

Living in “No Peace—No War”: Fluctuating Governance Among Armed Actors  
in the Eastern Democratic Republic of the Congo

by

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Submitted in partial fulfilment of the requirements  
for the degree of Doctor of Philosophy

at

Dalhousie University  
Halifax, Nova Scotia  
December 2017

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## **Dedication**

To the one who taught me to be inquisitive and courageous in my scholarship—Eliana Barrios Suarez, an extraordinary scholar, practitioner, and mom.

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## Abstract

There is growing recognition among academics and practitioners that civilians play a critical role in armed conflict. Even if constrained to varying degrees and in varying forms, they make tactical decisions and develop strategies that influence the behaviour of armed actors. The existing literature typically categorizes civilian agency into the different *identities* and *responses* that civilians adopt and pursue. The resulting categorizations and typologies have failed to capture the complex reality of those living in prolonged armed violence. To advance these conceptual and theoretical debates, I analyze the different types of relations and interactions that emerge among civilians and armed actors. This includes relations and interactions that are underpinned by victim-perpetrator, coercion-persuasion, and ruler-ruled dynamics. Scrutinizing existing categorizations and typologies is important because they often influence the policies and programs that are implemented in “no peace—no war” contexts.

With a focus on eastern Democratic Republic of the Congo (DRC), I examine the varied forms of engagement among civilians and armed actors, and demonstrate how they evolve alongside armed conflict dynamics. Administrative control of several areas in the region fluctuates among state armed forces, non-state armed groups, and at times, both sets of actors. I analyze the nuanced ways that individuals constitute and practice “order” amid this instability and unpredictability. Through a political ethnography, I uncover several strategies, including assessing and mitigating risks, drawing on symbolic and material resources to negotiate with armed actors, and manipulating threat perception to deceive armed actors. The strategies explored are adept at influencing armed groups’ use of violent repertoires, thus shaping the micro-dynamics that sustain and constrain armed violence in the “everyday”.

I argue that prolonged violence has shaped civilians’ decision-making and strategies in two ways. First, individuals often compared levels of abuse and exploitation carried out by the various armed groups. These comparisons have served as critical reference points for what would be accepted or tolerated. Second, participants require a certain degree of predictability to pursue vital economic and social activities, which also shaped their tolerance for abuse and exploitation.

## List of Abbreviations Used

|          |  |
|----------|--|
| ADF-NALU | Allied Democratic Forces–National Army for the Liberation of Uganda                              |
| AFDL     | <i>Alliance des forces démocratiques pour la libération du Congo-Zaïre</i>                       |
| ALIR     | <i>Armée de libération du Rwanda</i>   |
| ANR      | <i>Agence nationale de renseignements</i>  |
| APCLS    | <i>Alliance des patriotes pour un Congo libre et souverain</i>                                   |
| CNDD–FDD | <i>Conseil national pour la défense de la démocratie–Forces pour la défense de la démocratie</i> |
| CNDP     | <i>Congrès national pour la défense du peuple</i>  |
| DDR      | disarmament, demobilization, and reintegration   |
| DGM      | <i>Direction générale de migration</i>   |
| FAC      | <i>Forces armées congolaises</i>   |
| FAP      | <i>Forces d'autodéfense populaires</i>   |
| FARDC    | <i>Forces armées de la République démocratique du Congo</i>                                      |
| FAZ      | <i>Forces armées zaïroises</i>   |
| FDLR     | <i>Forces démocratiques de libération du Rwanda</i>  |
| FNL      | <i>Forces nationales de libération</i>   |
| ICRC     | International Committee of the Red Cross   |
| ISSS     | International Security and Stabilization Support Strategy  |
| LRA      | Lord's Resistance Army   |
| M23      | <i>Mouvement du 23 mars</i>  |
| MONUC    | <i>Mission de l'Organisation des Nations Unies en République démocratique du Congo</i>           |



|           |  |
|-----------|--|
| MONUSCO   | <i>Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo</i> |
| MSF       | <i>Médecins Sans Frontières</i>  |
| NGO       | Non-governmental organization  |
| NRA       | National Resistance Army   |
| NRM       | National Revolutionary Movement  |
| PARC-FAAL | <i>Parti pour l'action et la reconstruction du Congo-Forces armées alléluia</i>                              |
| PARECO    | <i>Coalition des patriotes congolais résistants</i>  |
| PNC       | <i>Police nationale congolaise</i>   |
| RCD       | <i>Rassemblement congolais pour la démocratie</i>  |
| RCD-ML    | <i>Rassemblement congolais pour la démocratie-Mouvement de libération du Congo</i>                           |
| RPF       | Rwandan Patriotic Front  |
| RVI       | Rift Valley Institute  |

