



Conflict Research Programme

Competing networks and political order in the Democratic Republic of Congo: a literature review on the logics of public authority and international intervention.

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Executive Summary

Introduction to the Conflict Research Programme

The **overall goal** of the Conflict Research Programme (CRP) is to provide an evidence-based strategic re-orientation of international engagement in places apparently afflicted by the world's most intractable violent conflicts. Its premise is that in these places, the ability of public authorities to provide even the most basic level of governance is subject to the functioning of the 'real politics' of gaining, managing and holding power, which we argue functions as a 'political marketplace'. This approach helps explain the frustrations of state-building and institutionally-focused engagement; it can also inform the design of improved interventions, which reduce the risk and impact of conflict and violence in developing countries, alleviating poverty and insecurity. A key objective of our research, and a key contribution to the 'Better Delivery' agenda within DFID, is to make policies better targeted, more nuanced and rooted in a clear understanding of the social condition that undergirds persistent contemporary conflict.

The locations for research are **Democratic Republic of Congo, Iraq, Somalia, South Sudan** and **Syria**. Our central hypothesis is that governance in these difficult places is dominated by the logic of a **political marketplace**. These political markets are turbulent, violent and integrated into regional and global networks of power and money. We also hypothesise that **moral populism** (most visible in identity politics, persecuting ideologies and violent extremism) is a counterpart to the marketization of politics, and the two flourish in conditions of persistent uncertainty, conflict and trauma. Current policy frameworks and tools can neither capture the everyday realities of politics and governance in these difficult places, nor adjust to the dynamics of contested power relations. External interventions risk being enmeshed in logics of power and may end up inadvertently supporting violence and authoritarianism. At the same time, in all war-torn spaces, there are relatively peaceful zones: what we term '**pockets of civiness**'. These might be territorial (local ceasefires, or inclusive local authorities) social (civil society groups helping the vulnerable or countering sectarian narratives, or customary courts solving disputes fairly) or external (interventions that regulate flows of political finance).

The CRP will generate evidence-based, operationally relevant research that can enable real-time analysis of the dynamics of conflict, contestation, 'civiness' and public authority, enabling better interventions to manage and resolve armed conflict, reduce violence, and create conditions for more accountable and transparent governance. A core component of the CRP is to contribute to a better understanding of "**what works**" in addressing violent conflict across our research sites. We will develop comparative understanding of how different interventions affect violent conflict and the risk of renewed violent conflict, across our research sites. We will also examine the contextual factors that affect the effectiveness of these interventions. Intervention areas selected for comparative research: **Security interventions; civil society and community mediation interventions; resource interventions; and**

interventions designed to strengthen authority and legitimacy, including at the sub-national level. We envisage emerging findings from our political economy analysis of conflict drivers to shape our comparative analysis of specific interventions.

Our research methods include (a) comparative political ethnography (b) refined datasets (c) models of violence and political business (d) socio-political mapping of the structural drivers of conflict and the groups involved in political mobilization and coercion and (e) action research exploring agents of change. We have a unique and robust infrastructure of local researchers and civil society networks across all our sites that will facilitate both fieldwork research and remote research. The CRP team is already closely engaged with key political processes – and regional actors - in the countries concerned, designed to promote peace, humanitarian action, human rights and democracy. This engagement is a key part of our method and will ensure that evidence-based research is effectively communicated to institutions engaged in trying to reduce the risk and impact of violent conflict in our research sites. Our emphasis is upon a mix of research methods and mechanisms for engaging in policy and practice. In line with this flexible approach, we will hold an annual in-country workshop with each DFID country office, and key stakeholders, to work through the implications of our research for them in a practical, flexible and responsive way. This will be supplemented by regular written and face-to-face/virtual communication with country staff.

Introduction

This CRP synthesis paper presents an overview of shifting dominant narratives on the Congo wars and the major findings of a systematic qualitative literature search on conflict and violence in the Democratic Republic of Congo (DRC) in relation to the political economy of public authority. It identifies gaps and limits in the existing literature and engages in current debates on peacebuilding and peacemaking strategies and policies.

The paper shows that there are significant gaps in knowledge about the causes of conflict and violence in DRC and that this hampers the effectiveness of international attempts to support peace and stability. It argues that even though they constitute important contributing factors to the production of violence and conflict, the three logics of public authority (the logics of the political marketplace, moral populism or exclusivist policies, and civiness, or what we call *citoyenneté*) are poorly understood. These logics manifest themselves in and operate through trans-boundary power networks that alternately compete and collaborate with each other over public authority, people, territory and resources.

While fully cognisant that better and more evidence cannot solve any conflict or stop violence, the paper argues that better knowledge and more evidence about the three logics of public authority and power networks operating in DRC can contribute to identifying potential disconnects between policy and reality and can suggest concrete ways to focus and improve international efforts to support peace and stability in DRC.

The underlying argument of this paper is that political order in DRC is best understood as competing networks of access, with power located in individual network connections rather than institutions. In looking at these networks, how they are shaped, compete, and what they produce, we can come to a better understanding of the broader patterns of Congo's highly fragmented politics.

The United Nations and its partners in DRC have largely ignored the prevailing logic of the marketplace, and failed to recognise that one cannot simply build the state locally in isolation of national dynamics, and without understanding how local actors relate to national or even regional dynamics. The objective of this paper, therefore, is to help re-orient policy thinking and scholarship to these connections.

Over the last two decades, scholars and analysts have pointed to a shift in the nature of organised violence, from recognisable armed threats in conflict situations to more fragmented political actors and more diffuse and complex threat environments and modes of violence. Increasingly, conflict environments feature not only state armies but also non-state armed groups, criminal gangs, drug-traffickers, and terrorists, where civilians may be both victim and perpetrator. This greater complexity in the production of violence has hampered efforts to respond to conflict around the world. If the renewed emphasis in many capitals on conflict *prevention*, or the recent critical reviews of United Nations (UN) and African Union (AU) peace operations in 2015-2016, are any indication (High Level Independent Panel on UN Peace Operations, 2015; Advisory Group of Experts in Review of Peacebuilding Architecture, 2015; World Peace Foundation, 2016), there is a growing recognition that our international conflict response toolbox is inadequate in the face of new empirical realities, and that the existing expensive, international interventions intended to stop the violence and build states are not working.

Similar conclusions can be drawn from twenty years of intervention in DRC. One of the issues in this case is the dominance of reductionist narratives trying to explain the complexity of the Congo wars. While ignoring the multiple layers of conflict, these narratives have had both a major impact on research agendas (which tried to provide a corrective to them) and on policy responses (with simple solutions to barely understood yet very complicated challenges). These narratives have shifted considerably over time, yet huge gaps exist in knowledge and variations in what is believed to be happening on the ground. While the First Congo War, beginning in September 1996, was understood by those outside and inside Congo as a revolution, it was, in reality, a regionally built rebellion that put an end to Mobutu's dictatorship. The Second Congo War, which was explained by most accounts as a direct foreign invasion driven by what was assumed to be the economic incentives of warring parties and factions, was also in fact more of a home-grown rebellion than the first war ever was, at least in some parts of the country.

The widely shared conviction that control over natural resources (mostly minerals) was a crucial driver of the second war has largely inspired policy responses. Many of these responses started from the assumption that cutting the links between resources

and armed actors would decrease the level of violence, without empirical evidence to support this. Recently, the main focus has shifted to the recognition that ‘root causes,’ including land access, lack of good governance and poverty, need to be better understood and addressed.¹ Over time, international objectives in DRC also evolved from state-building to stability interventions, thus downgrading ambitions. This shift is in line with a more general trend in international approaches to conflict environments, which increasingly tend to be based on more realistic ambitions.

This paper recognises the perspective that the Congo wars and their aftermath are multi-layered conflicts that combine civil war, inter-state war, and cross-border insurgency phenomena, with no neat dividing line between the external and internal and public and private boundaries, as financial, political, and ideological factors are linked across national, and at times, regional boundaries (Carayannis, 2003). It is our contention that the three logics of public authority: the political marketplace, moral populism, and ‘civicness’, or what in the Congo case we refer to as *citoyenneté*, are important yet overlooked factors that contribute to production of conflict and violence. Crucially, these logics manifest themselves in and operate through what we call *power networks* that alternately compete, collaborate and, occasionally, fight over public authority. The notion of network is important to incorporate in the analysis because it ruptures simplified understandings and framings of collective action often employed in conflict analysis, such as: ethnic groups, local communities, the state, the private sector, armed groups, and religious groups, which tend to obscure more than they clarify.

Hitherto insufficient understandings of: a) the relevant loci of collective action, contestation and competition (power networks), including who is in them; b) the *modus operandi* of these power networks (the three logics of public authority); and, c) the form of these networks (trans-boundary and connecting different levels of interaction and competition) have undermined international policy engagement to end the violence in DRC. Based on an extensive qualitative systematic literature review, the paper aims to provide an analytical framework that helps us to unravel the three logics of public authority and the role of power networks, which include a variety of actors who join forces to gain public authority over people, resources and territory. We argue that understanding the three logics is key to a better understanding of the layers of conflict and violence in DRC.

The Congo wars, and the continuation of violence that followed the Lusaka peace agreement and deployment in 1999 of the UN’s largest peace operation to date, have helped shape current thinking about the nature of armed violence and conflict in the post-Cold War era; and particularly about what international peace and state building strategies can and cannot do. The wars and subsequent humanitarian emergencies in DRC and elsewhere in the Central African region (Rwanda, Burundi, Central African

¹ We do not see the conceptual value of ‘root causes’ as it suggests that there is one, or at most a few overarching and static drivers of conflict. We would instead propose referring to ‘deep’ and ‘proximate’ causes.

Republic) have been a laboratory for two decades of both regional and international interventions—from ‘backyard’ and international peacekeeping operations and peacebuilding missions, to mediation exercises and humanitarian responses. Yet, the violence continues, and threatens the stability of an entire region.

Conflicts in Central Africa and those in other regions should not be seen as isolated from one another. They are linked, not necessarily by drivers of conflict, but also by the standardised and overly technical approaches of the many international and foreign policy bureaucracies whose staff first cut their teeth on the Great Lakes wars of the 1990s, beginning with the Burundian crisis of 1993 and the Rwandan genocide of 1994; and whose learning curves and learned experiences moved across the Horn of Africa, into North Africa and the Middle East. They are also linked by academic and policy research on peacekeeping, peacebuilding, and stabilisation, much of it empirically driven by the chronologies of these wars. The lessons of what works and what has not worked in terms of interventions in the Central African region are thus an important departure point for current thinking of what might work and not work in responding to more recent intractable conflicts, such as those in North Africa and the Middle East.

