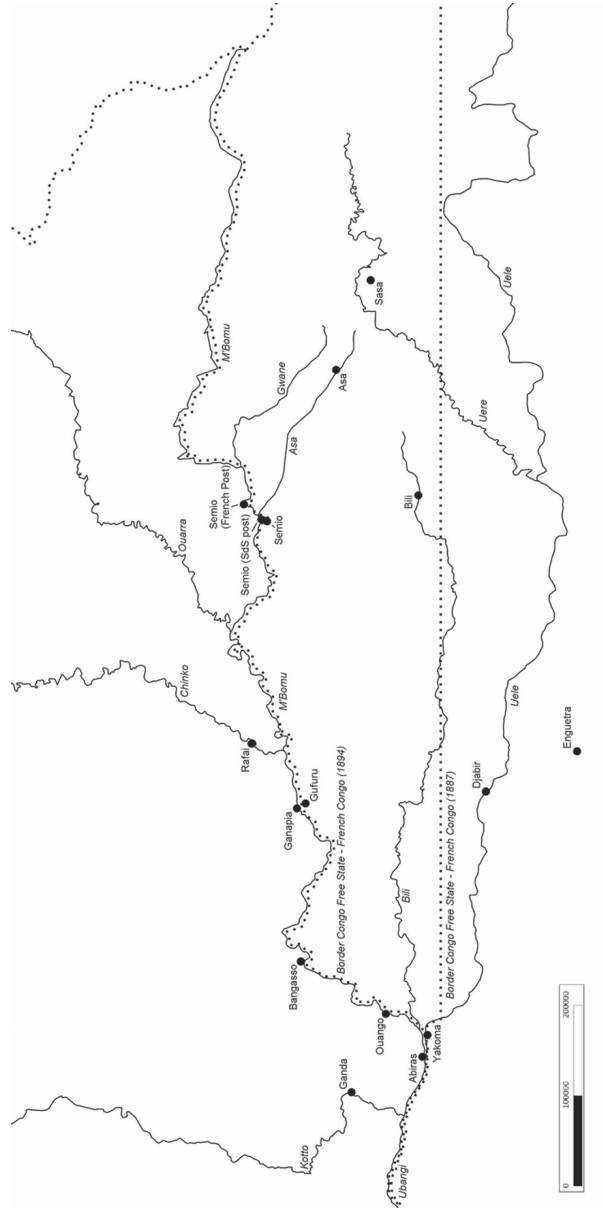
Map 1: The M'Bomu basin<sup>16</sup>

The M'Bomu basin is an interesting case for studying customs and contraband in the CFS. Nevertheless, there is one issue that requires discussion because it complicates my analysis : the border between the territories of Leopold II and the French can, in a sense, be called undefined. In 1887, diplomats agreed that the Ubangi river and the fourth parallel

northern latitude would constitute the border between the CFS and French Congo, as Map 2 shows<sup>17</sup>. Nevertheless, the border treaty did not restrain Leopold, who ordered his agents to advance as far north as possible, signing agreements with local power-holders so as to incorporate their territories formally into the CFS as protectorates<sup>18</sup>. The French

**16.** The square on the map indicates the M'Bomu basin. This map was created with QGIS using data from Natural Earth Data (<http://www.naturalearthdata.com/>) and from the *Référentiel Géographique Common* project (<http://www.rgc.cd/site/>). **17.** Protocole délimitant les frontières entre l'État Indépendant du Congo et les Possessions françaises du côté de l'Oubangi (*Bulletin officiel de l'État indépendant du Congo*, 1888, p. 241, 242). **18.** LÉON LOTAR, *La grande chronique du Bomu*, Bruxelles, 1940.

Map 2: The M'Bomu borderland (1887-1908)<sup>19</sup>



19. This map depicts the borders between the CFS and the French Congo. The map also indicates all the state posts, trading posts and residences of sultans that are mentioned in this article. This map was created with QGIS using data from the *Reférentiel Géographique Common* project (<http://www.rgc.cd/site/>). The exact location of the border, rivers, state posts,

presence was limited to the Abiras post and Ganda, where some Senegalese soldiers represented the Tricolor<sup>20</sup>. Until 1894, the CFS occupied the entire M'Bomu basin and continued to advance far north of this river<sup>21</sup>. France vehemently denounced these land-grabbing actions. At the local level, both parties continuously provoked and sabotaged each other's operations, resulting in manifold skirmishes. This border dispute was not resolved until Leopold lost British support on the matter and the French sent an army to enforce their threats and to reclaim their lands with military force<sup>22</sup>.

The fact that there was no clear border running through the M'Bomu basin is important for the analysis of smuggling and customs. First of all, one could argue that it is theoretically impossible to talk about customs and contraband from 1889 to 1894, because smuggling and border control are by definition cross-border activities. Second, it is important to note that the lack of a clear border turns trafficking into a matter of interpretation. The core business of Leopold's agents in the

disputed M'Bomu borderland was to gather as much ivory as possible, as the second part of this article will show. From the perspective of the administration in Brazzaville and Paris, Leopold's agents were illicitly exporting large amounts of ivory from French soil and illegally importing firearms and ammunition. From Leopold's point of view, however, his men were simply exploiting the natural resources of the state.

In 1894 the M'Bomu river became the new border between the CFS and the French territories<sup>23</sup>. This new border cut across the spheres of influence of several powerful sultans. This created a rather odd situation where sultans officially ruled territories on one side of the river in the name of the CFS or the French, but were in practice still allowed to control large parts of the neighboring colony<sup>24</sup>. Again the ill-defined nature of the border complicates the analysis of smuggling, for reasons that the example of sultan Semio clearly demonstrates. Semio collected ivory, rubber and slaves among his subjects and vassals in the French Oubangui-

trading posts and residences of sultans was determined based on their current location as well as the information found on maps in the following sources : ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964; ÉRIC DE DAMPIERRE, *Un Ancien royaume Bandia du Haut-Oubangui*, Paris, 1967; CATHERINE COQUERY-VIDROVITCH, *Le Congo au temps des grandes compagnies concessionnaires 1898-1930*, Paris, 2001; Rapport sur la fondation d'un poste dans la région du Bomu et sur un voyage dans les territoires des chefs Effulu, Sasa et Mopoie, 1908 (Archives Africaines, *Affaires Indigènes*, A15.1371); Carte du district de l'Uele, n.d. (Musée royal de l'Afrique centrale, Archives historiques privées, *Papiers Albert Silye*, 52.68). **20.** ANNE-CLAUDE DE MAZIÈRES, *La marche au Nil de Victor Liotard*, Aix-en-Provence, 1982. **21.** For maps and a chronological overview of the expansion of the expansion of the Free State in the north see : ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964. **22.** LÉON LOTAR, *La grande chronique de l'Ubangi*, Bruxelles, 1937. **23.** Arrangement conclu, le 14 août 1894, entre l'État Indépendant du Congo et la République Française, au sujet de la délimitation de leurs possessions respectives en Afrique (*Bulletin officiel de l'État indépendant du Congo*, 1894, p. 254-257). **24.** ARLETTE THURIAUX-HENNEBERT, "Les grands chefs Bandia et Zande de la région Uele-Bomu (1860-1895)", in *Études d'Histoire africaine*, no. 3, 1972.

Chari colony and the Free State and gathered this merchandise in his residence on the left bank of the M'Bomu river. He sold ivory and slaves to Muslim traders from the north. With Leopold's officials, the agents of the *Société des Sultanats* (SdS), the *La Brazzaville* company and the African intermediaries of these enterprises, he mainly exchanged tusks and rubber. The firearms and ammunition he received in exchange for his ivory, rubber and slaves and as a diplomatic gift from the French government, were redistributed among his chiefs on both sides of the M'Bomu<sup>25</sup>. Ivory, rubber, slaves and firearms regularly crossed the border, ignoring all customs regulations. Nevertheless, it is debatable whether this could be called contraband because the Free State and the French allowed Semio to rule and exploit his territories as one entity, as indeed he had done before the establishment of the border.

### III. Colonial involvement in trafficking in the M'Bomu basin

The second part of this article focuses on the various ways in which the Free State and its agents were involved in contraband in the M'Bomu region. The first section of this part examines how the CFS, as a state, was involved in smuggling. It explains how the colonial system of rule and exploitation allowed and even encouraged state agents to engage in illicit trade and then examines the different state representatives engaged in smuggling

on their own account. The lack of records for examining the contraband activities of European officials and African soldiers is discussed first before dealing in greater details with the relatively well-documented illicit practices of the Free State's indirect rulers, the sultans of the M'Bomu basin.