## Glossary

### Swahili Terms

|                       |  |
|-----------------------|--|
| <i>batembo</i>        | customary chiefs (plural)  |
| <i>chamba</i>         | field  |
| <i>condifa</i>        | female chief assistant (elected/appointed)                                     |
| <i>kapita</i>         | village chief  |
| <i>kiroro</i>         | messenger (elected/appointed)  |
| <i>kishoke</i>        | tribute  |
| <i>mutembo</i>        | customary chief (singular)   |
| <i>muzungu</i>        | white person   |
| <i>mwam</i>           | king   |
| <i>nyumba kumi</i>    | small chiefs   |
| <i>pagne</i>          | a wax-print fabric that is commonly worn as a wrap or made into other clothing |
| <i>soko</i>           | market   |
| <i>sombe</i>          | cassava leaves   |
| <i>Raia mutomboki</i> | the population is angry  |
| <i>wakombozi</i>      | the liberators   |

## French Terms

|  |   |
|--|---|
| <i>acte d'engagement</i>   | statement of commitment   |
| <i>Agence nationale de renseignements</i>  | National Intelligence Agency  |
| <i>Alliance des forces démocratiques pour la libération du Congo-Zaïre</i>                       | Alliance of Democratic Forces for the Liberation of Congo-Zaire                   |
| <i>Alliance des patriotes pour un Congo libre et souverain</i>                                   | Alliance of Patriots for a Free and Sovereign Congo                               |
| <i>Armée de libération du Rwanda</i>   | Rwandan Liberation Army   |
| <i>brassage</i>  | military integration process  |
| <i>Coalition des patriotes résistants congolais</i>  | Coalition of Congolese Resistance Patriots  |
| <i>Congrès national pour la défense du peuple</i>  | National Congress for the Defence of the People                                   |
| <i>Conseil national pour la défense de la Démocratie–Forces pour la défense de la démocratie</i> | National Council for the Defence of Democracy–Forces for the Defence of Democracy |
| <i>débrouillez-vous</i>  | fend for yourself/yourselfes  |
| <i>Direction Générale de Migration</i>   | Department of Migration   |
| <i>Forces armées congolaises</i>   | Congolese Armed Forces  |
| <i>Forces armées de la République démocratique du Congo</i>                                      | Armed Forces of the Democratic Republic of the Congo                              |
| <i>Forces armées zaïroises</i>   | Zairian Armed Forces  |
| <i>Forces d'autodéfense populaires</i>   | Popular Self-Defence Forces   |
| <i>Forces démocratiques de libération du Rwanda</i>  | Democratic Liberation Forces of Rwanda  |
| <i>Forces nationales de libération</i>   | National Forces of Liberation   |

|  |   |
|--|---|
| <i>la guerre de Masisi</i>   | the war in Masisi   |
| <i>Médecins Sans Frontières</i>  | Doctors Without Borders   |
| <i>Mission de l'Organisation des Nations Unies en République démocratique du Congo</i>                       | United Nations Organization Mission in the Democratic Republic of the Congo               |
| <i>Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo</i> | United Nations Organization Stabilization Mission in the Democratic Republic of the Congo |
| <i>Mouvement du 23 mars</i>  | March 23 Movement   |
| <i>ordre de mission</i>  | work or travel document   |
| <i>Parti pour l'action et la reconstruction du Congo—Forces armées alléluia</i>                              | Party for Action and the Reconstruction of the Congo-Hallelujah Armed Forces              |
| <i>Police nationale congolaise</i>   | Congolese National Police   |
| <i>Rassemblement congolais pour la démocratie</i>  | Congolese Rally for Democracy   |
| <i>Rassemblement congolais pour la démocratie-Mouvement de libération du Congo</i>                           | Congolese Rally for Democracy-Liberation Movement   |

## Acknowledgements

My ability to begin and finish this dissertation would have not been possible without the support and collaboration of several individuals, communities, and institutions. First and foremost, I am thankful to all individuals that participated in my research, especially to those in Nyabiondo and Sebele, where I spend the majority of my time during my field research in the Kivus. I am deeply appreciative of your interest and commitment to this project, for answering my many questions, and for sharing with me parts of your lives, some of which were not always easy to disclose. I am especially thankful to the two families that hosted me while I stayed in Nyabiondo and Sebele. Thank you for your kind hospitality and for making the *muzungu* feel like she was right at home. There are several colleagues and friends that were based out of Goma and Bukavu, who were very generous with their time and provided me with tremendous guidance and advice. I fondly remember the moments that we had together and hope that it will not be long until we are reunited. I am also appreciative of the two talented translators that I worked with during my research. You brought critical insights and expertise into the project. Your kindness, patience, and humor throughout the long days and weeks, made the experience such an enjoyable one. To protect the anonymity of all of those involved in the project, I am unable to thank you by name, but I hope to be able to return to the Kivus in the near future to express my gratitude in person. *Aksante sana* to all of you.