While challenging dominant narratives on violence and conflict, the Congo wars and the various crises in the region over the last two decades (Rwanda, Burundi, DRC, and CAR) have also prompted a critical reflection of international responses and have inspired the agendas of international agencies, networks, and organisations. Numerous studies, analyses, and reports have been produced on Congo, aimed at understanding the persistence of violence, and at assessing the impact and limits of policy and donor strategies since the signing of inclusive peace accords in 2003 and the subsequent transition. This paper provides a critical reading of these documents and presents the framework of the three logics of public authority to better unravel the complexities of and responses to the Congo wars. It offers an overview of the major elements of dominant narratives on the DRC wars and explains how and why these have shifted over time. Next, it presents the major findings of the qualitative systematic literature search in relation to the three logics we have identified as producing public authority: the political marketplace, exclusivist policies and ‘*citoyenneté*’. The paper also identifies gaps and limits in existing academic literature and policy practice. A subsequent section discusses intervention strategies and policy debates.

Methodology

This paper is based on a qualitative systematic literature review. The search aimed at identifying the existing literature within the social sciences that present empirically grounded analysis on the causes, drivers and outcomes of the DRC wars and on the persistence of violence since the signing of the peace agreement in 2003. We opted for a two-stage approach: a database-driven approach and a snowball search. For this last search, we consulted the Congo database of the University of Ghent's Conflict Research Group (CRG), which includes 800+ articles, books, reports and 'grey' literature selected over the years by the CRG Congo experts.

Four core databases were selected and searched: JSTOR, Web of Science, Google Scholar, and WorldCat. The search was carried out in collaboration with the library staff of the CRG and using Ghent University search engines.

The following inclusion/exclusion criteria guided the search:

- Time: we opted for 1990, the start of a democratisation process in Zaire, and the announcement of violence and conflict precluding the two Congo wars;
- Language: selected studies were limited to French and English;
- Focus on empirical data: we only selected studies presenting or relying on original empirical data. In addition, we not only included studies on Zaire/DRC, but also those referencing its connection to the broader region (Rwanda, Angola, Uganda, Congo-Brazzaville, Central African Republic (CAR), South Sudan, Tanzania and Zambia).
- 'Cutoff' points: we used a cutoff point of the first 100 articles, as we observed that the relevance decreased substantially around this marker.

We selected and tested a number of search strings in order to try to capture the various streams of literature treating conflict and violence in the DRC. Ultimately, we settled on seven broad streams, and duplicated each with Zaire and the Democratic Republic of Congo in order to incorporate the resources written before the country's name was formally changed in 1997 with the overthrow of Mobutu. We used the selected strings, and screened the literature initially on title and abstract, before moving to the full text for selection. We applied these criteria on the following search strings:

- "Democratic Republic of Congo" AND "Conflict" - "Zaire" AND "Conflict"
- "Democratic Republic of Congo" AND Violen*² - "Zaire" AND Violen*

² Violen* was used to allow for the difference variances of the word (violence, violent etc. to be captured). Govern was used for the same purpose to capture related words such as governance, governing and government.

- “Democratic Republic of Congo” AND “Peace” - “Zaire” AND “Peace”
- “Democratic Republic of Congo” AND Govern* - “Zaire” AND Govern*
- “Democratic Republic of Congo” AND “Resource” – “Zaire” AND “Resource”
- “Democratic Republic of Congo” AND “Intervention” – “Zaire” AND “Intervention”
- “Democratic Republic of Congo” AND “Region” – “Zaire” AND “Region”

However, after analysing the 424 selected resources, we noticed a number of limitations to this type of search, especially as it omitted a number of crucial texts which we think have been important in shaping ways of understanding violence and conflict in Congo among academics and policy-makers. We also observed that the works of very few Congolese authors (i.e. Nzongola-Ntalaja, 1998 & 2004; Mokoli, 1997) were discovered during the initial search, with even fewer from authors still based in DRC (Bussy, 2016, Kapyia Kabesa, 2009). Therefore, in the second stage of our qualitative systematic review, the snowball search, we relied on the existing database of the CRG, and broader resources from the bibliographies of our own research. The CRG database was built over the years by various Congo experts and missing data was added by the CRP Congo team during the literature review. The dataset is often used as a tool in our Congo research and new records are added regularly. It brings together relevant literature known to us through our own research and expertise as well as policy papers and reports of relevant think tanks, NGOs (Congolese organisations included) and governmental and inter-governmental organisations. We supplemented our initial data search findings with UN documentation (Security Council Resolutions, Secretary General Reports, Group of Expert Reports and Mapping Studies) and the work of many organisations with a track record of reports on Congo (including International Crisis Group, Human Rights Watch, Institute for Security Studies, Amnesty International, International Alert, the Enough Project, Pole Institute, International Peace Information Service and Global Witness). We observed that there appears to be more grey literature on the Congo wars than there is academic literature.

The search results give a good overview of the major debates within scholarship on Congo. Nevertheless, we observed that popular narratives are also reflected in the specific proportion of these narratives in the selected studies. Fifteen percent of the selected literature included studies on sexual and gender based violence, yet outside of this context there were only a few articles that focused on issues of justice (Vinck, 2009; Klosterboer & Hartmann-Mahmud, 2013; Ndahinda, 2016), and these primarily had an international and transitional justice lens. Additionally, natural resources represent a considerable part of the selected records, covering a wide range of issues including economic incentives of armed groups, livelihoods, and resource governance. Other issues that occupy central stage in the literature are regional interventions and their humanitarian consequences, and more recently, peacekeeping, governance, disarmament, demobilisation and reintegration (DDR) and security sector reform (SSR). Unsurprisingly, most of the literature focuses on dynamics in eastern DRC, indicating that the bulk of the DRC remains uncovered by research and analysis.

Two other gaps in the database results are significant for the purposes of the CRP. Few studies (Garrett, 2013; Matti, 2010; Rights & Accountability in Development, 2004; Raeymaekers, 2014; Vlassenroot et al., 2012) try to connect economic and political actors in local markets, and expand this analysis to the national and international sphere. The UN Group of Expert reports and investigative journalism has been much more successful in this regard. The database search produced even fewer studies (Carayannis, 2003; Gebrewold, 2009) that employ network analysis as a tool to understanding violence in the DRC. Our search revealed no studies that combine network analysis with the study of the political economy of public authority, thus combining economic, sociological and political analysis. This absence speaks to the significance and novelty of the approach that this paper proposes in producing evidence of local marketplaces and their broader linkages.

Dominant and Shifting Narratives

For many observers, the Mobutu regime was considered a major constraint to stability and security in Central Africa. For a long time, it was also seen as a paradigmatic case of kleptocracy and the so-called “politics of the belly”. As will be discussed in the section on the political economy of public authority, most studies on Mobutu’s Zaire focused on the patrimonial nature of the Zairian state and the politics of patronage, predation and kleptocracy (Young, 1965; Young and Turner, 1985), on the role of Zaire in Cold War politics in Central Africa, and also on the gradual informalisation of the economic basis of patronage (MacGaffey and Bazenguissa-Ganga, 2000), which, it was argued, eventually led to a steady political disintegration and total collapse.

Even if the Zairian regime was on the brink of collapse, it was not internal dynamics but the refugee crisis in Zaire caused by the Burundian civil war in 1993 and the Rwandan genocide in 1994 that triggered the final breakdown. When new rounds of mass violence started to spread in the Kivu provinces and the Mobutu regime showed no commitment to dealing with security threats coming from the refugee camps, a regional coalition, led by Rwanda and Uganda but involving several other countries in the region, started a military campaign to put an end to these security threats coming from eastern Zaire. It was the final blow to Mobutu’s regime, which had no effective way of countering this campaign and preventing its march to Kinshasa, bringing the long-time rebel leader Laurent-Désiré Kabila to power. The power shift was originally believed to be further evidence of an African renaissance, with leaders such as Museveni, Afeworki, Zenawi and Kagame expressing a new form of leadership on the African continent. While largely an invasion of regional actors, for many the First Congo War was understood as a war of liberation, for some even echoing a pan-Africanist ideology, part of which dates back to the time when Che Guevara (unsuccessfully) joined Kabila’s rebel forces in eastern Congo in the 1960s. The international community, which was taken by surprise by the effectiveness of this regional coalition, hardly responded to and even tacitly encouraged the Rwanda and Uganda-led military campaign in eastern Zaire (Carayannis, 2014).

The first reports and studies published during or soon after the First Congo War mainly pointed to the interplay between local dynamics of conflict caused by the collapse of Mobutu’s rule and the cross-border effects of different crises in the region. A set of analyses of the First Congo War focused on local conflict dynamics, including identity politics, and on the precarious position of Kinyarwanda speaking communities in the Kivu provinces in particular (Willame, 1997; Reyntjens et al, 1996; Mamdani, 1997). One analysis, which was published soon after the start of the military campaign in September 1996, historicised the crisis and explained the effects of migration and land access mechanisms on local political competition (Reyntjens et al., 1996). At the time this was a very influential account, and it was soon followed by a CODESRIA report written by Mahmood Mamdani. While recognising the regional dimension of the Congo war and the spill-over effects of the Rwandan genocide (including the refugee flow and strategies of the post-genocide state), Mamdani argued that ‘at the root of

the political crisis in Congo is the crisis of the Congolese state'. For him, the crisis in eastern Congo was primarily the result of a crisis of citizenship, which he explained was bifurcated between civic and ethnic citizenship producing different and in some cases exclusive political and economic (land) rights (Mamdani, 1997).