#### Smuggling by the Congo Free State

As mentioned before, the general literature on smuggling argues that corrupt officials were often involved in trafficking. In the M'Bomu borderland however, state agents did not smuggle only on their own account. The CFS established a system of rule and exploitation that encouraged its European officials to engage in illicit trade in order to extract more revenue for the state. Local agents were encouraged, and sometimes even specifically ordered, to export ivory and rubber from French territories and to deal in illicit merchandise such as guns, ammunition and slaves. In so doing, the administration violated a whole series international agreements as well as its own customs laws and those of the French.

As previously mentioned, the Free State exported large batches of ivory from territories that were officially French, an activity that can be seen as smuggling. Leopold's officials had been preoccupied with ivory exploitation from the outset. Alphonse Vangèle, the first colonial agent to arrive in the region in 1889, was not only sent to explore the Ubangi river and claim land in the name of Leopold II. The

25. Rapport politique annuel. Haut-Oubangui et Sultanats. Cercle de Semio, ...2.1904 (Archives nationales d'Outre-mer, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904).



Governor-General also specifically instructed him to 'exploit the ivory of the state domain'<sup>26</sup>. This objective is clear in Vangèle's journal. He often notes in detail how many tusks he received as a gift or bought from local chiefs on both sides of the Ubangi, M'bomu and Uele rivers. By September 1890 he had already gathered twelve tons of ivory<sup>27</sup>. When Ernest De Baert became the new State Inspector of the Haut-Uele expedition in 1892, he also received specific orders to ensure that all the ivory and rubber produced in the sultanates of the M'bomu region was paid to the Free State as tribute<sup>28</sup>.

The CFS did not only export tusks from territories that were officially French. Leopold's agents also traded illegal goods in the disputed M'Bomu region. The Free State imported firearms and ammunition to compensate local potentates for their loyalty, services, slaves and ivory. Guns, cartridges, bullets and gunpowder were the main barter products in the region and, if Leopold's agents wanted to get anything done by the sultans, they had to play by the local rules and provide them with these products<sup>29</sup>. It is hard to determine how many guns and how much ammunition was given to the local Zande rulers. Different sources mention different amounts, usually ranging from several

hundreds to even thousands of firearms per sultan. Nonetheless, it is impossible to verify the accuracy of these numbers. Furthermore, it is often unclear under what conditions weapons were given, as the following example demonstrates.

In 1893, sultan Semio complained that he had not yet received the two thousand rifles that were promised him. When questioned about this matter, the local administration responded to Brussels that Semio had misunderstood them and that there had only been talks about the construction of a gun depot in the sultan's residence to store these firearms. Brussels decided to give the firearms to Semio but only on the condition that they were used to arm the soldiers he put at the state's disposal<sup>30</sup>. This example demonstrates two things. Firstly, not all weapon transfers occurred as part of a commercial transaction. The CFS maintained the right to arm the sultans who ruled and exploited the majority of the M'bomu basin in Leopold's name. Secondly, the example suggests a discrepancy between central policy and its implementation in the field. What Boma and Brussels perceived as the arming of loyal Zande troops or the rewarding of indirect rulers for the services and tribute they provided to the state, might in practice have been plain arms-trafficking between

**26.** Correspondance du Secrétaire d'État, Edmond Van Eetvelde, au Gouverneur Général à Boma, 17.10.1891 (Archives de l'État en Belgique, *Archive Hubert Droogmans*, Registre des dépêches adressées à l'Administrateur Général au Congo, 1889-1893, Txxx4). **27.** ROBERT LE MARINEL, *Oubangi-Kassaï. Carnets de route, rapports et écrits de A. Vangèle, G. Le Marinel, C. Gillain, P. Le Marinel*, Bruxelles, 1992, p. 13-54. **28.** Correspondance du Secrétaire d'État des Finances, Edmond Van Eetvelde, au Gouverneur général, ?. ?.1893 (AEB, *Archive Edmond Van Eetvelde*, Correspondance avec les gouverneurs généraux (Ledeganck et Wahis), 1893, T035.38). **29.** Firearms were not the only merchandise used to compensate the sultans : the CFS for example also bought ivory with pearls. **30.** Correspondance de Edmond Van Eetvelde au Gouverneur général, ?. ?.1893 (AEB, *Archive Edmond Van Eetvelde*, Correspondance avec les gouverneurs généraux (Ledeganck et Wahis), 1893, T035.38).

sultans and local CFS agents. Agents who had been ordered to take whatever measures they deemed necessary to collect as much rubber and ivory as possible and received a commission on the amount of raw materials they gathered<sup>31</sup>.

Firearms were not the only type of illegal merchandise traded by the CFS agents. French records and publications regularly accuse CFS officials of systematically buying large numbers of slaves from local rulers in the disputed M'Bomu region. It was estimated that each post bought two to three slaves a day. In exchange for being freed, these slaves had to work for the state for seven years<sup>32</sup>. Officials received a ten per cent commission for each slave they liberated<sup>33</sup>. Leopold's agents traded a thousand percussion guns with Semio, mainly to buy ivory and slaves<sup>34</sup>. The Free State also bought slaves from Bangasso<sup>35</sup>. Furthermore, CFS officials did not hesitate to raid villages in order to acquire slaves<sup>36</sup>. The

French were not the only ones denouncing the CFS slave trade. The Dutch Nieuwe Afrikaanse HandelsVennootschap (NAHV) also criticized the large-scale slave trade run by Leopold's agents. Its local manager, Antoine Greshoff, wrote : "Do not believe that the men who are liberated by the State realize that they have been liberated because in most cases they chain them or attach large blocks to their feet until they are far away from their homeland"<sup>37</sup>.

French officials and Dutch traders had every reason to demonize the CFS and accuse them of gun and slave trafficking. France and the Free State were in the middle of a tense and highly publicized border conflict<sup>38</sup>. The NAHV had been kicked out of the M'Bomu region in 1892 and the company had openly challenged Leopold II about his monopolistic commercial policies on multiple occasions<sup>39</sup>. However, the CFS had been known to use slave labor in other parts of its terri-

**31.** ALDWIN ROES, "Towards a History of Mass Violence in the État Indépendant du Congo, 1885-1908", in *South African Historical Journal*, no. 62, 2010 (4), p. 634-670.

**32.** Correspondance du Chef de Mission de Pouymarac à Monsieur l'Administrateur Principal de Brazzaville et dépendances, 20.12.1893 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1893, 4[3]D.3).

**33.** Correspondance de l'administrateur de l'Oubangui à Monsieur l'Administrateur Principal à Brazzaville. Compte rendu d'une tournée dans le Haut-Oubangui, 18.7.1892 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1892, 4[3]D.2).

**34.** Notes pour le rapport de fin de campagne, 1895 (ANOM, Archives privées, *Archives Liotard*. APC.18).

**35.** PAUL COMTE, *Les N'sakarras. Leur pays, leurs moeurs, leurs coutumes, leurs croyances, etc. Avec un glossaire N'sakkara. Par un membre de la mission française du Haut-Oubangui (1893-1895)*, Bar-le-Duc, 1895, p. 5 & 40.

**36.** The administration in Bangui regularly complained about CFS raids in French territory. See for example the many reports in : ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1893, 4[3]D.3.

**37.** Translated from : Correspondance de Antoine Greshoff à Monsieur le Délégué de l'Administrateur principal de Brazzaville et dépendance, 14.2.1893 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1893, 4[3]D.3).

**38.** LÉON LOTAR, *La grande chronique du Bomu*, Bruxelles, 1940.

**39.** HERMAN OBBEIJN, "The New Africa Trading Company and the Struggle for Import Duties in the Congo Free State, 1886-1894", in *African Economic History*, no. 12, 1983, p. 195-212.

tory<sup>40</sup>. Moreover, state inspector Fivé's personal letter to the Governor-General provides ample proof of the slave- and gun-trading activities of Leopold's men. Fivé denounces the number of freed men that died without being put to use by the state. In September and November of the year 1890, the state procured 233 men of whom only 72 were 'used'. The others died or disappeared. In December 1891, 156 adults and 65 children were bought from sultan Djabir. Few however survived. According to Fivé, these pointless economic losses could have been prevented if the freed men had been treated better<sup>41</sup>. The CFS bought hundreds of slaves from Djabir, who raided neighboring villages to provide recruits for the *Force Publique*. One muzzle-loading musket bought the state ten slaves<sup>42</sup>.