On my way to and from the Kivus, I was fortunate to be able to stay with Alice Musabende's family in Kigali. They picked me up from the airport, cooked delicious meals for me, and provided me with a comfortable bed for much needed rest. I am grateful for warm and kind hospitality. During my visits to Goma and Bukavu, I was

fortunate to stay with friends for large periods of my trip. They provided me with a safe and comforting house as I prepared for or returned from my trips to Nyabiondo and Sebele. I thank Rebecca Boyce and Steffen Lajoie for opening up their home in Bukavu, and Eirini Diamantopoulou and Daniel Steinmann who let me stay in their brand new apartment in Goma. To the four of you, thank you for the long chats, visits to the market, and the many meals and drinks that we shared together.

I am also grateful to my committee members, who provided critical support and advice throughout the project. David Black, I could have not asked for a more supportive, thoughtful, and devoted supervisor. It has been an absolute privilege to work with you throughout all of these years. You never stopped believing in this project and for this I am eternally grateful. Christina Clark-Kazak, you always had my best interest at heart. I knew that I could always turn to you when I was in desperate need of advice. Peter Arthur, I will always be grateful for our first meeting during the African Politics course and the many intellectually stimulating conversations that followed. To all three of you, thank you.

I also received helpful advice from other faculty members in the Political Science Department. I am especially thankful to Brian Bow, Margaret Denike, Anders Hayden, Frank Harvey, and Ruben Zaiotti. Special recognition also goes to Tracy Powell and Shannon Langton who always made sure I kept up with all of my administrative responsibilities. I also thank other graduate students and post-doctoral fellows in the department that I shared this experience with. In particular, I thank Alexandre Baril, Andrew Bergel, David Beitelman, Kristi Kenyon, Andrea Lane, Susan Manning, David Morgan, Ben O'Bright, Byron Peacock, and Elikem Tsamenyi.

My dissertation has been informed by the work of many others who have devoted a lot of their intellectual energy to the eastern DRC. Some of you I have had a chance to meet and discuss my work, and others I hope to do so in the near future. In particular, I thank Maria Eriksson Baaz, Kevin Dunn, Solange Fontana, Carol Jean Gallo, Suda Gilbera, Kasper Hoffman, Emily Paddon-Rhodes, Maria Stern, Judith Verweijen, and Koen Vlassenroot. There were two workshops that significantly shaped my thinking for this project. I thank the participants of the “Surviving Violence” Workshop at Dalhousie University, and the “Rebels, Security and Public Authority: A Critical Deconstruction of the Rebel Governance Concept” at Ghent University.

There were several friends and colleagues who I either discussed or shared my work with and who provided critical feedback. Special thanks to Erin Baines, who is one of my most trusted and respected mentors. I never imagined that walking into what I initially thought would be a dreaded summer course would forever change the course of my career. Our trips to northern Uganda in 2005 and 2006 taught me so much about the type of scholarship that I want to engage in. The prospect of coming back to the Liu Institute for Global Issues to work with you as a post-doctoral fellow provided tremendous incentive (and pressure!) to finish this dissertation. Katrin Wittig, you always found the time to review my work and provide critical feedback. When I would lose hope, you always trusted that I would find a way to reignite the courage to continue. We have been through so much together and I am very grateful that I was able to share this journey with you. I also thank Consuelo Amat, Devin Finn, Oliver Kaplan, Jeremy Speight, and Steve Zech for our encounters at the annual meetings of the International Studies Association.

I am further grateful to the students who I had the pleasure of teaching last year, in the POLI 3560 course at Dalhousie University and the IDST 4843/6805 course at Saint Mary's University. Many of you asked challenging, but important questions about my research. These discussions certainly helped to refine my thinking, analysis, and writing. A special thank you to Maya Hibbeln, who I subsequently hired to work on this project with me. Thank you for all of your hard work with the formatting of the dissertation and the compiling of the references. Special thanks for the humour that you brought during the difficult days and weeks!

I was very fortunate to receive the financial support from the Social Science and Humanities Research Council and the Pierre Elliot Trudeau Foundation. At the Trudeau Foundation, I am grateful to its staff members, especially Jennifer Petrela, Elizabeth Rivera, and Josée St-Martin. I am also thankful for the fascinating conversations that I had with several scholars, fellows, and mentors associated with the Foundation. In particular, I thank Nathan Andrews, Sylvie Bodineau Anna-Louise Crago, Megan Daniels, Claris Harbon, Kerrie Thronhill, and Katrin Wittig, who made every Trudeau event a memorable one. A special thanks to Sylvie and Anna-Louise who provided me with tremendous guidance and support when I was beginning my research in the eastern DRC.