Other analyses emphasised the destabilising effects of a failed democratisation process in Zaire. As a Human Rights Watch report argued, 'the conflict in eastern Zaire came as a culmination of policies of the Zairian government that sought to divert popular protest and challenges to its legitimacy by fanning ethnic and regional tensions' (Human Rights Watch, 1997: 4). Lemarchand presented a regional perspective and pointed to the dynamics of state collapse and the direct links between refugee flows and insurgencies in Central Africa. As he argued, 'diagnoses of the Congo crisis usually centre on two opposing sets of assumptions, neither of which carries the assurance of a cure. One focuses on Rwanda as the perennial spoiler; the other draws attention to a range of problems inherent in the DRC, including the inability of its leaders to lay the foundation of a functioning state' (Lemarchand, 2013: 427). He introduced the notion of 'conflict-generating refugees' and argued that 'political exclusion (...) is the key to conflict identity formation in each state' in Central Africa. As he continues, 'in this kind of ethnically stratified pecking order lies an extraordinary potential for violence'. For Lemarchand, the core of the issue is the regional effects of what he describes as 'ethnic fault-lines', which cut across national boundaries and thus risk to produce spill-over effects of ethnically inspired violence (Lemarchand, 1997). Of the studies that followed, most underscored a direct link between the regional spill-over effects of the Rwandan (and to a lesser extent the Burundian) conflict; the near collapse of the Mobutu regime; and the citizenship crisis affecting the Kinyarwanda speaking communities in the Kivus.

After the start of the Second Congo War in 1998, the dominant narrative gradually shifted to a more direct focus on economic incentives guiding warring factions' ambitions and strategies. The Second Congo War was seen as a direct invasion, aimed at consolidating control over Congo's vast wealth of natural resources. The military fragmentation which soon followed the start of the war, was understood as a direct consequence of a regional power and resource struggle between national armies and their proxy rebel movements, armed groups and business and politico-military elites. One week after the start of the Second Congo war, these competing and economic agendas of warring parties were already recognised in a report published by the International Crisis Group (ICG). This report recognised these clashing agendas and the consequent military fragmentation as the core ingredients for what it feared would result in 'the DRC imploding, producing a large-scale human disaster and a zone of major instability in the heart of Africa' (ICG, 1998).

The growing focus on Congo's war economy following the second war also renewed international attention on the role of private military companies and criminal networks in conflict areas. Concepts including military entrepreneurship (Perrot, 1999; Perrot et al, 2012) and elite networks (UN Panel of Experts, 2002) were introduced to frame both the nature of armed struggle and the aims and strategies of

belligerents and their supporters. It all reinforced the increasing belief that Congo was 'cursed' by its riches, that greed was the main conflict motive, and that armed groups were using revenues from the exploitation and trade of natural resources to finance their war efforts and to enrich themselves (Cuvelier et al, 2014; Laudati, 2013; Nabudere, 2004; Montague, 2002; Samset, 2002, Miho, 2010). The Congo wars also became a key point of reference in the more general and vivid debate on the role of resources in explaining armed groups' behaviour. For some protagonists, the rapacity or greed of armed actors for natural resource revenues was increasingly understood as a key factor in explaining the onset and persistence of armed conflict (Berdal and Malone, 2000; Collier and Hoeffler, 2005).

In the case of the Congo wars, followers of the greed account eventually also saw a direct link between the search for resources and the devastating increase in sexual violence, which became a very persuasive and mobilising narrative, despite its simplicity. As it was suggested, rape became 'a systemic, even rational occurrence in a system that has been built upon violence' (Carpenter, cited in Seay, 2011). It inspired the UN Special Representative for Sexual Violence in Congo in 2010 to describe DRC as the 'rape capital of the world' (Wallstrom, 2010). For some time, this narrative proved so powerful and attracted so much international attention that it dominated the discourse on DRC entirely, and left hardly any space for alternative readings of the Congo wars. At the same time, while mobilising additional funds, it narrowed the focus of humanitarian responses to issues related to sexual violence, which was considered 'as a single-cause, single-type phenomenon (rape caused by conflict), without taking the complex context into consideration' (Douma et al, 2016: VI).

A leading source for the documentation of Congo's war economies became the UN Panel of Experts and UN Group of Experts reports. In 2000, the UN Security Council appointed a panel of experts tasked with analysing the illegal exploitation of natural resources and other forms of wealth of DRC and the links with the continuation of the conflict. In its final report of October 2002 (UN Panel of Experts, 2002), it introduced the notion of elite networks and distinguished three main networks: one controlled by the Kinshasa government and the others by either Uganda or Rwanda. In 2004, the Group of Experts was established, which originally had to monitor the implementation of the sanctions regime in eastern Congo, but since its start also gathered information and analysis on the national, regional and international support networks to armed groups and criminal networks. These reports became key sources of information of the different actors in the networks involved in Congo's war economy and those political, military and business elites who took part in it, yet they stopped short of analysing how these networks operate, shift and adapt. The same reports also entailed a great deal of controversy, not only because of the detailed information about the shady business deals of a number of well-known multinationals, but also because of the empirical evidence supporting the personal involvement of several prominent politicians and heads of state from neighbouring countries in the control over Congo's resources (Cuvelier et al, 2014).

A key role in the further reduction of armed conflict to a quest for natural resources was played by a number of advocacy groups, including Global Witness, Human Rights Watch, Amnesty International and later on also the Enough Project and the Eastern Congo Initiative. Reports tried to document the incentives of armed factions, as well as to point at the direct consequences of the struggle for resources. Detailed accounts were published about the coltan and cassiterite commodity chains, the involvement of armed groups and the devastating consequences of protracted violence. At the same time, these advocacy groups expressed their worries and indignation about the failure of the international community to prevent key players in the Congolese conflict from continuing to finance their war efforts through the illegal sale of minerals and timber on the international market. This dominant narrative suggested a straightforward solution: it was increasingly argued that the easiest and most effective way to end the conflict was to prevent armed groups from making money through the sale of minerals from the areas under their control. It proved to be a powerful and convincing narrative in policy circles, with a plethora of initiatives being developed to reduce the role of natural resources in fuelling violence in eastern DRC, and thus the potential for further conflict. As one observer put it, 'the number of supply chain monitoring initiatives alone [...] has become almost as dizzying as the list of armed groups involved in the conflict' (Kinniburgh, 2014). The focus on resources has gradually been accompanied by international coverage paying attention to mass numbers of rape victims and mass rape by armed groups.

These popular narratives, in the end, have produced a very narrow and reductionist perspective on conflict and violence in DRC. '[T]hree narratives have dominated the discourse on the Congo and oriented the intervention strategies. These narratives focus on a primary cause of violence, the illegal exploitation of natural resources; a main consequence, sexual abuse against women and girls; and a central solution, reconstructing state authority' (Autesserre, 2012). As she states, these narratives have overlooked 'the myriad other causes, such as land conflict, poverty, corruption, local political and social antagonisms, and hostile relationships between state officials, including security forces, and the general population'. This reductionist narrative occurred despite the existence of a rich academic literature on the multi-layered causes and consequences of violence and conflict in DRC.

Some of the rich academic literature on the multi-layered causes and consequences of violence and conflict in DRC provides more fine-grained evidence on the nature and strategies of power networks controlling (parts) of the commodity chains of key minerals. Other studies have focused on the larger political economy of the Congo wars. In academia, some controversy exists on the assumed links between natural resources and conflict, with some studies affirming that the motivation and feasibility of resource exploitation largely explain why external military contingents have remained active in the country since August 1998 (Samset, 2002, Miho, 2010). Other studies point to the flaws in this 'greed account' and argue that the exploitation and trading of natural resources is an outcome, rather than a cause, of conflict (Perks, 2010). Empirical data also reveals that a wide spectrum of resource extraction scenarios has been functioning with varying degrees of influence on conflict dynamics

in eastern DRC (Perks, 2010). Not all of these scenarios involve armed actors; nor do they all engender violence.

Over the years, natural resources have also been considered an opportunity for development rather than a cause of conflict (Garrett, 2013). At the same time, the resource narrative has been corrected with a particular attention to how governance conditions extraction sites and the direct links between resources, patronage and power (Garrett et al., 2009; Cuvelier et al. 2013; Geenen, 2012; Geenen, 2013). As will be discussed in greater detail below, academic attention also gradually expanded to the larger governance context, informing and being informed by a context of protracted conflict. Moving away from a direct focus on the links between resources and conflict, some authors argue that conflict shapes existing institutional contexts, as it creates new opportunities for (transborder) power networks to gain access to resources yet also to modify and exploit regulatory frameworks (Raeymaekers, 2009; Raeymakers et al, 2009; Titeca, 2011). This literature starts from a focus on processes, dynamics and outcomes of daily governance, and points to the increasingly hybrid nature of governance that not only contributes to violence and conflict, but at the same time can have a stabilising effect.

As a consequence of the 'M23 crisis', during which a Tutsi-led group in November 2012 succeeded in taking control of the strategic eastern city of Goma, causing a major blow to both the Kinshasa government and the peacebuilding efforts of the international community, the dominant policy narrative shifted to what was described as the 'root causes' of the crisis. Scholars and policymakers alike recognised that the protracted character of the Congo crisis was due to regional dynamics and a governance crisis at the national level, together with a number of unaddressed local issues with land access cited as one of the dominant local sources of conflict. A coalition of international NGOs expressed to the UN Secretary General their concern over the mandate of MONUSCO, the UN peacekeeping mission in DRC, which neglected alternative routes of conflict resolution including 'local level dialogue to address the local issues of conflict and community grievances' (IRIN, 2013). The M23 crisis provoked the international community to revise its approach and recognise the multiple layers of conflict, resulting in a Peace, Security and Cooperation Framework agreement for the DRC and the region signed in February 2013 in Addis Ababa by the major international and regional actors. Academic scholarship, however, pointed to the limits of internationally supported conflict resolution strategies in DRC and connected this to the larger debate in academic literature on the 'local turn' in peacebuilding (Leonardsson and Rudd, 2015), which had also become dominant in other conflict-affected regions, including Afghanistan.

According to Autesserre, the neglect of local causes and dynamics of conflict helps explain why violence continues in DRC. Local violence, she argues, 'was motivated not only by top-down causes, regional or national, but also by bottom-up tensions. Local agendas have held tremendous influence throughout modern Congolese history, and they have often been intertwined with macro-level dimensions' (Autesserre, 2010:38).