During the first period of colonialism in the M'Bomu basin the Free State illicitly imported guns and ammunition to buy slaves and ivory from sultans in a region that was officially French. In 1894, the French and the CFS agreed that the M'Bomu river would become the new border between their territories. During this second period of colonialism, the involvement of the Free State in shady or illicit commercial activities as a state was far

more ambiguous. At first, Brussels and Boma continued to actively support shady ivory- and arms-trafficking by their European officials. During the transition period between 1894 and 1895, all expeditions north of the new border were ordered to collect as much ivory and rubber as possible whilst retreating to the left bank of the M'Bomu<sup>43</sup>. In addition, local agents stationed north of the new border were instructed to continue to collect ivory and rubber until they received orders to abandon their post<sup>44</sup>.

The attitude of Brussels and Boma changed to an extent once all CFS agents and troops had retreated from the French territories. The higher echelons of Leopold's administration seem to have wanted to 'normalize' the situation in the M'Bomu basin once the conflict with Paris was over. A clear example of this was the attempt to register and control gun possession in the region<sup>45</sup>. This new attitude, however, contrasted sharply with the fact that the central levels of the Free State knew but chose to disregard the fact that local agents continued to trade firearms and ammunition for ivory and rubber with French and CFS sultans, as will become clear below. Moreover, Brussels kept rewarding agents according

40. DAVID NORTHRUP, *Beyond the Bend in the River. African Labor in Eastern Zaïre, 1865-1940*, Athens, 1988; WILLIAM SAMARIN, *The Black Man's Burden: African Colonial Labor on the Congo and Ubangi Rivers, 1880-1900*, Boulder, 1989. 41. Correspondance de Fivé à monsieur le Gouverneur Général. Lettre personnel (à bord de l'Archiduchesse Stephanie), 3.7.1892 (Archives africaines du département des Affaires étrangères de la Belgique, Fonds Divers, *Papiers Fivé*, 387.3). 42. GUY BURROWS and EDGAR CANISIUS, *The Curse of Central Africa*. London, 1903. 43. These expeditions were sent far north to satisfy Leopold's urge for expansion. For a map of their routes see: ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964, map IV. 44. Correspondance du Gouverneur général Wahis à Monsieur le Secrétaire général de l'Intérieur Liebrechts, 14.9.1894 (MRAC, Archives historiques privées, *Papiers Théophile Wahis*, Correspondance du juin 1893 à juillet 1894). 45. The reports of the state inspector of the Uele district, Léon Hanolet, for example prove that the local administration devoted a lot of attention to the registration and counting of the guns and ammunition that were in the hands of the local sultans. See for example: MRAC. Archives

to the amount of tropical products they gathered, allowing them to use whatever means necessary to achieve this primary objective<sup>46</sup>.

### Smuggling by Leopold's European officials and African soldiers

How the CFS was involved in contraband as a state has been discussed in the paragraphs above. This and the following section examine how individual state agents engaged in illicit trade in the M'Bomu region on their own account. I start by treating the methodological issues that hinder the analysis of trafficking by European officials and African soldiers.

We know that Leopold's European officials engaged in trafficking. As mentioned earlier, the new border in 1894 had little effect on the commercial situation in the M'Bomu basin. Free State agents continued to trade with the Zande sultans, whether they had become French rulers or worked for the CFS. Local officials, for example, continued to do business with Bangasso, who had become a

French agent, as his residence was located on the French side of the river. At night and far away from inhabited areas, Bangasso bought guns and ammunition from Leopold's men with ivory he hid from the French<sup>47</sup>. He was not the only French sultan who continued to trade illegally with Free State agents. In 1899, France granted a commercial monopoly in the entire French M'Bomu region to the SdS<sup>48</sup>. This concession company immediately started complaining that Leopold's officials traded advanced firearms for slaves and ivory on the French markets of Bangasso, Rafai and Semio<sup>49</sup>.

The SdS also started to sell guns in the region and competed with the CFS for the riches of the M'Bomu basin. Ironically, Leopold's officials even complained that the representatives of Bangasso and Ethman (Rafai's successor) no longer wanted to illegally trade ivory for firearms as SdS agents on the French side of the river offered more advanced rifles<sup>50</sup>. Nevertheless, competition from the SdS did not bring the commercial relations between

historiques privées, *Papiers Léon Hanolet*, Correspondances durant 4ème terme, 1901-1903, 51.33.103-143. **46.** The unpublished decree that ordered local officials to exploit ivory and rubber by whatever means necessary was for example maintained. A copy of the decree can be found in : Interventions du Ministre Beernaert en faveur des compagnies commerciales, 1892 (AEB, *Archive Edmond Van Eetvelde*, Interventions du Ministre Beernaert en faveur des compagnies commerciales, 1892, T035.152). **47.** Correspondance du Commissaire du Gouvernement dans le Haut-Oubangui, Liotard, à Monsieur le Ministre des Colonies. Situation politique de la colonie, octobre 1897, 27.10.1897 (ANOM, Archives privées, *Archives Liotard*. APC.18). **48.** For a map of the concession and more information on the SdS see : CATHERINE COQUERY-VIDROVITCH, *Le Congo au temps des grandes compagnies concessionnaires 1898-1930*, Paris, 2001. **49.** Correspondance du Délégué du Commissaire général dans le Haut-Oubangui à Monsieur le Commissaire général du Gouvernement au Congo français à Libreville au sujet de l'introduction d'armes perfectionnées dans les Sultanats – trafic d'esclaves, 20.9.1900 (ANOM, *Archives du Gouvernement Général de l'Afrique Equatoriale Française*, Sous-série 8Q, Compagnies et sociétés concessionnaires, Compagnie des Sultanats du Haut-Oubangui, 8Q.56). **50.** Extrait du rapport mensuel sur la situation générale du district de l'Uele, 30.11.1900 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37).

French sultans and the Free State's European officials to an end. French sultans continued the illegal trade in large quantities of ivory with Leopold's agents in exchange for guns and ammunition because the SdS abused its commercial monopoly. The company sold barter products of inferior quality at a very high price. Moreover, SdS trading posts often ran out of merchandise due to structural transport problems<sup>51</sup>. Trafficking between Free State officials and French sultans never really ended. In 1908, Ethman for example still maintained commercial relations with CFS agents<sup>52</sup>.

Leopold's officials had two different incentives to engage in trafficking : they could either smuggle on their own account or they could do so to amass more ivory and rubber for the state, which would both increase their commission and open the door for future promotion. There is, however, very little information that allows us to determine whether European officials smuggled on their own account or for the benefit of the colonial treasury. The CFS lacked the capacity to supervise its local agents properly<sup>53</sup>. Consequently, there

probably would have been few sources regarding individual acts of smuggling by European officials to begin with. In addition, few records of the local administration in the M'Bomu region remain. Personal and French archives document the illicit activities of Leopold's European officials but do not mention who pocketed the proceeds.

The involvement of African soldiers in contraband is even harder to study. There is no information whatsoever about their role in smuggling networks, though it seems quite likely they participated in trafficking. These soldiers were often stationed as guards in outposts along the Ubangi and the M'Bomu. The CFS had little control over these so called *laptots*. The French and Belgian archives provide copious information about the different crimes these soldiers committed and about how they abused their authority for their own advantage. However, nothing related to smuggling<sup>54</sup>. All we know is that the central government did not want to entrust border policing to African soldiers alone. Only the presence of European customs officials could curb rampant smuggling in the region<sup>55</sup>.