I am lucky to have a constant base of support in three cities in Canada, all of which feel like a piece of home, and where I spent significant time during this journey. In Toronto, I am especially grateful to the Bell family, Catherine, Andrew, Brianna, and Brooke, and to the Mullins family, Hayley, Chris, Marnie, and Maxine, who supported from the very beginning until the end. A special thanks to Brianna, Brooke, Marnie, and



Maxine for our many play dates; these were undoubtedly my favourite part of this journey. Other friends in Toronto provided tremendous encouragement, support, and humour throughout this process. A special thanks to Lauren Gould, Devin Kinasz, Kristina MacDonald, Steve Toth, and Letha Victor. My Peruvian aunts and uncles, based out of Toronto, were calling, texting or emailing to make sure that I was “holding up”. Special thanks to Tere Paz-Soldan, Alicia Acosta, and Sonia and Eduardo Barron. *Muchisimas gracias!* While I was living in Toronto I also joined and met the fabulous ladies of the infamous Writing Group. Thank you for all of your support and enthusiasm along the way, and for sharing parts of your own experience. Particular thanks to Adrienne Johnson, who always brought upbeat energy during difficult writing days, and to Roza Tchoukaleyska for the walks in High Park, which were often followed by a glass of wine or coffee, depending on the day. Thank you Roza for having a get-away jet, on standby, in case I needed it.

In Vancouver, the Moitra-Ohri family, Anjana, Prashant, Avani, and Jaiman, always reminded me of the fun side of life. Even though we went long periods without being able to connect, you remained close to me in my heart. The Robertson family, Ronnie, Shelley and Ryan, always cheered me on. They were there through every victory (and defeat) that this journey brought.

In Halifax, I thank the Voltan family, Annika, Dan, Evalyn, Emery, and Ethan for opening their home to Justin and I during this past year. Special thanks to Evalyn, Emery, and Ethan for the much needed snuggles and play dates when the writing got tough. Thank you for making us another family member and for celebrating all of the special events that came throughout the year. I also thank Karin McLay for the many walks and

heartfelt chats that we had, and Penny MacKinnon for your constant support. Deep gratitude to the inspiring Tracy September who was a constant source of support, first from Johannesburg and now from Zurich, and to Gennie Szablya who has been with me since my undergrad days in Vancouver.

Last, but certainly not least, I thank my family, whose support went above and beyond. To my family in Peru, *tias, tios, primas, primos* and *mis abuelos*, thank you for all of your encouragement and support along the way. Eliana Barrios Suarez, thank you for always believing me and reminding me that I could do this. When I was in doubt, you would enthusiastically read and provide feedback on my work. Before I began my PhD, you had already equipped me with some of the most important skillsets needed for the type of research that we do - courage, strength, and empathy; for these, and many other reasons, I dedicate this dissertation to you. Diego Suarez, you never let any of the small moments pass by. You celebrated with me every victory that came along, no matter how big or small. You have shown me tremendous kindness and generosity throughout this journey. Sebastian Suarez, I know you were with me every step of the way. I hope you, Tate Horacio, and la Mamama Eugenia throw a big party, including sangrillas, and a lot of music and dancing, after the oral defence. Justin Robertson, when you bravely moved from Vancouver to Halifax to be with me, I thought that this was the ultimate gesture of love... Little did I know just how much more was coming my way. You've never complained when we were apart for several months during my field research, often with little-to-no communication. When I decided I needed to move back to Halifax to teach a course Dalhousie and then another at SMU you respected and supported my decision, even though we had vowed "no more long distance!" But it was during the writing

process, especially at the very end, that you really showed me what a kind, generous, and caring partner you are. You let me be just as I needed to be to get through this difficult period. I cannot imagine how I would have survived this without your unwavering support and encouragement. Deeply and truly, thank you. Lastly, to our beloved cat, Yoda, who was good at distracting me during the day, but would stay up late at night with me to ensure that I had completed all of my work.

## Chapter 1: Introduction

*We saw Jean<sup>1</sup> this afternoon. He had been away the previous month working in one of the mining sites near Misisi located in Fizi Territory. Jean and I had met a couple of times before he left and he seemed eager to continue our discussion from our previous meetings. He asked excitedly: “Did you hear about the recent activities of the Mai Mai [referring to PARC-FAAL, a non-state armed group]?” “I’m not sure I have”, I replied. “Everyone was talking about it when I was in Misisi. The FARDC [the state armed forces] were rotating their troops in this area. The old troops went back to Bukavu while the new troops were scheduled to come the following week. The very same evening that the FARDC left this area, the Mai Mai came and took control over some of these villages. The Mai Mai only stayed for a week; they left the night before the new FARDC soldiers arrived. However, within this short time the Mai Mai managed to chase away the thieves that were disturbing those villages. At last, they put an end to the bandits in that area” (Field notes, June 2015).*