As a consequence, she states that only by shifting the focus to 'local actors' can peace and prosperity be brought to DRC. This narrative, which indeed came to be

widespread with international organisations, has offered an attractive alternative to policy actors, yet it tends to ignore the contested, dynamic, and interconnected nature of the 'local' and the multiple ways in which local, national and regional dynamics are interwoven (Stearns et al, 2017). At the same time, this argument ignores the extreme variety and messiness of local issues at stake. One example is land disputes, which are deeply connected to national politics and embedded in a complex interaction between land laws, patronage politics, the failure of justice mechanisms and socio-economic interdependencies (Ansoms et al, 2014; Huggins and Clover, 2005). As can be observed in other conflict areas, rather than providing an alternative way of thinking and new opportunities for intervention, the raising of awareness of 'the local' thus risks reducing both the reading of and responses to conflict and violence.

The Political Economy of Public Authority in DRC

We start our analysis from an understanding of public authority as an ‘instance of power which seeks at least a minimum of voluntary compliance and thus is legitimated in some way’ (Lund, 2006). As Hoffmann and Kirk have argued, ‘public authority must be consistently practiced or performed by those claiming it’ (Hoffmann and Kirk, 2013). As a consequence, we see public authority as contextually contingent and as always in production, and as entailing a high level of competition and contestation, particularly in conflict settings.

There is little Congo-specific literature on the *political economy* of public authority as conceptualised by the CRP. This is partly the result of the fact that the academic debate only recently began to focus on public authority, both as a corrective to the ‘failed states literature’ and the normative and technical assumptions supporting it, and as an outcome of the hybrid governance debate that emerged from it (Meagher et al., 2014). However, when looking into the rich literature on the nature and functioning of the Zairian state, a number of contributions can be identified that help us to understand how power was shaped and already largely contested and fragmented before the start of the First Congo War (Reno, 1998; Schatzberg, 1981; Callaghy, 1984; Young and Turner, 1985). In the 1980s, Callaghy argued that ‘the central state apparatus attempted to cope with the uncertainty produced by a complex and shifting rural periphery’, in which there were ‘traditional, quasi-traditional, and transitional local authorities and groups to deal with, all in the context of intricate patterns of local factionalism produced by the ‘interplay of identity and utility’ and the patron-client and brokerage networks that frequently link the local area with higher levels’ (Callaghy, 1984: 62).

Mobutu’s political regime has been framed as a paradigmatic case of kleptocracy and patrimonial rule. It was built around the trade of rents for political loyalty, thus transforming economic assets into a stock of political resources, with a patronage network as a redistribution structure. As Tull argues, ‘the political perseverance of the Mobutu system of rule found its basis in the intricate networks of redistribution, linking the highest echelons of state hierarchy vertically with local power holders. (...) These networks were usually underfed by offering opportunities and means to access resources, rather than resources as such’ (Tull, 2005: 277). The provision of stability to a ruling class, combined with a constant process of elite recycling and foreign support, prevented the development of a counter-force and undergirded regime stability. Yet, Mobutu’s patrimonialism also paved the way to officially ‘sanctioned’ private accumulation, which, in turn, paved the way for the gradual fragmentation of central public authority and emergence of decentralised networks centred around key resources including diamonds, gold and transborder trade (Reno, 1999). State institutions were forced to constantly negotiate and compete with alternative instances of authority and economic production to safeguard their interests and control. ‘While the state depended upon those wielding power in ‘informal’ networks

of social and economic control, the same networks depended on the state to consolidate their own mechanisms of control and distribution' (Vlassenroot and Raeymaekers, 2008).

This body of literature analysing public authority and state fragmentation under Mobutu has shown that even though the Congolese state has often been framed as a 'failed state', there is no shortage of authorities, regulation and governance. In fact, a plethora of state and non-state actors, which are seen as at least partially legitimate by Congolese populations, are engaged in exercising public authority and delivering social services (Trefon, 2009; Vlassenroot and Raeymaekers, 2008; Tull, 2005; Seay, 2009). This literature has been a source of inspiration, both empirically and analytically, to the study of current governance conditions and the shaping of public authority. Scholars have recently studied the actual governance practices of a wide variety of different state and non-state actors and organisations (Cuvelier and Bashwira, 2016; de Herdt and Titeca, 2010; Hoffmann and Vlassenroot, 2014; Hoffmann et al., 2016; Mudinga and Ansoms, 2015; Schouten, 2016; Titeca, 2009; Titeca and de Herdt, 2011; Titeca et al., 2013; Vlassenroot et al., 2016). These actors include faith-based civil society organisations (Seay, 2009, 2013); business networks (Raeymaekers, 2010; 2014); the education sector (de Herdt and Titeca, 2016); armed groups (Titeca, 2010; Hoffmann and Vlassenroot, 2014; Hoffmann et al., 2016; Tull, 2005); the Congolese army (Verweijen, 2013); churches (Titeca et al., 2013); the public administration (de Herdt, 2011; Englebert, 2012; Englebert and Tull, 2013; Trefon, 2009; 2010; Mughendi and Namegabe, 2015); the justice sector (Rubbers and Gallez, 2012; Gallez and Rubbers, 2015); urban-based 'big-men' (Büscher, 2012) and urban land governance (Wagemagers, 2014; Van Overbeek, 2014a, b; Nyenyezi and Ansoms, 2014, UCBC, 2017). At the same time, research on public authority shows that it is subject to high levels of contestation, competition and conflict. Rather than a collapse or absence of public authority, there is thus a high level of fragmentation of public authority and sovereignty. The fragmentation of sovereignty has been particularly pronounced in the eastern regions of the country, where shifting militarised power networks compete, often linked to or embedded in ethnic communities that are struggling over power, territory and resources (Nest et al., 2006; Roessler and Verhoeven, 2016; Samset, 2002; Singo, 2015; Vlassenroot and Raeymaekers, 2004).

While research in Congo has clearly shown that an absence of central state authority does not imply disorder and illegitimate governance, it also reveals that the current situation of fragmented public authority and sovereignty is generative of high levels of conflict, insecurity, instability and uncertainty. Those networks that assume the mantle of public authority in Congo are highly flexible, fluid and unstable due to the ever-changing patterns of strategic alliances and loyalties (e.g. Büscher, 2012). In general, it can be observed that Congo's fragmented public authority and sovereignty encompasses multiple centres of power and power networks that maintain variegated ties to the political centre. Due to continuous competition and realignments, the relations between the political centre and local centres of power, as well as those within the latter category, are relatively fluid and shifting constantly (Vlassenroot and

Raeymaekers, 2008). In addition, different networks try both to operate from within the state as well as to keep parallel mechanisms of access and control in place.

Unpredictability generates a context of insecurity and vulnerability that affects everyone in the Congolese polity. Congolese ‘big men’ live in perpetual fear of losing the wealth and status they have accumulated and ultimately their security in the ubiquitous power struggles they participate in. At the same time, many ordinary Congolese live in fear of losing their scarce resources and being disavowed by those controlling access to these resources. Indeed, several publications show that power relations between rulers and ruled in Congo constantly oscillate between protection rackets and more genuine social contracts where there is a minimum of reciprocity through mutual recognition of rights and obligations (e.g. Raeymaekers, 2010; Hoffmann et al., 2016). A crucial lesson from the Congolese case is that public authority is highly fluctuating in areas going through conflict and political turmoil as different power networks move in and out of capacity to rule in accordance with the dynamics of the political struggles. This shows that public authority is a product of specific political processes – in which violence and the threat thereof play a significant role – rather than something that can simply be attributed to the state.

That said, little is known about the logics of public authority and how these logics interact and shape patterns of conflict and violence. With respect to the political marketplace we lack data about the functioning of the power networks that dominate it or compete for access, the transactions within it, competition and alliance formation between networks, how different scales connect, and how strategies are guided by the three logics. We also do not know enough about the connections between the logic of the political marketplace and patterns of conflict and violence. Concerning *citoyenneté*, we lack knowledge about how Congolese leadership rules through *citoyenneté* and the extent to which *citoyenneté* actually reduces violence and conflict. In order to promote peace and justice in DRC, it is paramount that we identify the conditions under which *citoyenneté* emerges, where it succeeds in its goals and what undermines it. The role of moral populism, or exclusivist policies, in conflict dynamics has been studied quite extensively, in particular moral populism based on ethnic identity. However, while it is generally accepted that ethnic-based moral populism plays an important role in politics and conflict – in particular land and other resource conflicts – and that patronage power networks are often closely linked to particular ethnic communities, we lack data about the specific correlations between moral populism, the political marketplace and conflict and violence. Understanding the conditions that facilitate moral populism and transactional politics to lead to violence can help improve peacebuilding and conflict resolution.

The Congolese Political Marketplace

One of the salient features of public authority in Congo is the porousness of the divide between the public and the private domain. There is broad consensus among researchers that public authority is largely exercised through patronage or power networks that transcend conventional dichotomies of public/private, state/society,

formal/informal and modern/traditional. Patron-client ties often revolve around the exchange of loyalty and resources for 'protection'. They are grounded in personal power relations, often described and perceived in familial metaphors. Rather than following administrative boundaries, these capillary networks are spread throughout various sectors of society. Moreover, research clearly shows that these networks transcend conventional scalar divisions and administrative boundaries such as local, national and sub-regional and are connected to global spheres. The 'big men' situated at the summit of these capillary networks continuously compete, struggle and fight for control over people, territory and resources, which push them to enter into unstable alliances with other 'big men' (de Koning, 2012; Titeca et al., 2013). Similar processes are observed at the local level.

During the 32-year reign (1965-1997) of former president Mobutu, he and the shifting members of his inner circle reduced politics to a search for resources. This inner circle tried to institute full control over the self-created political marketplace, or 'a system of governance run on the basis of personal transactions in which political services and allegiances are exchanged for material reward in a competitive manner' (de Waal, 2016: 1). Yet, with the dwindling of income to the political centre (itself the result of economic collapse), the ruling network was increasingly contested by individual members, who tried to reduce their dependence on the political centre through the control of informal and lucrative trading activities.

The fall of the Mobutu regime set in motion a profound change in the functioning of this political marketplace, which increasingly fragmented into relatively autonomous centres of competition. The collapse of the centre made room for the further emergence of local 'big men' and alternative (transborder) power networks. This fragmentation was particularly acute in eastern Congo. Here, from 1996 onwards power was largely exercised through three newly established political-military power networks, some with links to Kinshasa and others to the Rwandan and Ugandan regimes. These power networks struggled bitterly for sovereignty over territory, people and resources (Samset, 2002; Le Billon, 2008). The result was the emergence of a militarised political economy, which was shaped by coercion, the military control of key sites of revenue generation, including production sites, marketplaces, border posts, and infrastructural nodes, forced monopolies, coercive resource extraction, price fixing and plunder and assets stripping (UN Group of Experts, 2002, 2003, 2004).