51. Rapport d'ensemble sur la situation du cercle de Rafai en 1904, 08-02-1905 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904, 4[3]D.11); Rapport politique annuel. Haut-Oubangui et Sultanats. Cercle de Semio, 02-1904 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904, 4[3]D.11). 52. Territoire de l'Oubangui-Chari. Rapport d'ensemble. Année 1908, 02-08-1909 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1908, 4[3]D.14). 53. ALDWIN ROES, "Towards a History of Mass Violence in the État Indépendant du Congo, 1885-1908", in *South African Historical Journal*, no. 62, 2010 (4), p. 634-670. 54. See for example the correspondence between Ribot, the French Minister of Foreign Affairs, and Rogier de Grelle, secretary of the foreign affairs department of the CFS: AA, *Institut royal colonial belge*, Question de l'Ubangi : correspondance diplomatique, Correspondances du Comte de Grelle sur la question de l'Ubangi, 1892, 715.23. 55. Correspondance du Chef de zone de l'Uere-Bili au Gouverneur général, 27.1.1904 (AA, *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37); Correspondance du Vice-Gouverneur général Costermans au Secrétaire d'État, 26.3.1904. (AA, *Affaires étrangères de l'État indépendant du*

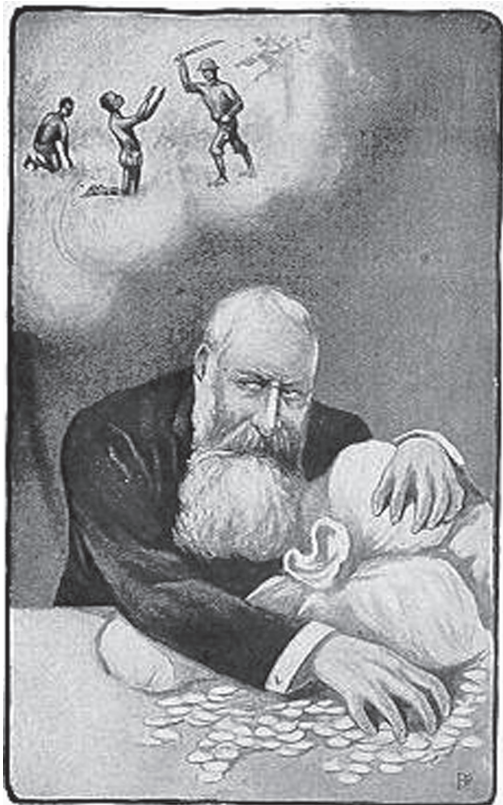
### Smuggling by the sultans of the M'Bomu region

There is one type of state representative whose contraband activities are relatively well documented : the sultans who ruled and exploited most of the M'Bomu borderland in Leopold's name. To understand their role a brief sketch of the political economic situation in the 1880s is required<sup>56</sup>. At that period the M'Bomu basin was mainly inhabited by the Zande people who were ruled by sultans. These rulers were at the head of highly centralized, kinship-based, reciprocal vassal systems. There was a thin line between raiding or extorting neighbors and collecting tribute among vassals. The sultans constantly competed for more power and wealth and often fought each other. The key to power and wealth were the commercial relations with northern traders who brought in firearms and cattle and traded these for ivory and, more importantly, slaves. Guns increased the coercive and exploitative capacity of the sultanates, which allowed the accumulation of more wealth that could again be invested to increase firepower. The nature of the contacts between northerners and the sultanates ranged from commercial transactions to plunder and vassal-like allegiance.

By the time the French and Leopold's men arrived, the M'Bomu sultans had already been in contact with Ottoman Egypt, the Sudanese empire of Dem Ziber and his son Suleiman, the Anglo-Egyptian Condominium, the Madhi empire, Wadaïan merchants and even briefly with Tippu Tip's Zanzibari. As Arlette Thuriaux-Hennebert rightly points out, local rulers were very shrewd and opportunistic businessmen/politicians who had learned to turn their contacts with the different newcomers to their advantage. Moreover, the powerful sultans were not afraid to confront potential adversaries with their large, well-organized and heavily armed troops<sup>57</sup>. Leopold's European agents were forced to play along with the powerful sultans if they wanted their political allegiance, material support, slaves and ivory. The latter treated the European newcomers in the same way they had always treated foreign invaders and merchants : as an opportunity to get ahead of their neighbors by increasing their commercial and military power.

One by one, the Zande Sultans of the M'Bomu basin were incorporated into the administration of the Free State<sup>58</sup>. The Sultans ruled and exploited the majority of the M'Bomu region in Leopold's name. They

Congo, Correspondances générales échangées avec la France, 205.37); Correspondance du Secrétaire Général Liebrechts au nom du Secrétaire d'État au Gouverneur général, 10.5.1904 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). **56.** This paragraph is based on : ÉRIC DE DAMPIERRE, *Un Ancien royaume Bandia du Haut-Oubangui*, Paris, 1967; ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964; PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963; ANNE-CLAUDE DE MAZIÈRES, *La marche au Nil de Victor Liotard*, Aix-en-Provence, 1982. **57.** ARLETTE THURIAUX-HENNEBERT, "Les grands chefs Bandia et Zande de la région Uele-Bomu (1860-1895)", in *Etudes d'Histoire africaine*, no. 3, 1972. **58.** Some local rulers needed persuading and only pledged allegiance after they had been defeated.



*Emblematic caricatures of Leopold II such as this one, have created an enduring and iconic, yet one-sided view of colonial realities. This article nuances this stereotypical prism, arguing that sheer impotence and lack of financial means – rather than the agency of one Belgian King – were essential factors to explain what happened in the M’Bomu region. (Published in Mark Twain, King Leopold’s Soliloquy : A Defense of His Congo Rule, Boston, 1905)*



officially pledged to uphold Leopoldian laws and agreed to collect all the ivory and rubber that was produced in their territories and pay it to the state as tribute. In return they received compensation in kind<sup>59</sup>. Formally, the sultans were well integrated in the colonial administration. Djabir was for example an officer in the colonial army, wore a uniform of the *Force Publique* and received an annual payment in accordance with his rank<sup>60</sup>.

In spite of their pledges to implement CFS laws and despite their exclusive commercial/vassal-like relationship with the Free State, Leopold's sultans continued to sell ivory and slaves for guns and ammunition to the highest bidder. One of their main smuggling partners was the SdS. As soon as this concession company established its first trading posts along the M'Bomu river in 1900 and 1901, Belgian records start to report the illicit practices of this enterprise. CFS sultans sent their representatives across the river to trade illicitly with the SdS. The company for example established a trading post across the river from Gufuru at the residence of Ganapia, a son of Bangasso. CFS subjects crossed the river to sell their produce in this town. However, the SdS also sent Muslim intermediaries into the



Sultan Djabir. (source : MRAC, Reproductions photographiques, A.P.O.0.186, 1894)

CFS to procure ivory and rubber. These middlemen also met up with CFS subjects on the right bank of the M'Bomu river outside French trading posts<sup>61</sup>. Semio, Sasa and Djabir are some of the most important Free State sultans that traded illicitly with the SdS<sup>62</sup>.

59. ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964. 60. GUY BURROWS & EDGAR CANISIUS, *The Curse of Central Africa*, London, 1903, p. 28. 61. Correspondance du Chef de Zone Uere-Bili à monsieur le Gouverneur général à Boma, 24.4.1904 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). 62. Courrier reçu d'Afrique. Lettre 854. Uere-Bili, 27.6.1904 (AEB. *Archive Edmond Van Eetvelde*, Correspondance du gouvernement central siégeant à Bruxelles, 1896, T035.67); Rapport du mois d'octobre à monsieur l'Administrateur du Haut Oubangui à Mobaye, 2.11.1901 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1900-1901, 4[3]D.8); Carnet de notes, 1892-1906 (MRAC. Archives historiques privées, *Papiers Jules Laplume*, 53.53. Boîte 1.1).



Clearly, a large amount of ivory and rubber from the CFS disappeared into the hands of the SdS trading posts on the French side of the M'Bomu. For instance, in Yakoma the CFS noticed a huge influx of guns coming from the other side of the river. The SdS imported flintlocks *en masse*, transformed them into percussion rifles and then sold them in exchange for rubber and ivory. Because of this, guns became so abundant in the Yakoma area that even regular Africans started using them as barter products<sup>63</sup>. By 1901, smuggling was so widespread and occurred on such a large scale that it started to worry even the highest echelons of the CFS administration in Congo. The illegal inflow of firearms and ammunition threatened the military dominance of the *Force Publique* and contraband caused the state to lose out on a lot of potential revenue<sup>64</sup>.