The conversation Jean and I had captures some of the most prevalent dynamics of the armed conflict in the eastern Democratic Republic of the Congo (DRC). First, communities commonly switch control from state to non-state armed forces,<sup>2</sup> and *vice versa*. These changes occur in various ways; they can be highly contentious, involving armed confrontation, or they may involve a certain degree of coordination to purposely avoid armed confrontation (see Kalyvas, 2006; Staniland, 2012). Second, non-state armed groups often establish a series of norms and rules to exercise their authority in areas that come under their control. These varied modes of governance involve a range of activities, including providing basic security through patrols, regulating and collecting taxes, and adjudicating disputes among community members (see Arjona, Kasfir & Mampilly, 2015; Hoffman & Vlassenroot, 2014). Because unexpected alliances are often forged among state and non-state armed actors, the administrative control and regulation of

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<sup>1</sup> This is a pseudonym. All names have been changed to ensure the anonymity of participants.

<sup>2</sup> State and non-state boundaries among armed groups are difficult to disentangle in the eastern DRC. Non-state armed groups will at times be supported by and collaborate with the state or its officials. While I use the terms “state” and “non-state” armed groups as a way to distinguish these forces, I discuss the overlapping boundaries between them in greater detail in Chapters 4 and 5.

communities is at times shared among opposing forces (see Bouvy, 2014; Vlassenroot, Mudinga, and Hoffman, 2016). These armed conflict dynamics have important implications for how civilians interpret, portray, and position themselves in relation to the armed actors operating in the region, which is the broader focus of this dissertation.

Many individuals in the eastern DRC interpret and portray these armed groups as both a threat and an opportunity. While armed groups are considered a major source of insecurity, they are also relied upon to address security concerns, whether real or imagined. “We consider them to be our saviours” was an expression that I commonly heard during my eight months of field research in the Kivu Provinces (see Appendix 1 for map). It is an expression that obscures the abusive and predatory behaviour of these armed groups while stressing the role that they play with regards to security. To make sense of what may initially appear as perplexing logics, we need to consider the relations that civilians have forged with armed actors in the context of prolonged armed violence.

### *Brief Overview of the Context*

The eastern DRC has endured two major civil wars (1996-1997 and 1998-2003), which involved eight neighbouring states, over a dozen armed groups, and the death of an estimated 5.4 million people. These wars have often been described as “the most deadly conflict since World War II” (Coghlan *et al.*, 2004; iii). In 2002, the “Comprehensive Peace Agreement” was reached, laying out a power-sharing agreement among the belligerent parties, which served as the basis of a transitional government. During the transitional period, the infamous “4+1” formula gave a seat in government to each major armed group, many of which continued to control and extract from areas that they previously fought over. In 2006, the transitional period came to an end, and multiparty

elections were held for the first time in the country. These were won by incumbent President Joseph Kabila. Individuals fighting under armed groups that were previously involved in the civil wars began pursuing different avenues to consolidate their power in the “post-war” era. Some of them formed political parties, while others integrated into the new Congolese armed force, known as the *Forces armées de la République démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo). Worse yet, other combatants either joined or created new armed factions, some of which continue to operate in the region.

The proliferation and fragmentation of armed groups in the eastern provinces has continued to increase in the so-called “post-war” period. A recent study estimates that there are approximately 70 different armed groups in the Kivu Provinces alone (Stearns & Vogel, 2015). While the objectives and operations of these armed groups vary in many ways, the local population commonly differentiates them into two broad categories. Accordingly, they are labelled “local” or “foreign,” depending on their level of involvement with foreign countries, with Rwanda and Uganda being most involved in the geopolitics of the region. The majority of armed groups that are currently operating are “local,” colloquially referred to as the Mai Mai. Although the Mai Mai are referred to in the singular, they consist of multiple armed groups that vary in size, capacity, and levels of violence towards the local population. Most Mai Mai leaders and members come from the same ethnic community that they claim to protect and defend. Many of the Mai Mai claim to be fighting over a series of issues related to citizenship rights, the distribution and management of land, access to natural resources, and political representation in the state apparatus. While these issues have been a source of competition and tensions among

ethnic communities in the region for some time, they have also been manipulated and exploited by the Mai Mai to legitimize their claims.

In the context of “limited statehood” (Risse, 2011), where the presence and function of state institutions is seriously compromised, these armed groups are sometimes perceived by the local population to be more effective and reliable than the state. The FARDC is notorious for its predatory and extortionist practices towards civilians. The FARDC has not only failed to provide basic security for individuals and communities, at times it is considered to be the main source of insecurity. Not surprisingly, many individuals perceive the FARDC to no longer be a reliable force that is capable or willing to respond to the security concerns of local communities (Oxfam, 2015).