The peace process that started in 2003 and concluded with presidential and parliamentary elections in 2006 forced these networks to revise their strategies and reconfigured the politico-military order. Mobilising renewed international recognition and winning the elections, the Congolese presidential power network could gradually increase its control and solidify its sovereignty. Although armed groups continued to proliferate in the eastern parts and also started to operate in other parts of the country, these groups did not pose any serious existential threat to the political centre. This can be explained either as a result of the relative loss of regional support or of the capacity of the political centre to co-opt them. The presidential network has been able to control the political marketplace to a much greater extent than was the

case during the Congo wars. Most of the alternative power networks preferred to be co-opted rather than compete with the presidential network, while individual leaderships tried to increase pressure indirectly via the mobilisation of localised armed actors, not to challenge the presidential network but to gain better access to it. In addition, despite the continued fighting in eastern DRC, the east, including its resources, seems to be of marginal importance to the political and economic survival of the president's network.

Nevertheless, even though this network managed to gradually extend its authority over areas previously controlled by semi-autonomous and militarised power networks formed during the Congo wars, its penetration remains highly uneven and contested by local elites and populations. A number of locally embedded parallel power networks—second tier networks—are still capable of challenging the regime, though only at a local level. In eastern Congo these can partly be traced back to the militarised networks that emerged during the Second Congo War (Vlassenroot and Raeymaekers, 2008). A well-known and particularly influential cluster of such second-tier networks grew out of the former rebel movement *Rassemblement congolais pour la démocratie/Kisangani-Mouvement de Libération* (RCD/K-ML, Congolese Rally for Democracy/Kisangani-Liberation Movement), which continued to dominate in the local administration and security agencies (Raeymaekers, 2014). This cluster has been in conflict with the presidential network over important posts in the local administration, which provides strong impetus to current conflict dynamics in the Beni region (Verweijen, 2016b).

Some of the other prominent power networks, which continue to operate with some autonomy, are linked to Banyarwanda elites in North Kivu. One of these networks has a strong military component to it, which regroups officers from the former RCD-Goma rebel groups, part of which were integrated into the army in 2003. By 2011, more than half of the command positions in North and South Kivu were held by officers from this group. These Rwandan-backed elites have regularly been in open conflict with the presidential network and its local allies. This has led to repeated rebellions culminating in the National Congress for the Defence of the People (CNDP) rebellions in 2009 and the M23 rebellion in 2012, both of which were only successfully resisted through a mixture of international diplomatic pressure, regional compromises and military intervention by MONUC/MONUSCO. The Hutu-based network in particular tries to consolidate its local power position relying on different strategies towards the political centre.

One of the results of the way army integration was undertaken and of the different survival strategies of the different networks, is a highly fragmented Congolese army. It was formed after the second war out of different warring factions, yet today consists of a collection of competing and overlapping power networks across the country, which are both subservient to and in conflict with the formal hierarchy. This has in turn created an ambiguous relationship with the *Maison Militaire*, the presidential military office. Within these complex patron-client relations, loyalty, support, and the provision of certain services are exchanged for access to resources and protection

(Eriksson Baaz and Olsson, 2011; Hoffmann et al., 2016; de Vries, 2015; Stearns et al., 2013; Verweijen, 2015, 2016b; Eriksson Baaz and Verweijen, 2013).

Patronage is also one of the crucial ways in which rural militias, including Mai-Mai groups in the east and politico-religious groups like the Bundu Dia Kongo (BDK) and Vuvamu in the west, are able to establish public authority and forge connection to larger power networks. Their power is often based around the exchange of loyalty and resources for 'protection'. In conflict-affected zones, these groups may, for example, protect the property of economic operators by escorting their convoys. In other cases, they protect illegal business activities by persuading or pressurising state agents not to interfere. Rural armed groups also frequently provide support to their clients when these have a dispute, intimidating or even punishing the opposing camp (Vlassenroot et al., 2016). Yet, in order to be able to grant such advantages, militia leaders are constantly in search of influential protectors themselves. In particular, they need a *parapluie* (umbrella), or protection from high-ranking politicians and officials, who can use their clout to apply pressure on local political actors – a widespread technique of government known as *traffiq d'influence* (influence peddling). A prominent example is Mai-Mai leader Bede Rusagara, who used to operate in the Ruzizi Plain in Uvira territory. By mobilising his *parapluie* in Bukavu and Kinshasa, Bede was able to influence decision-making processes in the local administration. In this way, he helped his clients obtain land plots and jobs, or exonerated them from judicial persecution (Verweijen, 2016a).

Land disputes in the western province of Kongo Central are another illustration of how local and national elites interact to reinforce their position and interests. In the western coastal town of Muanda, Congo's only onshore and offshore oil producing area to date (on the border with Angola), local elites have been engaged in a land-grabbing dispute with rural villagers in Muanda Village. Members of the provincial elite successively mobilised the president's network to ensure that the courts upheld colonial-era documentation giving them the rightful claim to village land, and authorised the arrest of the village chief. Moreover, Chinese business companies looking for land to cultivate and for greater access to commercial fishing have added an international dimension to local influence peddling (Bazonzi and Carayannis, 2017).

The expansion of industrial mining in eastern Congo also provides a good illustration of the trans-scalar nature of power networks in Congo and how they operate. After the formal end of the war in 2003, international mining companies such as Banro, CASA and AngloGold began activities on their concessions in eastern Congo. However, it has been extremely challenging for these companies to navigate the complex environment of eastern Congo where they face difficulties related to insecurity, resistance and discontent from people depending on artisanal mining activities, and competing networks that vie for the revenues and other benefits that accrue to the presence of international companies (Geenen and Claessens, 2013; Geenen, 2014; Geenen and Hönke, 2014; Verweijen, 2017). The dynamics of the power struggles surrounding industrial mining are characterised by complex negotiations, the politics of patronage and co-optation that tend toward relationships of rivalry and alliance

across groups for redistribution of wealth through services, gifts, and performances of collective contestation or celebration.

‘Citoyenneté’

DRC has a long history of community based engagement and mobilisation inspired by an ideology of *citoyenneté*, which we use in this paper as an emic replacement of the overall CRP concept of civiness. This *citoyenneté* is both part of a formal ideology of nation-building and a framework of resistance against it. It is a guiding motive of strategies and actions induced by the regime and a key principle of forms of resistance as well as initiatives to respond to the void left by the state in providing public goods and services. One of the characteristics of Mobutu’s rule was the redefinition and ‘Zairianisation’ of *citoyenneté*, aimed at promoting the development of a Zairian nation, yet recognising its specific features and local realities. It was a term invented to instil a sense of nationalist pride and duty towards the one-party state and Mobutu himself into the Zairian citizenry. A manifestation of *citoyenneté* was *salongo*, which was the mobilisation of the entire population into obligatory civic work. Although in most cases it was met with limited popular enthusiasm and even resistance, it continues to exist until today, even in rebel-controlled areas where rebel leaderships rely on similar strategies to mobilise the population. The Kabila regime has made reference to this *citoyenneté*, and in 2015 launched its ‘*programme d’initiation à la nouvelle citoyenneté*’, which was explained as ‘*un processus d’intériorisation qui peut permettre à des personnes ou groupes de quitter un état de conscience inférieur pour atteindre un état de conscience supérieur. Elle répond à la nécessité de redonner au peuple congolais une identité collective, une conscience politique et des valeurs qui cimentent la quintessence de la nation*’ (Mende, Press Statement, June 2015)³.

The same notion of *citoyenneté*, however, has also motivated non-state actors to engage in the provision of public goods, as well as inspired different forms of resistance. Under Mobutu, the opportunity ‘to get rich quickly’ almost became a new state ideology, and it engendered different forms of reaction. One was the so-called ‘Article 15’, or the necessity to fend for oneself (*l’auto prise en charge de la population*), which was tolerated by the regime in return for non-legitimated and rapacious state predation. This ‘fend-for-yourself’ attitude of Mobutism served as social pact between state and society, as it ‘allowed the former to retire from public life and from its functions, leaving the latter the possibility to act unlawfully’ (Jourdan, 2004: 170). While this attitude could be considered a crucial part of Zairian *citoyenneté*, the end result was a sanctioning of self-interested opportunism in all spheres of life, and a conditioning of the population to the absence of the state. It is also actively propagated by state officials themselves, particularly in how local populations are forced to seek for their own protection out of lack of will or capacity

³ An approximate English translation is, “A process of internalization that can allow individuals or groups to leave a lower state of consciousness in order to attain a higher state of consciousness. It responds to the need to give back to the Congolese people a collective identity, a political conscience and values that cement the essence of the nation.”

of state security services to do so. Conditioning people to accept the state's abrogation of its responsibilities is present in official discourse of administrators and state representatives at all levels of society.

We see a similar co-optation of the *citoyenneté* concept today by pro-democracy youth groups like Lucha and Filimbi. These have re-appropriated the concepts of *Salongo* (community service) and *citoyenneté* and spend weekends cleaning public streets and picking up neighbourhood garbage (public services no longer performed by the state) as acts of resistance. At the same time, it is as 'citizens' that they press the Congolese state to take its responsibility and provide services to Congo's population. These citizen movements 'rebel' via non-violent popular mobilisation in their search for political reform and good governance.

Surprisingly, withering state capacity and political fragmentation did not lead to a complete governance void, but rather it has opened up space for other actors, including traditional chiefs, civil society groups, churches and aid agencies, to assume services previously delivered by the state. Since the 1980s, state sovereignty has been undergoing a gradual process of 'informal privatisation', with non-state actors increasingly competing with the state to fill in its gaps. These new actors gradually made their way into what Lund has described as 'active sites of political negotiation and mediation over the implementation of public goals or the distribution of public authority in which local and regional identities and power relations are reshaped and recast' (Lund 2006: 686). This explains why today education, health and other services are almost entirely outsourced and controlled by a multitude of non-state actors including churches, civil society groups and non-governmental development organisations that started mushrooming at the end of the 1980s. The same civil society actors referred to *citoyenneté* to make their claims for democracy and civil rights. This all said, social services remain a site of resource accumulation, with non-state providers in most cases depending on their capacity to negotiate a settlement with state institutions or representatives in return for rents.