When CFS officials gradually started to examine the illegal trade between the SdS and their own sultans, they discovered that the latter were not only trading with French merchants but also with Muslim traders from the north. Nevertheless, this was not a

new phenomenon. Djabir, Bangasso, Rafai, Semio and the other M'Bomu sultans had long-lasting commercial ties with traders from Sudan, Wadaï, Kordofan and Dar Fur. Slaves, and to a lesser extent ivory, were bought with guns, salt, cattle, high-quality cloth and other merchandise. The growing colonial presence had not prevented caravans from the north from continuing to buy slaves and ivory from the M'Bomu sultans on either side of the river<sup>65</sup>.

Some of the caravans that were active in the Free State operated from the Muslim districts in the residences of Bangasso and Rafai. From these bases on the French side of the river they sent small groups of traders or local intermediaries deep into the CFS via the Gufuru region, travelling as far as Djabir and Enguetra in search of business opportunities<sup>66</sup>. Other caravans travelled directly to the residences of powerful sultans on the left bank of the river via the same Gufuru strip. The towns of Djabir and Enguetra functioned as important markets where local chiefs sold tusks and slaves. The transactions took place inside the sultan's

63. Correspondance du Commissaire de District de l'Ubangi, Bertrand, au Gouverneur général, 3.1.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). 64. See for example : Correspondance du Gouverneur général au Secrétaire d'État, 4.4.1901 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37); *Courrier reçu d'Afrique*. Lettre n° 790, 19.6.1904 (AEB. *Archive Edmond Van Eetvelde*, Correspondance du gouvernement central siégeant à Bruxelles, 1896, T035.67). 65. M.A. BONNEL DE MÉZIÈRES, *Rapport de M. A. Bonnel de Mézières, chargé de mission, sur le Haut-Oubanghi, le M'Bomou et le Bahr-el-Ghazal*, Paris, 1901. 66. Correspondance du Chef de Zone de Renette au Gouverneur Général, 27.1.1901 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37); Correspondance du Lieutenant Commandant de Cercle de Bangassou à Mr. le Capitaine Commandant de la Région du Haut-Oubangui à Mobaye, ?.?.1904 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904, 4[3]D.11); Correspondance du Chef de Zone du Rubi au Gouverneur général. Lettre confidentiel, 31.3.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37).

court where Europeans were not allowed<sup>67</sup>. Semio also traded actively with Muslim merchants from the north. One French inspection report even called him 'the biggest slave trader of all sultans', estimating that he sold about 400 slaves a year<sup>68</sup>. In contrast to Bangasso, Rafai and Djabir, who traded mainly with merchants from the Wadaï region, Semio also maintained commercial relations with merchants from the Sudan. After the Madhi empire fell, the caravanserai system was restored to its original state and was used by caravans from Sudan to reach the M'Bomu basin<sup>69</sup>.

A lot of information about the illegal trade between the most important CFS sultans, the SdS and Muslim traders survives because at one point the French and the Free State monitored these commercial operations closely. However, Leopold's sultans did not only trade with the SdS and Muslim

merchants. The NAHV also traded illicitly with the CFS sultans until the company was finally forced to leave the SdS concession in 1902. Operating under the name *La Brazzaville*, this company established trading posts in Ouango, Bangasso, Rafai and Semio and traded with French and Free State sultans. *La Brazzaville* for example traded directly with Semio and sent representatives to sultan Sasa<sup>70</sup>. Just like the SdS, *La Brazzaville* imported firearms and ammunition via the Congo and Ubangi rivers and traded them for ivory and rubber<sup>71</sup>. Greek and Portuguese merchants also traded illegally with the M'Bomu sultans<sup>72</sup>. Presumably these Greek merchants came from southern Sudan where they played an important commercial role<sup>73</sup>. CFS sultans also traded illicitly with French sultans across the river<sup>74</sup>. Lastly, European traders such as Otto, Ticier and Weissenthaner created trading posts on the islands of the M'Bomu river by the end of the Free State's existence. From these operational

67. Lettre confidentielle de l'Adjoint supérieur-Commissaire de District (A.I.) au Gouverneur général à Boma, 4.5.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). 68. Correspondance du Capitaine Mahieu de l'Infanterie coloniale, Commandant de la Région du Haut-Oubangui à monsieur le Lieutenant Gouverneur. Rapport sur une tournée d'inspection faite en janvier-février 1904, 29.1.1904 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904, 4[3]D.11). 69. Correspondance du Capitaine Mahieu de l'Infanterie coloniale, Commandant de la Région du Haut-Oubangui à monsieur le Lieutenant Gouverneur. Rapport sur une tournée d'inspection faite en janvier-février 1904, 29.1.1904 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1904, 4[3]D.11). 70. Rapport du mois de septembre à Monsieur l'Administrateur Commandant du Haut Oubangui à Mobaye, 30.1.1901 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1900-1901, 4[3]D.8). 71. CATHERINE COQUERY-VIDROVITCH, *Le Congo au temps des grandes compagnies concessionnaires 1898-1930*, Paris, 2001, p. 244. 72. PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963. 73. Report on the finances, administration and condition of the Sudan (Cairo), 1907 (Durham University Library, Special Collections, *Sudan Archive*, Reports on the finances, administration and condition of the Sudan, 1904-1952). 74. PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963.



Sultan Sasa [Source : *Rapport sur la fondation d'un poste dans la région du Bomu et sur un voyage dans les territoires des chefs Effulu, Sasa et Mopoie*, 21.12.1908. (AA, *Affaires Indigènes du Congo*, 1371)]

bases they traded with both sides of the river, escaping all French and Leopoldian customs procedures<sup>75</sup>.

The M'Bomu sultans played a pivotal role in smuggling networks because they centralized much of the ivory, slaves and rubber

production and controlled the arms distribution in their territories. Nevertheless, their role should not be exaggerated. Contrary to the belief of the first colonial agents, these sultans were not in complete control of their vassal systems. Subordinate chiefs and regular subjects were able to sell part of the produce they had to pay to the sultans as tribute. Some of Sasa's vassals paid some of their ivory and rubber as tribute and sold the remainder to traders operating from the French side<sup>76</sup>. Likewise the subordinate chiefs and regular subjects of Djabir and Enguetra sold a proportion of their slaves and ivory directly to the representatives of Muslim traders from the north<sup>77</sup>. Semio also allowed his vassals to sell their produce directly to the Europeans<sup>78</sup>. His sons and vassals on the CFS side of the border also seemed to have been trading with the SdS on their own account<sup>79</sup>.

#### IV. Dealing with contraband in the M'Bomu basin : ignorance, tolerance and failed measures

The previous section showed that the Free State and its agents were involved in contraband in a variety of ways. The relationship between the colonial state and smugglers has proved to be more complex than how it was represented by Vos, Vangroenweghe and Vellut. Customs

75. *Affaire Otto-Ticier de la Société du Commerce Libre*, 1908 (AA. *Justice/État Civil*, 52A).

76. PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963, p. 33. 77. Correspondance de l'Adjoint supérieur-Commissaire du District de l'Uele au Gouverneur général, 4.5.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37); Correspondance du Chef de Zone du Rubi au Gouverneur général, 31.3.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). 78. M.A. BONNEL DE MÉZIÈRES, *Rapport de M. A. Bonnel de Mézières, chargé de mission, sur le Haut-Oubanghi, le M'Bomou et le Bahr-el-Ghazal*, Paris, 1901, p. 103-104. 79. Courrier reçu d'Afrique par vapeur Léopoldville, le 17 octobre 1904. Lettres du Département de l'intérieur. Lettre 1344. Uere-Bili, 9.1904 (AEB. *Archives Edmond Van Eetvelde*, Correspondance du gouvernement central siégeant à Bruxelles, 1896, T035.67).

and contraband in the Free State cannot be fully understood in terms of a colonial state trying to stop traffickers, as colonial agents participated in smuggling too. In this third section, I examine to what extent the Free State was aware of contraband in the M'Bomu basin and how the administration dealt with the issue. As mentioned in the introduction, the general literature on smuggling suggests that states were largely unaware of the majority of trafficking that took place across their borders and were more likely to tolerate smuggling than to combat it. I aim to find out if this was the case in the Free State as well.

First of all, it is worth repeating the discussion in the second section of this article, namely that the Free State was aware of some of the trafficking activities of its European officials. Contrary to the claims of Karras, the colonial state did not only tolerate trafficking but even established a system of rule and exploitation that allowed and encouraged its officials to engage in illicit commerce so as to extract more revenue. Local officials were sometimes even given direct orders to smuggle or engage in shady commercial operations.