The eastern DRC has received unprecedented levels of assistance from the international community (Vinck & Pham, 2014). One of the world’s most expensive and largest peacekeeping missions operates in the eastern DRC, known as the *Mission de l’Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo* (MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo). MONUSCO’s activities vary from early warning and response mechanisms, to disarmament and demobilization of combatants, to joint military operations with FARDC. Despite the innovative and robust peacekeeping, stabilization, and peacebuilding activities that have been pursued, for the most part, they have generated meagre results (Autesserre, 2010; Tull, 2017; Vinck & Pham, 2014).

Sudden and erratic changes over the administrative control by armed actors are a major concern to many of those who are living in the region. I find that these dynamics have resulted in two prevailing narratives of the armed conflict, which were widely

evoked during my research in Nyabiondo and Sebele, two communities located in North Kivu and South Kivu, respectively (see Appendices 2, 3, and 4 for maps). First, armed violence is no longer perceived as exceptional, but as a recurrent, commonplace event (Vigh, 2008).<sup>3</sup> For many people who reside in this region, armed violence has become an expected part of daily life, whether it is actively occurring or it is an imminent possibility. “I cannot say when the war begins or ends, it is like this all time,” insisted a female participant<sup>4</sup> (Interview May 2015). A male elder proclaimed, “I was born in the war, and I will die in the war” (Interview May 2015). As these respondents astutely observe, the eastern DRC has morphed into a chronic state of “no peace—no war” (Richards, 2005). Because there is anticipation that armed violence could resume at any moment, there is a “certainty of uncertainty” (Lubkemann, 2008: 13) about the future, which is the second narrative. One participant’s statement that “We are living in a situation where you can never know what will happen next” (Interview June 2015) captured a feeling commonly expressed during my research. As I will demonstrate, these narratives of the context influence the decisions and strategies that individuals adopt to navigate the violence-prone terrain of everyday life in the eastern DRC. More specifically, they shape the calculations and risks that they are willing to take when they respond to armed actors and their violent repertoires.

### *Civilian Agency in “No Peace—No War” Contexts*

The analytical focus of this dissertation is on civilian agency during armed conflict, with a focus on the eastern DRC. While there has been increased attention to

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<sup>3</sup> Although Vigh (2008) is writing about the situation Guinea-Bissau, his analysis of the persistence of armed conflict can also be applied to the eastern DRC.

<sup>4</sup> I use the terms participants, respondents, and informants interchangeably when referring to individuals that were involved in the study.



civilian agency in armed conflict, both within and beyond the literature concerning eastern DRC, scholars tend to circumscribe the complex decisions and responses taken by civilians into categorizations or typologies. On the one hand, civilians are commonly reduced to an *identity* of war; for instance they will be labeled as an informant, supporter, collaborator, bystander, victim, or perpetrator (see Fujii, 2011; Kalyvas, 2006; Wood, 2003). On the other hand, civilians are often confined to their *responses*, including fleeing, accommodating or aligning with armed actors (see Baines & Paddon, 2012; Barter, 2012). These responses are commonly distinguished by their varying degrees of cooperation/non-cooperation with armed groups (Arjona, 2017).

My research is prompted by two interrelated problems that arise from these conceptual categories and typologies of civilian agency. First, these categorizations produce a static account of how civilians respond to armed conflict. Contemporary armed conflicts, often spanning prolonged periods of time, like the eastern DRC, are fluid and dynamic. While the actors and dynamics of armed violence continue to evolve, so do civilians perspectives and experiences, which critically shape their decisions and responses in these situations. Convincingly, Fujii (2011) argues that “If we were to base theories of agency on only one set of actions—the set that most easily fits an existing analytical category—our theories would be at best, partial, and at worst, wrong” (p. 9). To arrive at a more nuanced understanding of agency, Fujii asks that scholars not only look at how civilians conform to these categories, but also how they defy them. Second, the categories that scholars commonly apply to civilian agency are based on normative judgments about actors and contexts, which may not necessarily resonate with those living through “no peace—no war”. Writing about the eastern DRC, Larmer, Laudati, and

Clark (2013) explain how scholars and policy-makers try to distinguish “between those who do (the perpetrators of violence) and those who are done to (the victims of violence)” (p. 7). The normative judgments embedded within our conceptual understandings and framings of agency, do not leave room for the messy reality of living with, and within, prolonged armed violence. In fact, individuals and communities make choices that scholars may not even recognize as choices in the first place (Sylvester, 2013).