While there is a body of literature on *citoyenneté* as a part of Mobutist ideology, there is little research on *citoyenneté* in more recent years despite the fact that it remains a key feature of public authority in DRC that a plethora of non-state actors and quasi-state actors *de facto* substitute for the state in various spheres of public life and in service delivery. In this sense they perform and invoke a 'language of stateness' (including the right to provide services) in their day-to-day strategies and practices of government (cf. Hansen and Stepputat, 2001; Hoffmann et al., 2016). Today these actors also include armed groups, vigilante groups, local and international NGOs, and various UN agencies and MONUSCO. Alongside these organisations today, there are a variety of state agencies that work more or less autonomously.

The governance practises of these actors and organisations are to some extent regulated by values and norms that recognise the respect and integrity of citizens – although to highly varying degrees. Part of the reason for that is that the morality of patronage practices in Congo includes an ethos of care, solidarity and reciprocity even

among armed groups and the Congolese army, which are often framed as purely predatory actors. Although highly asymmetric, the relationship between patrons and clients in Congo is rarely purely predatory. Instead, it entails elements of reciprocity, for just as clients are expected to offer loyalty, support, favours and gifts to their patrons, so too their patrons are supposed to provide something in return such as job opportunities, different kinds of protection, and material support. Patrons who fail to deliver services do so at their own peril as they risk losing the support of their clients and allies. While the presidential patronage network may on the surface appear to be resilient to the loss of popular support, thus suggesting that 'clients and allies' are not directly correlated to popular support, it is vulnerable to public pressure. It bowed to public pressure to improve the conditions of Congolese expelled from Angola, and the complete lack of support for amending the constitution to allow the president to sit for a third term has repeatedly frustrated the regime's effort to maintain the dominance of its power network, leading it to resort increasingly to the use of force. So, client support matters.

From an ideological standpoint, patronage practices in Congo are grounded in paternal and family values, which are pervasive in the imageries of political authority and order in Congo (Schatzberg, 1988). However, it is crucial to note that patronage is a Janus-faced mode of public authority. On the one hand, patrons are expected to provide for the wellbeing and security of their clients, but on the other hand, the authority of the patron also expresses an unequal status, as the stern patron is authorised to correct and control his/her clients, and to take decisions on their behalf. Along these lines some authors also suggest that there may be correlations between the patriarchal values of patronage, militarised masculinity and sexual violence in Congo (Le Roux, 2014; Meger, 2012). Moreover, it is important to note that the trust and reciprocity that exist in patronage networks are primarily cultivated among individuals and kinship members (Vlassenroot, 2004). In this regard it is indicative that 'customary chiefs' are sometimes referred to as the fathers and protectors of their ethnic communities. However, we do not know nearly enough about when and how patronage produces *citoyenneté* or conversely domination, exploitation and coercion. We also do not know enough about the role of women and women's movements in *citoyenneté*, although Congolese women have been very active in pushing for peace in rural and urban locations. Which women, where, what are their issues, and how do they try and intersect with and influence political decisions within the political marketplace, are important questions. Consequently, it is of crucial importance to study this Janus-faced form of public authority in further detail. Also, some have written that Congolese public institutions often officially subscribe to the deontology of the state in protecting the Congolese citizens and their goods, but that they find it difficult to respect these values due to poor working conditions and lack of resources (Trefon, 2009). But again, more knowledge is needed about when and how *citoyenneté* emerges among state agents and in relation to whom. Is it mainly towards friends, colleagues, relatives and co-ethnics, or does it extend further?

Also, to what extent do non-state actors such as armed groups and development organisations produce *citoyenneté*? Some armed groups, indeed, try to mobilise

popular support through a discourse based on a number of largely shared social values. In some cases, this produces a degree of *citoyenneté* between armed groups and the people they govern. One example is the Kifufua armed group in Walikale, which provides a modicum of public services in return for the taxes they impose on people. However, again, this seems to be connected to the fact that the Kifufua have either familial or other close personal relations with the people in the area they operate (Hoffmann et al., 2016). *Citoyenneté* is integral to the moral grid of local and international NGOs. There is a huge variety of international NGOs in Congo and an almost infinite number of local NGOs. Many of these local NGOs have a specific mandate to work on peace, governance and human rights, while others combine operations in the peace sector with humanitarian and development activities, including resource governance (Martin et al., 2011; Burt et al., 2011).

The emergence of many of these local organisations coincided with the emergence of multi-party politics in DRC and the beginning of the country's democratisation process in the early 1990s, which resulted in an opening of the political space. Today, the operations carried out by local NGOs focus mainly on local conflict management (family feuds and land-related disputes), with the two most commonly cited approaches being building awareness and strengthening capacities for action (Morvan, 2010). Some scholarship analyses the effectiveness of NGO efforts to treat victims of sexual violence (Roka et al., 2014; Rowaan, 2011; Le Roux, 2014), but there is surprisingly little academic research published on how NGOs operate and the effects thereof in Congo (Freedman, 2014, 2016). There are, however, a number of policy reports on NGO impact, which in most cases concentrate on eastern Congo (Morvan, 2010; Romkema, 2001; Gouzou and Van der Schoot, 2006; Romkema and Vlassenroot, 2007; Douma and Hilhorst, 2012).

While some argue that civil society institutions provide superior public goods than state services (Seay 2013), there is a pressing need to study the political economy of public authority and how the three logics are manifested under civil society governance. It should not be assumed from the outset that humanitarian, development or peacebuilding actors necessarily practice *citoyenneté*. They may also be privy to the logics of the political marketplace and moral populism. For instance, some have argued that the international humanitarian presence in North Kivu reinforced competition over Goma's political and socio-economic space (Büscher and Vlassenroot, 2010). Similarly, Hoffmann et al. (2016) argue that attempts to improve security provision in Bunia city by international and local NGOs created further competition in the field of security governance (see also Lischer, 2003). It is thus crucially important to study the extent to which NGOs and other members of civil society actually govern through the logic of *citoyenneté* and when they falter and why they do so. As Seay (2013: 95) points out: 'More research is needed into patronage in health-care delivery systems and the relationships between patronage systems, successful health-care provision and health outcomes.'

Moral Populism

The exclusionary side of moral populism in its various guises has been extensively studied in Congo, particularly in connection with the denial of citizenship rights for 'Banyarwanda' populations, the rise of rural Mai-Mai militias in eastern Congo and conflicts over land, citizenship and authority. When conflict broke out in the early 1990s in eastern Congo, tensions between different power networks with links to local ethnic communities were already simmering over issues related to land, citizenship and positions of authority (Pottier, 2010; Mamdani, 2002). Land grabbing by local and national elites, which started under Mobutu, intensified and had the effect of eroding customary orders and marginalising peasant populations. While many customary chiefs had agreed to sell off ancestral lands to a new class of landowners and were well integrated into local and ethnically based power networks, in selling lands they lost their capacity to distribute it to their 'ethnic' subjects. Chiefs, politicians and other political actors, however, framed the collapse of the customary order as a consequence of the encroachment of foreigners on the 'ancestral lands'. This was a breeding ground for the creation of local defence groups and rural militias, explaining why during the Congo wars, land competition was further militarised, and discourses of autochthony took centre stage in armed groups' strategies (Vlassenroot, 2000).

For Mobutu, ethnicity proved to be a strong instrument to divide the growing opposition, which particularly in the Kivu provinces started to develop in the early 1990s. During the democratisation process, Mobutu introduced the notion of 'géopolitique' according to which national institutions and public positions had to be composed based on ethnic quotas and local positions could only be occupied by those originating from the region. It helped to divide attention of the opposition and to spark ethnic tension in the then Shaba province, Kisangani and the Kivus. Political tribalism also fragilised the power of Kivu's civil society platforms, with rivalries growing between leaderships from different ethnic communities and confirming ethnicity as the main fault-line. Urban-based ethnic *mutuelles*, which originally aimed at promoting ethnic solidarity and culture, became powerful instruments for local strongmen both to mobilise co-ethnics and to control parallel modes of cooperation at the grassroots level.

Nationalism is another form of moral populism which is rife in Congo. Sometimes it takes the form of exclusionary ethno-nationalism. This is the case in the various conflicts opposing so-called 'allochthones' such as the Banyarwanda in North Kivu and the Banyamulenge and Barundi in South Kivu and the so-called 'autochthones' in both provinces. In these conflicts the latter tend to claim that all Kinyarwanda and Kirundi speakers are 'allochthones' and as such have no rights to land and citizenship in Congo (Jackson, 2006). Some authors have measured the strength of nationalist identity through ethnic moral populism (Weiss and Carayannis, 2005). Others have directly correlated ethnic moral populism with violence (Human Rights Watch, 1996, 2003; Willame, 1997; Africa Watch Committee, 1993). Ethnic moral populism has also been associated with sexual violence, as it is often framed as a 'weapon of war' used against individuals and ethnic communities (Duroch et al., 2011; Longombe et al., 2008;

Human Rights Watch, 2009). Yet, research has shown that sexual violence is rarely ethnically motivated (Baaz and Stern, 2010).

Other forms of moral populism also exist in Congo, including religious (Eggers, 2015; Nelson, 1992), traditional, democratic and anti-imperialism/neo-colonialism forms. For instance, in addition to ethnicity and stateness, Mai-Mai groups combine all these themes to justify their claims to public authority and to solicit support from civilians (Hoffmann, 2015). This kind of multi-faceted moral populism is on display with Mai-Mai groups being instituted in reaction to the arrival of international mining companies or being involved with power struggles around mining. One example is the case of Mai-Mai Yakutumba, an armed group operating for several years already in Fizi (South Kivu) and in 2014 also targeting a mining company. The group claimed that a local chief had sold off a mining area to CASA Minerals, a Virgin Islands incorporated company engaged in gold exploration. The group attacked the site and framed it as a protest against the alleged sale to CASA of 'their' hill, the gold-rich Akyanga Mountain, seen as part of the Babembe's ancestral grounds (Verweijen, 2017).