Given the limited amount of sources available to study colonial attitudes towards contraband in the M'Bomu borderland, it is hard to establish to what extent the Free State knew about trafficking. As previously noted, there are for example no records about European officials or African soldiers engaging in smuggling on their own account and to the detriment of the Free State. This suggests that these types of contraband did not exist in the eyes of the government. The poor condition of

the Free State archives in Brussels, however, makes it difficult to base claims on what cannot be found in the archives. Documents about European officials and African soldiers involved in trafficking on their own account might exist somewhere among the countless uncatalogued records of the Belgian Ministry of Foreign Affairs. The same can be said for documents dealing with smuggling networks that did not involve the most important CFS sultans, for which we do not have any information either.

In this section it will be shown that the available records suggest that, at first, the CFS understood very little about contraband in its northern borderlands. Gradually, Leopold's administration started to understand how the smuggling networks involving its sultans operated. Nevertheless, the Free State waited a long time before finally taking action to deal with this type of contraband. Even when some attempts were finally made to curb the sultans' illicit trade, the Free State continued to tolerate most of their smuggling.

During the early years of colonialism in the M'Bomu basin, the local administration had other things on its mind than trafficking. As has been noted, most records from that period only testify about the illicit activities of the Free State and its European agents that benefited colonial interests. The first CFS document to treat trafficking as actually harmful to the Free State, is a monthly report that was sent to the central administration in 1900<sup>80</sup>. Until then smuggling did not seem to have existed in the eyes of Leopold's administration. As the previous section of this article

80. Rapport politique de la zone Rubi-Uele, ...9.1900 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37).

demonstrated, however, the CFS sultans had never stopped trading with merchants from the north and had been engaged in illicit trafficking ever since the Free State and the French established a border and imposed their rule.

The situation in the vicinity of the Yakoma post was completely different. Here, Leopold's agents were well aware of the trafficking issue and took very strong measures to try to prevent ivory and rubber from being smuggled out of the colonial territory. By stationing guards in each marketplace, the state tried to stop local people on the right and left bank of the M'Bomu-Uele confluence from trading. These soldiers shot anyone trying to cross the water<sup>81</sup>. A local French official described the 'customs procedure' as follows: "Yesterday evening a canoe with Bongos, loaded with ivory, wanted to cross the river to go to the French post. They were stopped by the soldiers of the [*sic*. Congo Free] state and brought to the Belgian post. But they have been drowned. Their bodies

have been dragged out of the river by the people of Nikessé this morning"<sup>82</sup>.

The CFS also tried to cut off land routes to the French enclave and harassed all traders that tried to go there to sell tusks<sup>83</sup>. A number of outposts in N'Zakarra territory were to prevent Bangasso's vassals from selling ivory to the trading companies in Abiras<sup>84</sup>. Despite considerable effort, however, attempts to block trafficking were ineffective. European companies stationed in Abiras could count on a continuous and abundant supply of ivory<sup>85</sup>. The people on the left and right bank of the river also continued to do business, moving large batches of ivory from the CFS to the French sphere of influence<sup>86</sup>.

The situation in the Yakoma region was exceptional because it was the area where the forces of the French and the Free State collided. Amidst a heated border conflict, the CFS did all it could to thwart attempts to establish French rule in the

**81.** Premier rapport au Commissaire général, 1892 (ANOM, Archives privées, *Archives Liotard*. APC.18). **82.** Translated from : Deuxième cahier. Du 2.3.1892 au 31.7.1892, 15.5.1892 (ANOM, Archives privées, *Archives Liotard*. APC.18). **83.** Correspondance du Chef de Poste en mission à Monsieur l'Administrateur Principal de Brazzaville et dépendances. Information sur le poste de Yakoma, 6.11.1891 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1889-1891, 4[3]D.1). **84.** Correspondance du Chef de Poste en mission, de Pouymarac, à Monsieur l'Administrateur Principal de Brazzaville et dépendances. Au sujet du commerce d'ivoire des agents de l'État indépendant du Congo dans le Haut-Oubangui, 20.12.1891 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1889-1891, 4[3]D.1). **85.** Correspondance du Chef de la Mission du Haut-Oubangui à Monsieur le Commissaire général du Gouvernement au Congo français, 10.3.1892 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1892, 4[3]D.2). **86.** Correspondance du Chef de la Mission du Haut-Oubangui à Monsieur le Commissaire général du Gouvernement au Congo français, 10.3.1892 (ANOM, *Archives du Gouvernement général de l'Afrique équatoriale française*, Sous-série 4D, Rapports politiques – Oubangui-Chari, 1892, 4[3]D.2); Journal. Tome III. De janvier à mai 1892, 25.1.1892 (ANOM, Archives privées, *Archives Liotard*. APC.18).

area<sup>87</sup>. Efforts to curb trafficking between the Free State and French territories should be interpreted with this in mind. In addition, an unusually large force was stationed in the Yakoma area because of the border conflict<sup>88</sup>. The Free State therefore had more manpower than usual to commit to border control. Our sources might also be biased in this regard. The administration in Brussels took a special interest in the Yakoma region because of the border conflict, hence its archives and the personal archives of Leopold's top administrators contain a lot of information on the area. This bias in the sources might possibly give the wrong impression about how exceptional the situation in Yakoma was: the Yakoma case might simply be better documented.

During the early 1900s, Leopold's administration gradually started to realize the scale of illicit commerce in the M'Bomu borderland and to understand how traffickers operated. It was at this period that the reports cited in the second section of this article were produced. Though awareness of trafficking and the sultans' involvement grew, the administration did little to curtail contraband. 1904 marked some changes in the colonial attitude towards

smuggling in the M'Bomu region. Boma and Brussels now seemed more determined to deal with rampant trafficking. A number of measures, mainly targeting trafficking networks involving sultans, were taken as follows.

Firstly, Brussels decided to construct a new customs post in Gufuru to improve border monitoring<sup>89</sup>. In 1908 a second border post was constructed in Asa. Tellingly, the administration deliberately refrained from establishing this new post too close to the M'Bomu river as this would facilitate illicit trade between its officials and the SdS<sup>90</sup>. Secondly, local administrators were ordered to report about smuggling in their jurisdiction and about the measures they took to counter contraband. Moreover, they were told to be on the lookout for traffickers during inspection rounds<sup>91</sup>. These measures did not though halt smuggling. In 1912, a Belgian report on the general situation of the customs service in the Congo summarized the situation in the M'Bomu basin as follows : insufficient customs activity, rampant smuggling and an exodus of Congolese products to the French territories in the north and British sphere of influence in the east<sup>92</sup>.

**87.** The private records of Victor Liotard are, for example, filled with references to CFS attempts to obstruct the French colonial effort : ANOM, Archives privées, *Archives Liotard*. APC.18. **88.** Correspondance du Secrétaire général Liebrechts au nom du Secrétaire d'État au Gouverneur général Wahis, 25.8.1894 (MRAC, Archives historiques privées, *Papiers Théophile Wahis*, Correspondance du juin 1893 à juillet 1894). **89.** Courrier reçu d'Afrique par vapeur Léopoldville, le 17 octobre 1904. Lettres du Département des Affaires Étrangères. Lettre 858, Trafic d'armes perfectionnées dans l'Uele, 27.6.1904 (AEB. *Archives Edmond Van Eetvelde*, Correspondance du gouvernement central siégeant à Bruxelles, 1896, T035.67). **90.** Correspondance de Tombeur, Commissaire général et Commissaire du District de l'Uele, au Gouverneur général, 21.12.1908 (AA, *Affaires Indigènes du Congo*, 1371). **91.** Correspondance de l'Inspecteur d'État, Warnant à l'Adjoint supérieur, 13.5.1905 (AA. *Affaires étrangères de l'État indépendant du Congo*, Correspondances générales échangées avec la France, 205.37). **92.** Rapport sur le service des douanes de la colonie. Le Directeur des Finances a.i. Périer, 18.9.1912 (AA, *Classement provisoire*, 543, 20.1-I.B1).