Scrutinizing these categorizations and typologies is important, in part because they often influence the type of policies and programs that are implemented by the international community. There is substantive evidence that standard peacekeeping and peacebuilding tools used by the international community are largely ineffective at generate sustainable solutions in “no peace—no war” contexts (see Autesserre 2017 for a review). One of the most commonly identified problems has been that peacebuilding programs often marginalize local actors and their initiatives (Autesserre, 2012; Donais, 2009; Richmond, 2012). The “local turn” in peacebuilding was supposed to repair this oversight. However, bringing in “the local” has not disrupted the neoliberal assumption that peace fostered at the national level will trickle down to the local level (Manning, 2003). Critiquing the “local turn” in peacebuilding, Randazzo (2016) warns us about the “paradox of selectivity” over what counts or does not count as agency. As she explains, “the selection of which agency to valorise as the ‘authentic’ everyday beyond the fiction of the liberal peace, indicates an unwillingness to engage with the local turn’s own normative aspirations and, possibly, with its potential for marginalization” (p. 1357). Scheper-Hughes (2008) asks scholars and policy-makers to be cautious about only paying

attention to civilian tactics that resonate with “our [liberal] sensibilities”, while overlooking others.

These conceptual and analytical debates underscore the importance of paying attention to the nuanced forms of agency that civilians exert in “no peace—no war contexts”. As Vigh (2008) eloquently explains, “agency is not a question of capacity—we all have the ability to act—but of possibility; that is to what extent we are able to act within a given context” (p. 10-11). To capture these intricate dynamics, we need to be attentive to not only how individuals acted within given contexts and why, but also to what they thought they could do within the particular context. This requires scholars consider the underlying logics and rationalities that are put into practice through narratives and strategies.

#### *Main Argument, Rationale, and Findings*

I conducted a political ethnography (see Schatz, 2013), to examine how individuals cope with, navigate, and at times exploit the armed actors that they encounter in their daily lives. My analysis draws on eight months of field observations and interviews with nearly 200 individuals residing in Nyabiondo and Sebele. Armed violence in Nyabiondo and Sebele is usually low intensity, although it regularly escalates to high intensity. To better capture the “certainty of uncertainty” of the context, I focused on fluctuating governance arrangements that emerged among opposing armed actors in these two communities. This focus provides a more fluid and dynamic account of individuals’ experiences in the region. There is increased recognition among scholars and practitioners that many areas in the Kivus<sup>5</sup> are under alternating control of state armed

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<sup>5</sup> Like other Great Lakes scholars, I use the term “Kivus” to refer to both South Kivu and North Kivu Provinces in the eastern DRC.

forces, armed groups, or at times, both sets of actors (see Bafilmeba & Mueller; 2013; Van Damme, 2012; Verweijen, 2016). However, there is scant research on how civilians interpret, respond, and shape (even if in modest and liminal ways) these shifting power relations and dynamics that intimately affect their daily lives. An analysis of my data reveals the interplay of the norms and rules that armed actors adopt in different governance arrangements, and how these norms and rules shape and are shaped by the strategies civilians pursue.

Nyabiondo and Sebele are important locations to examine the “certainty of uncertainty” because they have been exposed to a wide range of armed actors and the different modes of socio-economic regulation that these groups adopt. As participants would often explain, “Some of these armed groups come for a short time, they stay for two or three weeks. Some people get caught in the crossfire and die. Families with the resources manage to flee while the rest of us others stay behind with nothing to say or do. There are other armed groups that stay for longer periods. The government will call them here so they can integrate into the FARDC” (Field notes, May 2015). These encounters have become habitual and routine for residents of these two communities. Individuals have learned to absorb and adapt to these changing dynamics, which they often have very little control over.

To narrow my scope of analysis, I focused on two specific time periods in these communities. The first was a period where co-governance arrangements had been created among state armed forces and non-state armed groups. In Nyabiondo the co-governance arrangement involved the *Alliance des patriotes pour un Congo libre et souverain* (APCLS, Alliance of Patriots for a Free and Sovereign Congo) and FARDC, lasting from

November 2012 to February 2014. In Sebele the co-governance arrangement was between *Parti pour l'action et la reconstruction du Congo–Forces armées alléluia* (PARC-FAAL, Party for Action and the Reconstruction of the Congo-Hallelujah Armed Forces) and FARDC, lasting from February to August 2013. In both communities, these arrangements were part of formal peace negotiations that were intended to integrate APCLS and PARC-FAAL into the FARDC. The second period is the aftermath of these co-governance arrangements where the administrative control of these communities reverted back to the FARDC.

An analysis of these co-governance arrangements demonstrates the complex ways in which a rough “balance of power” is negotiated among armed actors in situations of “no peace—no war”. On the one hand, the creation of these co-governance arrangements, which installed opposing armed factions within the same community, were considered a major source of insecurity. Some participants explained that during this period they were “caught between two lions,” and needed to find ways to “avoid being eaten by either side” (Field notes, Nov 2014). Fears that these arrangements would flounder and result in armed confrontation, as they eventually did, were common among respondents. On the other hand, the underlying competition of these armed groups increased the security of these communities. As other participants pointed out, these armed groups were constantly competing for the opportunity to “show that they were ruling in a good way” (Interview May 2015). In turn, both APCLS/PARC-FAAL and FARDC restrained their abusive and exploitative behaviour, which created a greater sense of stability and predictability.