Today, democratic populism is being stoked by the regime's increasing authoritarian tendencies. It is employed both by violent groups such as the various Mai-Mai factions and non-violent protest movements such as *Lutte pour le changement* (LUCHA, Struggle for Change), which has become an alternative channel for efforts to pressurise the government to hold elections. Further delays of the elections to allow the regime to stay in power longer than mandated gave a new impetus to the mobilising potential of armed groups. For instance, in June-July 2017 a new coalition of armed groups, the *Coalition nationale du peuple pour la souverainete du Congo* (CNPS, The national coalition of the people for Congolese sovereignty) issued a declaration in which it stated that its objective was to 'chase Kabila from power since he will not let go of it as long as the Rwandans do not yet have their province'.⁴

⁴ CNPS, declaration, July 2017

Networks, Complexity, and International Interventions

If we can draw one overarching policy implication from the Congo wars, it is the growing disconnect between the existing international conflict response toolkit and the complexity of violence on the ground—a disconnect that is neither limited to the Great Lakes nor to Africa, as trends in the changing nature of organised violence globally attest. The struggle for power over people, territory, and resources in large parts of the globe is networked and violent. And the outcomes of these struggles are increasingly unpredictable. The overwhelming yet under-addressed need to manage conflict complexity, including transnational dynamics and the proliferation of non-state actors in conflict, is at the core of current policy and academic debates about the types and range of interventions by international and regional organisations. The limits of binary, state-centred approaches to complex, transnational, and networked conflicts like the Congo wars were recognised in three UN blockbuster reports that reviewed the UN peace and security architecture in 2015.⁵ Since then, policy makers are increasingly developing regional strategies as a way to address this issue.

Academic and policy literature points to a number of reasons for the persistent violence in DRC despite enormous international investments in peace efforts. These reasons range from the slow pace of SSR and reintegration processes; the lack of attention to local unresolved land access disputes; the unresolved issue of citizenship; inter- and intra- community disputes over political, military and economic influence; competition over the control of mineral exploitation and trading connections; the nature of the state; the lack of progress in political reform and decentralisation; and regional power politics (Carayannis and Vlassenroot, 2017). Some have argued that the failure to end the violence in DRC is because peacebuilding interventions have targeted national dynamics and processes and overlooked local actors and local peace processes (de Coning, 2013; Autesserre, 2010). However, there is a growing realisation that if interventions in Congo have failed to end the violence it is not because of their failure to engage with local contexts sufficiently, but rather due to the inability of interventions to respond to and engage at various scales of violence (Stearns et al., 2013, 2017; Carayannis, 2017).

⁵ High Level Independent Panel on UN Peace Operations (HIPPO) http://peaceoperationsreview.org/wp-content/uploads/2015/08/HIPPO_Report_1_June_2015.pdf; the Advisory Group of Experts on Peacebuilding (AGE) <http://www.un.org/en/peacebuilding/pdf/150630%20Report%20of%20the%20AGE%20on%20the%202015%20Peacebuilding%20Review%20FINAL.pdf>; Global Study on UNSC Resolution 1325 [http://www.peacewomen.org/sites/default/files/UNW-GLOBAL-STUDY-1325-2015%20\(1\).pdf](http://www.peacewomen.org/sites/default/files/UNW-GLOBAL-STUDY-1325-2015%20(1).pdf); African Politics, African Peace Report <http://fletcher.tufts.edu/African-Peace-Missions/>

The Political Economy of Public Authority: An Integrated Framework

Conflict and violence have complex socio-cultural, economic, and political factors. The framework of the political economy of public authority and its three constituent logics is designed to capture this complexity. As we have argued, these logics are manifested and operated through power networks that cut across conventional boundaries such as public/private and local/national/regional/international.

The incorporation of the notion of network into our analytical framework enables a better appreciation of how violence and conflict is produced across scales. It also gives us a more accurate understanding of Congolese politics and political order, which is an arena of interaction of a multitude of public authorities and is characterised by intensified competition between personality-based networks of access (Jackson, 2006). Thus, power is not primarily produced by and located in institutions, but in network connections of individuals. These networks largely define political, security, social and economic conditions and realities.

Spatial mapping exercises could be useful both for analysis and for more targeted engagement. However, while the general political and economic rationales of the networks researched thus far are well known, we do not know enough about their reach and the specifics of their transactional politics. How much money is being distributed through these patronage networks? What is the price of political loyalties and political services in the political marketplace? How do first-tier networks engage with second-tier networks? What are the distribution keys in the various *rapportage* systems, and how much is allocated to each layer? Also, while it is clear that elites profit from their political positions to enrich themselves, the extent to which their private fortunes have been used to procure political loyalty and support is unclear. Researching this is a challenge, which is why there is so little written to date. It is difficult, if not impossible, to get access to the inner circle of these networks. Where this has been done, investigative journalists have relied on publicly available documents followed up by interviews (Kavanagh and McCarey, 2017; Kavanagh, Wilson and Wild, 2016).

Peacekeeping and Peacemaking Interventions

The UN Security Council's nearly two decades of engagement in Congo and the Great Lakes Region of Africa shows some distinct post-Cold War trends in Council peacekeeping mandates: a trend towards greater cooperation and interaction with regional actors; the authorisation of increasingly robust mandates with increasing focus on protection of civilians; and innovation in UN responses mostly through *ad-hocery* and in reaction to events on the ground (Carayannis, 2016). Much has been written about the challenges and shortcomings of UN peace operations in DRC (Smis, et al., 2002; Turner, 2007; Gambino, 2008; Tull, 2009; Koko, 2011; Wanki, 2011; ICG, 2012; Autessere, 2015; Froitzheim, 2014; Koops, 2015; Carayannis, 2014; Pangburn and Carayannis, 2015). Taken collectively, the literature we surveyed points to a number of key issues that hamper international efforts to keep the peace: internally

contradictory mandates and mandate implementation issues; flawed analysis of local conditions and local actors; an inability for interventions to adapt to a constantly changing conflict environment; a failure to protect civilians; and flawed assumptions about peace processes, including stabilisation and the use of force. Some consider MONUSCO to be the 'emblem of the flaws of the UN's broader peacekeeping project' (Gowen, 2016). One of the little written about success stories of UN peace operations in Congo is Radio Okapi, established by MONUC/MONUSCO, and which has operated as a national radio station (Udo-Udo Jacob, 2014, 2016).

The growing trend in peace enforcement, together with more civilian protection mandates, continues despite having little consensus of what we mean by civilian protection in the context of peacekeeping. A study by the Stimson Center in 2009 revealed gaps in capacity, knowledge, and training in the protection of civilians (Holt et al., 2009). These trends have exposed the operational tensions in MONUSCO's multiple and sometimes competing mandates. In contrast to Council intent, robust military action undermined civilian protection and led to growing pressure to either condition support to the FARDC in joint operations or to cease operations altogether (Boutellis, 2013; Carayannis, 2015). Ironically, MONUSCO is also where many of the UN's most innovative approaches in protection of civilian tools, such as joint protection teams, community liaison assistants and community alert networks, were first deployed (Karlsrud, 2015).

One key lesson on the use of force from twenty years of peacekeeping in DRC is that 'backyard operations' (peace enforcement by the region) in this region have not led to peace; in the case of Congo, and Zimbabwe's invoking of Southern African Development Community (SADC) principles to intervene militarily on behalf of Laurent Kabila during the Second Congo War, they have often prolonged and exacerbated the war (MacLean, 2002; Carayannis and Weiss, 2005; Carayannis, 2015). When an entire region is deeply divided by war, it cannot effectively enforce the peace, even if it has been successful in reaching a negotiated settlement. In other words, combatants cannot enforce the peace against themselves. They can participate in peacemaking, and ultimately must do so, but if there is to be peace enforcement, others will have to do it. Moreover, in such regionally integrated conflicts of the magnitude and complexity of the Congo wars, building the peacekeeping capacity of regional organisations alone is unlikely to lead to successful peace enforcement. So, while the closeness of regional and sub-regional groupings to local conflict areas gives them the vested interests to seek stability in their region, this close proximity and the Congo wars' regional embeddedness has been a double-edged sword, as neighbours are part of the patronage networks in the regional political market.

The same dynamics that have challenged peace enforcement in DRC by the region have also weakened MONUSCO's Force Intervention Brigade (FIB) —regional cleavages and competition (Rugeje and Maeresera 2016) and embeddedness in a regional political market. Although the initial deployment of the FIB was applauded by some as a useful instrument, despite questions of its legal basis (Sheeran and Case, 2014), its military utility has been limited. The composition of its force from SADC

countries with regional rivalries has resulted in a reluctance to act during certain operations, and it rarely provided the leverage required to encourage the implementation of political commitments by the key protagonists. The overarching conclusion is that the FIB is one instrument of a broader political strategy but was completely disconnected from that strategy (Stearns, 2015; [Berdal and Ucko, 2015](#)); and that the trend towards robust peace enforcement in Congo has had an adverse effect on the mandate to protect civilians (Karlsrud, 2015).

Despite deep regional divisions, regional actors can (and did) initiate and successfully negotiate agreements to end conflicts in which large and important portions of that region are themselves participants in the conflict. However, the literature suggests that the more regionally-based the conflict is in terms of state actors involved in it, the more difficult the task of mediation becomes without external partners—partly due to capacity constraints but mostly to the need for external guarantors and credible, punitive threats for non-cooperation. In DRC, the problem has not been negotiating agreements but in ensuring their implementation once they have been signed. Although the most recent Peace, Security and Cooperation Framework (PSCF) was set up to reverse this history, initiate a comprehensive political process and hold stakeholders accountable, it too has been undone by purposeful delays on the national level, the absence of real political will amongst its regional signatories, and an international effort that has taken an overly technical approach to the PSCF's key commitments (De vries, 2015, 2016; Post, 2015; Pangburn and Carayannis, 2015). Powerful states in the region, which are deeply mistrusting of one another, have often worked behind-the-scenes to undermine multilateral efforts, to ensure they are the ones to determine the direction of international policy (International Crisis Group, 2014; Mbugua, 2014).