Far more impressive than the above-mentioned measures, were the military campaigns against the sultans involved in contraband. In 1905 the CFS attacked the residences of Djabir and Enguetra. Djabir was pursued until he reached French soil and Enguetra was killed. The sultans were attacked because they traded guns, slaves, ivory and rubber with the French and the 'Arabs'. The military campaign was, however, more than just an operation against smugglers : it was used as an opportunity to pacify the entire region, to bring loyal chiefs to power and to collect the rubber tax<sup>93</sup>.

Nonetheless these anti-contraband campaigns had little effect. Defeating Djabir

and Enguetra did not end smuggling in their sultanates. Djabir's sons and associates continued to operate from the remote parts of the Bili region and sent ivory and slaves to the French side of the border where Djabir had fled<sup>94</sup>. Moreover, the expedition against Djabir and Enguetra contrasted sharply with the attitude of the CFS towards other powerful sultans who were based in the more isolated areas of the M'Bomu borderland and who were also known to be smuggling. Sasa for example was not subdued until 1912. The CFS simply waited until Semio died to take full control of his territory, which happened that same year<sup>95</sup>.



*Sultan Sasa and his army (Source: Rapport sur la fondation d'un poste dans la région du Bomu et sur un voyage dans les territoires des chefs Effulu, Sasa et Mopoie, 21-12-1908. (AA, Affaires Indigènes du Congo, 1371)*

**93.** Carnet de notes, 1892-1906 (MRAC, Archives historiques privées, *Papiers Jules Laplume*, 53.53. Boite 1.1). **94.** Chef de Zone de Bondo au Chef de Zone, 19.1.1911 (MRAC, Archives historiques privées, *Papiers Franz Cornet*, 50.30.202). **95.** PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963.

## V. Explaining the colonial attitude towards contraband in the M'Bomu basin

This final section analyzes why the Free State and its agents engaged in contraband and why ignorance and tolerance largely prevailed over colonial action against trafficking. I examine how far a cost-benefit analysis and the negotiation of colonial rule determined the Free State's position towards smuggling, as suggested by Karras and Klooster. In addition, I argue that colonial policies towards customs and contraband were also determined by another important factor : the Free State's central objective to extract as much revenue as possible from the M'Bomu basin, at the lowest possible cost and regardless of the long-term effects.

A cost-benefit analysis clearly determined Leopoldian customs policies and practice. The central administration was convinced that the borders of the Congo basin could never be controlled effectively<sup>96</sup>. Moreover, the administration believed that the effective control of the M'Bomu and Ubangi borders required such a large investment that the benefits in the form of customs revenue would never outweigh the costs<sup>97</sup>. The cost-benefit argument proposed by Karras partly explains

why the Free State never established a proper customs service in the M'Bomu borderland. The lack of a solid customs system in its turn partly explains why the administration was unaware of most contraband activity and why so few measures were taken to curb trafficking. However, because there were no customs officials, the control of cross-border trade in the M'Bomu region was assigned to the territorial administration<sup>98</sup>. These regular functionaries could have controlled and taxed cross-border trade just as effectively. The cost-benefit argument therefore only provides part of the answer. Furthermore the cost-benefit argument does not fully explain why the Free State and its representatives engaged in contraband.

The main reason why the CFS actively encouraged its agents to smuggle, why so many of its agents were involved in illicit commerce and why its administration had so few tools to monitor, control and tax cross-border trade and to curb smuggling, is because CFS rule in the M'Bomu region was organized to meet one simple purpose : to extract as much revenue as possible, as fast as possible and at the lowest possible cost.

From the outset, the Free State's core objective was to extract as much revenue as possible, as fast as possible<sup>99</sup>. At first this was because the

<sup>96</sup>. This is one of the reasons why the administration, for example, relentlessly tried to bring customs tariffs in line with those of the French in French Congo, see : AA. *Classement provisoire*, Prorogation jusqu'au 2 juillet 1905 du Protocole du 8 avril 1892, 1902, 617.3.

<sup>97</sup>. Correspondance du Camille Janssen au Roi, n.d. (APR, Archives du cabinet du roi Léopold II, *Documents relatifs au développement extérieur de la Belgique*, Correspondance avec Camille Janssen, 1889-1894, 65/4). <sup>98</sup>. Correspondance du Gouverneur général aux Chefs d'Expédition, Commissaires de District, Chefs de Poste et Agents des finances, 24.5.1894 (AA, *Classement provisoire*, Secrétariat d'État EIC Douanes/Commerce dossier droits de sortie et droit d'entrée, 2571). <sup>99</sup>. LEIGH GARDNER, "The Fiscal History of the Belgian Congo in Comparative Perspective", in *Colonial Exploitation and Economic Development. The Belgian Congo and the Netherlands Indies Compared*, 2013, p. 130-53.



newborn state needed all the income it could find to pay for its rapidly increasing expenses. All sorts of fiscal measures were implemented and new ways were found for the direct exploitation of the state domain. At this early stage nothing however worked : the cost of setting up an administration simply exceeded the returns and the CFS was constantly on the verge of bankruptcy during the first decade of its existence<sup>100</sup>. Unlike other African colonies, the Free State could not fall back on the metropolitan exchequer<sup>101</sup>. Instead, Leopold used his personal fortune to cover his colony's increasing deficit<sup>102</sup>. Because Congo was such a strain on the royal treasury, the CFS had to be bailed out by Belgium in 1890 and again in 1895. Loans were granted but Belgium was to take over power if Leopold did not straighten out his colonial finances<sup>103</sup>. Revenue constraints not only pressured the administration to extract as much revenue as possible, as fast as possible. Looming bankruptcy also forced the Free State to rule and exploit the Congo basin at the lowest possible cost<sup>104</sup>.

The international rubber boom, starting in 1896 and lasting till 1913, saved the Free State and its king. Prices skyrocketed and the CFS extracted more revenue

year after year thanks to this crop that grew abundantly in the Congo basin<sup>105</sup>. Extracting as much wealth as possible, as fast as possible, at the lowest possible cost however continued to be the Free State's credo until the Belgians took over control in 1908. From 1896 to 1908, most wealth was siphoned off to Belgium in order to rebuild the King's personal fortune and to finance his megalomaniac architectural projects; robbing the colony and its administration of desperately needed investment<sup>106</sup>.

The central colonial objective to extract as much revenue as possible, as fast as possible and at the lowest possible cost largely explains why the Free State dealt with contraband in the way it did in the M'Bomu basin. Limited funds permitted only a small colonial presence<sup>107</sup>. Large parts of the M'Bomu region were for example never effectively occupied by the Free State<sup>108</sup>. This limited colonial presence partly explains why the CFS did not establish a solid customs system in the area and waited so long to construct the first border posts. A customs bureau required the proximity of other posts to provide protection and supplies. For a long time the M'Bomu basin had an insufficient number

**100.** JEAN STENGERS & JAN VANSINA, "King Leopold's Congo 1886-1908", in *The Cambridge History of Africa*, 1985, p. 315-358. **101.** CRAWFORD YOUNG, *The African Colonial State in Comparative Perspective*. London, 1994. **102.** JEAN STENGERS, "The Congo Free State and the Belgian Congo before 1914", in *Colonialism in Africa 1870-1960. Volume 1 : The History and Politics of Colonialism 1870-1914*, 1969, p. 261-292. **103.** JEAN STENGERS, *Combien le Congo a-t-il coûté à la Belgique*, Bruxelles, 1957. **104.** ALDWIN ROES, "Towards a History of Mass Violence in the État Indépendant du Congo, 1885-1908", in *South African Historical Journal*, no. 62, 2010 (4), p. 634-670. **105.** FRANS BUELENS, *Congo 1885-1960. Een financieel-economische geschiedenis*, Berchem, 2007. **106.** JEAN STENGERS, *Congo, Mythes et réalités*, Bruxelles, 2005. **107.** ALDWIN ROES, "Towards a History of Mass Violence in the État Indépendant du Congo, 1885-1908", in *South African Historical Journal*, no. 62, 2010 (4), p. 634-670. **108.** PIERRE SALMON, *La reconnaissance Graziani chez les sultans du nord de l'Uele (1908)*, Bruxelles, 1963.

of regular posts to support a customs post<sup>109</sup>. Limited funds also explain why the local administrators did little to counter trafficking despite their orders. The few European agents stationed along the Congolese borders simply had too many other things on their mind<sup>110</sup>. They also lacked the manpower to patrol the region effectively<sup>111</sup>. Lastly, the under-resourced administration had little ability to hold its agents to account<sup>112</sup>. Consequently, the latter could easily engage in smuggling without being noticed. Moreover, state agents were encouraged to traffic as the Free State established an exploitation system that gave ample incentives and opportunities for bending the rules in order to extract more revenue, as has been clearly shown in the second section of this article.

A lack of sufficient funds for effective governance and exploitation of the region also forced the Free State to outsource the rule and exploitation of the majority of the M'Bomu basin to local African rulers<sup>113</sup>. This brings us to Klooster's argument about the role of negotiation. The colonial

administration – focused on extracting as much revenue as possible, as fast as possible and at the lowest possible cost – lacked sufficient resources to rule and exploit the M'Bomu basin effectively. Therefore, local rulers had to be brought into the fold in order to govern in Leopold's name and to extract a surplus. Because the sultans were both state agent and smuggler – as has been clearly established – the Free State struggled to detect and curb contraband in the M'Bomu borderland. Moreover, the CFS cared little about the activities of its sultans as long as they kept paying tribute<sup>114</sup>. This gave the latter plenty of opportunity to engage in smuggling behind the back of the colonial administration.

## VI. Conclusion

In the past decade scholars have started to study customs and contraband in the Congo Free State, a previously neglected topic. Vos, Vangroenweghe and Vellut mainly focus on smuggling networks and therefore tend to oversimplify the attitude

**109.** Correspondance du Gouverneur général au Secrétaire d'État, 28.11.1908 (AA. *Affaires étrangères du Congo belge*. Instructions données aux autorités territoriales au sujet des stipulations concernant l'exercice du droit de police et du droit de suite, 2962.849).

**110.** Courrier reçu d'Afrique par vapeur Léopoldville, le 29 juillet 1906. Lettres du Département des Finances. Lettre n° 348, Rapport du contrôleur suppléant des impôts Englebert, 29.6.1906 (AEB. *Archive Edmond Van Eetvelde*, Correspondance du gouvernement central siégeant à Bruxelles, 1896, T035.67).

**111.** This is why the Free State could make such an effort to curb smuggling in Yakoma. The Free State had stationed a lot of troops in this area because it wanted to counter French attempts to claim the M'Bomu basin. Therefore Leopold's administration had more people to commit to the attempt to stop traffickers. **112.** ALDWIN ROES, "Towards a History of Mass Violence in the État Indépendant du Congo, 1885-1908", in *South African Historical Journal*, no. 62, 2010 (4), p. 634-670. **113.** ARLETTE THURIAUX-HENNEBERT, *Les Zande dans l'histoire du Bahr el Ghazal et de l'Equatoria*, Bruxelles, 1964. **114.** The Free State had been aware of Djibir's illicit practices for a while. This was never an issue as long as the Sultan paid tribute. However, once Djibir refused to pay tribute he was attacked. See :

Carnet de notes, 1892-1906 (MRAC. Archives historiques privées, *Papiers Jules Laplume*, 53.53. Boite 1.1).

of the colonial state towards trafficking. Their analysis presents smuggling as an issue that the CFS tried, but failed, to curb. This representation contrasts with other historiographical studies on contraband. Scholars such as Karras, Klooster and Tagliacozzo stress that corrupt officials played a crucial role in smuggling networks. According to them, this is one of the main reasons why most illicit trade went unnoticed. The same people that had to curb trafficking were in fact actively involved in smuggling. Karras also argues that states have always been more prone to tolerate trafficking than to combat illegal trade because the establishment of a solid customs system was deemed to be unprofitable and even impossible. Klooster adds that the negotiation of state rule between the central power and local elites also needs to be taken into account when explaining why contraband was often tolerated.

The aim of this article has been to add to the important and innovative work of Vos, Vangroenweghe and Vellut by studying customs and contraband in the M'Bomu basin. Based on the work of Karras, Tagliacozzo and Klooster, I aimed to find out three things : to what extent colonial agents were involved in smuggling; how far Leopold's administration was aware of trafficking in the M'Bomu basin; and to what extent the Free State tolerated contraband? In addition this contribution has tried to determine why the Free State dealt with contraband as it did, exploring to what extent a cost-benefit analysis by Leopold's administration and the negotiation of colonial rule with local elites determined the Free State's position towards contraband.

The first part of this article briefly elaborated on how ill-defined the M'Bomu border was in practice. It is important to keep in mind that before 1894 the M'Bomu region was a disputed borderland that officially belonged to the French. In 1894, the M'Bomu river became the border between the Free State and the French territories. In practice, this new border still remained somewhat fluid as sultans were allowed to rule territories on both sides. Because the M'Bomu border was always unclear to some extent and because customs and contraband are by definition cross-border activities, one could argue that it is not always possible to talk about customs and contraband in the way this article does.

The second part of this article has analyzed to what extent the Free State and its agents were involved in trafficking. It has been demonstrated that the sultans who ruled and exploited the majority of the M'Bomu region in Leopold's name were at the same time key figures in regional smuggling networks. We have little information about the contraband activities of the African soldiers of the *Force publique*, though they presumably smuggled too. Leopold's European agents were engaged in all sorts of illegal trade in the M'Bomu basin. The system of rule and exploitation that was set up in the M'Bomu region allowed and even encouraged local functionaries to traffic. However, it is impossible to determine whether they did so solely to extract more revenue for the colonial treasury or for their own benefit as well.

The third part of this article dealt with the colonial attitude towards contraband in the



*Sultan Djabir with sword in 1894. Despite being formally integrated in the Force Publique and the colonial administration, this sultan continued to do business with smugglers and slave traders. (Photo Royal Museum for Central Africa AP.O.O.187, L.Michel, 1894)*

M'Bomu basin. During the early colonial years in the region, Leopold's administration was unaware of the contraband issue. Smuggling in the Yakoma area and trafficking by European agents for the benefit of the colonial treasury was the exception. Gradually, the Free State started to understand how the smuggling networks involving its sultans operated. In the last years of its existence, the CFS took some futile measures to curb illicit trade. Nevertheless, the colonial state for the most part continued to tolerate smuggling.

In line with the cost-benefit argument of Karras, the last part of this article argues that the Free State knew little about contraband and undertook few actions to curb smuggling because it never established a solid customs system in the region to monitor and tax cross-border trade. The administration in Brussels thought effective border control would be unprofitable and even impossible. For a true understanding of the colonial attitude towards smuggling, however, we also need to consider the Free State's core objective, which was to extract as much revenue as possible, as fast as possible and at the lowest possible cost. This objective explains why the Free State set up a system of rule and exploitation that allowed and even encouraged smuggling. Local administrators could basically do whatever they wanted as long as sufficient revenue was extracted for the benefit of the colonial treasury. In the M'Bomu region the central objective of exploiting the Congo at the lowest possible cost took shape in the

form of a minimal administrative structure. This weak colonial presence partly explains why no customs system was set up and why local officials took very little action to curb trafficking – if they even knew about contraband. Trafficking was also hard to detect and to curtail because the weak colonial state was forced to align with the local elite. Leopold relied on the local sultans to rule and exploit the M'Bomu basin. These sultans however played an important role in smuggling networks. As Klooster suggests, the negotiation of colonial rule with local elites partly explains the colonial attitude towards contraband.

Adding to the important contributions of Vos, Vellut and Vangroenweghe, this article argues that smuggling was more than a problem that the Free State tried but failed to control. The CFS and its agents were involved in contraband in various ways. Moreover, the colonial administration was often unaware of the trafficking that went on along its borders. In those cases where Leopold's administration was aware of contraband, tolerance was often preferred over measures to curb the illicit trade. The Free State dealt with trafficking the way it did because the administration was convinced that the control of an uncontrollable border would not be cost-effective and because it established a system of rule and exploitation that was focused on extracting as much revenue as possible, as fast as possible and at the lowest possible cost.

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### **Abbreviations**

AA	<i>Archives africaines du département des Affaires étrangères de la Belgique</i>
AEB	<i>Archives de l'État en Belgique</i>
ANOM	<i>Archives nationales d'Outre-Mer</i>
APR	<i>Archives du Palais royal</i>
CFS	Congo Free State
MRAC	<i>Musée royal de l'Afrique centrale</i>
NAHV	<i>Nieuwe Afrikaanse HandelsVennootschap</i>
SdS	<i>Société des Sultanats</i>