A key task for UN peacekeepers and development actors in DRC has been the extension or restoration of state authority, yet nearly twenty years of effort have neither stabilised eastern DRC nor restored state authority throughout the country. This is largely due to an overly technical approach so deeply ingrained that it does not allow for innovation; combined with a lack of political will at the centre for real transformation (de Vries, 2015). The state is not being built in a vacuum, but rather in a context of multiple existing and competing authorities (of which the current state authorities are one) that operate around particular logics—in DRC this is often the logic of the political marketplace. Hence, the recent conclusion in policy circles for the need for a greater emphasis on the primacy of politics in peace interventions (HIPPO, 2015). Another key challenge has been the inability to effectively integrate subnational, non-state structures and informal institutions into post-conflict governance mechanisms (Ogbaharya, 2008). Yet the links between the local and national politics also have implications for extending state authority, as local actors competing for local authority are embedded in networks that include national elites, sometimes even ones in the region. MONUC/MONUSCO and its partners have largely ignored the prevailing logic of the marketplace, and failed to recognise that one cannot simply build the state locally in isolation of national dynamics, and without understanding how local actors relate to national and even regional dynamics.

Interventions in Stabilisation, SSR and DDR

The origin of this stabilisation agenda stems from the Bosnian war and was further developed during the Iraq and Afghanistan conflicts to become a key concept in international discourse and policy response for a variety of conflict contexts. Also, a multitude of definitions and approaches to stability as ambition and stabilisation as strategy exist, often leading to conflicting understandings and interventions. While in its broadest sense, stability reflects a social, political and economic transformation, in many cases stabilisation strategies tend to prioritise security objectives and the protection of a specific political order that can guarantee this stability. State fragility is considered the main constraint to stability, so state structures need to be reinforced through stabilisation efforts. One downside of this approach is that it ignores that state fragility, as the case of DRC shows, has become a normal condition of life and local responses have developed, leading to new patterns of regulation and governance.

In DRC, the first port of call in reforming the security sector has been the disarmament, demobilisation, and reintegration or repatriation (DDR) of armed groups. As the largest intervention in nearly all of the UN's ongoing large-scale peacekeeping missions, DDR takes up the tasks of restoring public security, law and order (Berdal and Ucko, 2013). DDR interventions have been part of 'complex' and 'multidimensional' UN peacekeeping operations since 2007. In DRC, three national DDR plans over the 20 years of conflict have yet to yield any significant reforms of the security sector or a dismantling of armed groups (Onanna and Taylor, 2010; Kets and de Vries, 2014; Baaz and Verweijen, 2013; White, 2010). With the rise of violent extremism elsewhere, policy debates today focus on whether the UN needs a next generation DDR program to manage conflicts with violent extremist actors (Chowdhury Fink, 2015) or whether existing DDR tools and practices should be integrated with the tools of countering violent extremism (CVE) (Cockayne and O'Neil, 2015: 144) and avoid a one size fits all approach.

Security governance in DRC, however, is dominated by patron-client networks engaged in struggles over resources and power, which continue to produce violence and instability (Hoffman & Vlassenroot, 2016). Armed groups strongly rely on civilian support networks, which include national and local politicians, customary authorities and community leaders. These elites are often responsible for the continued presence of armed groups and their involvement in power struggles. These links provide armed groups with additional legitimacy, while the same groups help to protect civilian leaders' local interests and influence (Hoffmann & Vlassenroot, 2014). These networks cross the usual boundaries between public and private domains and can stretch from the highest political level to the lowest ranking security officials (Carayannis, 2017; Hoffmann, Vlassenroot and Büscher, 2016). These networks also blur the boundaries between civilian and military actors, as armed groups are embedded in social networks that include local authorities, provincial and national politicians, private sector, and civil society representatives, sometimes around resource extraction protection rackets (Eriksson Baaz and Verweijen, 2013; Schouten, 2013). There is very

little trust between ordinary people and security services, which are seen as corrupt and even as complicit with criminals. This vast body of disenfranchised and impoverished people has developed countless self-help initiatives to provide for and protect themselves and their communities. These include vigilante groups carrying out so-called '*justice populaire*' in cities such as Bunia and Uvira and armed groups in the hinterlands such as the Raiya Mutomboki in South Kivu and the Front for the Patriotic Resistance of Ituri Militia (FRPI) in South Ituri, which claim to defend their communities from a rapacious government and neighbouring communities (Hoffmann, Vlassenroot and Büscher, 2016; Schouten, 2016; Verweijen, 2015).

Thus, the structure, or the complexity of a particular conflict, presents difficulties for strategies to demobilise fighters and particularly to reintegrate them once a cease-fire has been reached. Not only must fighters be de-linked from military command and control structures that may, as in DRC, transcend territorial boundaries, but the forces themselves must be de-linked from the political economies of violence—a key structural obstacle to transitions from war to peace—and from other support networks in which they may be embedded (Carayannis, 2005). Reintegration into non-rent-seeking economies is thus critical for the prevention of re-recruitment into new rebel armies, as well as to prevent fighters from being drawn into criminal networks to supply the labour for the political economies that help sustain violent protest movements and greedy warlords alike. Yet in DRC, the political-economic networks around which armed groups and the national army are organised have been largely ignored (Kets and de Vries, 2014). In some cases, armed groups have been integrated into the national armed forces with their command structures and networks intact, only to be remobilised for rebellion. There are also key gender dimensions in DDR, which are well documented; yet efforts have been largely technical exercises, based on a technical approach to security and institutional reform rather than on strategies to dismantle the current divided and patronage-based system of security governance.

Justice Interventions

Research on Congo shows that despite enormous investments in justice interventions, justice is still out of reach for most people in DRC. Formal judicial structures, like the courts, are not only expensive to access, they are also physically distant from large segments of the community, especially in rural areas. Peace Tribunals (*Tribunal de Paix* or *Tripaix*), are a new formal justice mechanism established to fill the void created by the abolishment of customary courts and, in principle, to make it easier for local communities to access justice. Yet, many of these courts have yet to be built in every *territoire*, forcing people to travel hundreds of kilometres to access the court in their area. A number of *Tripaix* lie vacant, as judges refuse to serve in remote areas. Where courts are accessible, the weakness of formal justice systems and endemic corruption mean that people get the justice they can afford. Part of the problem originates with the nature of the peace agreements, which privilege power sharing over fighting impunity (Davis, 2013). In turn, the absence of justice continues to challenge efforts to build a sustainable peace in Congo (Savage, 2006).

Because of the dysfunctions of the Congolese justice system, across the country, armed groups, traditional and religious leaders, NGOs and even state security actors offer their own forms of justice. It is part of the Congolese ethos of *citoyenneté* (some would even say *debrouillardisme* or ingenuity) of Congolese communities to overcome these deficiencies that has led individuals, civil society groups and other non-state actors to play an important role in adjudicating disputes. This dates back to the period of Mobutu. Armed groups are merely the latest addition to this. While this presents a broader marketplace for beneficiaries, these structures are often unregulated, making justice outcomes even more unpredictable. Citizens engage in 'forum-shopping' depending on the crime and to pursue retribution for grievances, but they do so in search of a fair process or at least one that will advantage them, not necessarily out of preference. This has also led to the growth of *justice populaire*, where gangs or groups of likeminded citizens (sometimes organised along tribal or ethnic lines, or under the logic of moral populism) take matters into their own hands, and dole out harsh punishments with few components of due process such as a defence or an impartial jury (Verweijen, 2015). Contrary to what is sometimes assumed, *justice populaire* cannot only be ascribed to the malfunctioning state-led justice and security apparatus. Rather, it has emerged out of a wider crisis of authority, which results, in part, from the eroding role of customary chiefs, religious leaders and elders despite the fact that these actors maintain a considerable level of legitimacy. Other causes are the high level of social conflicts and the militarisation of society, which justifies violence as a solution to conflicts and other social problems, and the presence of alternative justice mechanisms. *Justice populaire* also provides a way in which groups with limited access to official political channels, particularly youth, try to assert socio-political agency.

The fragmentation and competition among judicial authorities is a common problem across DRC. In the territory of Muanda in Kongo Central province, for example, this fragmentation is particularly evident, as residents not only have to navigate between jurisdictions of state and customary judicial structures, but also between those and a third system of justice, governed by various traditional religious groups (Bazonzi and Carayannis, 2017). These groups base their forms of justice on narratives of autochthony, free from and distrustful of external actors, and have gained a following in rural areas throughout the province. Their growth, built on the success of the now banned *Bundu Dia Kongo (BDK)* movement and the powerful Kimbanguist church, have created an additional justice forum (Bazonzi and Carayannis, 2017). The multiplicity of justice providers and the unpredictability of results leads to frequent disputes within communities over what decision should be enforced, and which judicial authority is legitimate.

By most accounts, rape and sexual violence has become a systematic weapon in the Congo wars (Banwell, 2014; Bartels et al., 2013) yet has also become widespread among civilians. And while considered a violation of human rights and the penal code, community mediation, often a customary based process that resolves disputes through mediation generally involving an amicable arrangement, has increasingly been viewed as a credible forum for promoting access to justice on the local level, and

is often cited as an informal justice option for survivors of sexual and gender-based violence (SGBV). However, these mediation processes, rooted in customary law and often led by male community leaders or family members, rarely address gender inequality and power structures as the underlying causes of violence against women. Conversely, they often seek to prioritise the family structure and social cohesion over the voice and agency of the victims. Despite this and the knowledge that SGBV crimes fall under the penal code, women still opt for community mediation over the courts, mostly due to costs and community pressure.

Of the various transitional justice interventions, the mobile courts system remains one of the most controversial (Khan, 2011). Advocates of these interventions point to the local embeddedness of the mobile courts and their local ownership as a key strength compared to external and hybrid justice interventions in Bosnia and Rwanda. However, in the absence of a systematic overhaul of the justice system, including prisons, and in a context of continued and generalised insecurity, mobile courts, as with SGBV prosecutions in the court system, rarely lead to long-term justice for victims, despite their recorded positive effects (Mansfield, 2009). Instead, they risk leaving victims dangerously exposed to their perpetrators.

The prosecution of Jean-Pierre Bemba, leader of the Movement for the Liberation of the Congo (MLC) rebellion during the Second Congo War, for war crimes initially established command responsibility and rape as a war crime. His case, and subsequent release on appeal in June 2018, 10 years after his initial arrest for crimes allegedly committed in CAR and not in DRC, has generated a vigorous debate about international criminal justice and the politics of the International Criminal Court (ICC) in Congo specifically and across Africa generally (Carayannis, 2016; Ndahinda, 2013). The decision of which cases to pursue and the ICC's initial small team methodology have adversely impacted the credibility of the international court as delivering justice equitably and its ability to avoid reinforcing false national narratives. It also cannot be the only judicial tool pursued in the aftermath of widespread violence.

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