During the co-governance periods, the APCLS/PARC-FAAL exercised their authority by interfering in the daily routines of these communities. In complex and

different ways they absorbed, contested, and reformed the norms and practices of daily governance. This included the regulation and collection of taxes, lake and road policies, and dispute adjudication. The involvement of the APCLS/PARC-FAAL in these socio-economic domains was a mixture of both imposition and solicitation by the local population. This put them in direct competition with other authority figures, notably customary chiefs and the police, which are usually involved in these areas, and were also present in the communities during this period. Despite the divergent approaches developed by the APCLS and the PARC-FAAL, the similarity in respondents' positive impressions of the co-governance period in both communities is striking (see Chapters 5 and 6).

At the time of my field research, both the PARC-FAAL and the APCLS had retreated to the “bush”. Daily life, as many participants described it, was tense and unsettled. The FARDC reinstated abusive and extractive practices, which had been previously deterred by the presence of the APCLS/PARC-FAAL. As respondents would commonly explain, the FARDC will find ways to “create faults”<sup>6</sup> with the local population in order to exert their dominance. Speaking about arbitrary detention, a respondent in Sebele said, “If they [FARDC] have a problem with you they could take you and you could even die there [FARDC’s base]”. I then asked him, “Do you know someone who this happened to?” He takes a deep breath and responds, “there are simply too many to count” (Interview May 2015). A local administrator in Nyabiondo believed that the FARDC’s abuse generates support and collaboration for the APCLS. In his

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<sup>6</sup> “Creating faults” is a common expression that I encountered during my field research. It involves a wide range of “income-generating” activities that are committed by the FARDC. For example, this includes being accused of supporting or collaborating with the Mai Mai, which would lead to temporary detention in the FARDC base. To be released, the accused would have to pay a fine.

words: “When the FARDC do these ‘bad things’ they are making publicity for the APCLS. If the FARDC see a young man, they will say he is with the Mai Mai. Then that young man will go join the Mai Mai because he is scared of the FARDC. This hunting of people by the FARDC will make people want to go join APCLS” (Interview November 2014).

While informants in Nyabiondo and Sebele often expressed fear about the prolonged and unpredictable nature of armed violence, a sophisticated understanding of the actors and patterns of violence that they commonly encountered existed alongside this fear. This “tacit knowledge”<sup>7</sup> was critical to how participants navigated the particular challenges they faced and formulated their responses. For instance, during the co-governance period participants found subtle ways to express their grievances against the FARDC, which is usually deemed too risky. When armed groups increased their predatory and extractive behaviours, such as erecting road barriers<sup>8</sup> or collecting food, respondents found ways to “reduce the burden” of these abuses. They drew upon symbolic or material resources to influence the behaviour of armed actors. As the relations between opposing armed groups soured and they reverted to conflict, respondents began calculating the risk of confrontation among them, and preparing for its eventuality. With varying degrees of success, they negotiated with these armed groups about the timing and location of armed confrontations. Lastly, when they were living under the control of one group, and violence towards them increased, they exploited the presence of opposing armed groups in the “bush”. They deceived the armed forces with

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<sup>7</sup> Yanow (2013) explains that that tacit knowledge usually means that we know much more than we can say.

<sup>8</sup> When a person encounters a barrier on the road they need to pay certain amount to the soldier in charge before passing. Colloquially this is referred to as a barrier, although it functions like a toll.

whom they were living, claiming that that the other armed group was going to come and protect them if the former did not curtail its abuses. In doing so, they were manipulating threat perceptions in a context where the “certainty of uncertainty” prevails.

The analysis of the different narratives and strategies that participants adopt reveals that individuals were constantly finding ways to “reinvent order” (Trefon, 2004) amid the disorder that fractured their daily lives. They were not only deeply knowledgeable about how the broader system worked, but they found subtle ways to make the system work for them. The main argument advanced in this dissertation is that in areas of instability and unpredictability, civilian agency is shaped by two critical conditions. First, participants often compared levels of abuse and exploitation carried out by the various armed groups. These comparisons served as reference points for what would and would not be accepted or tolerated. An implicit hierarchy of violence is revealed, varying according to the type of relations armed actors have with civilians. Second, participants value predictability in their daily lives, and would tolerate certain levels of abuse or extraction, if they became part of daily life routines and it enabled the pursuit of economic activities. For instance, respondents would note how difficult it was to recover when they were pillaged or looted, whereas with food collection and road barriers, they could at least be prepared for them. Thus, many participants would repeat the following expression that broadly captures these sentiments: “It is better to eat *sombe* [cassava leaves] and be poor, than live in war and eat meat” (Field notes, April 2015).

While it is too ambitious to claim that the different strategies under review, played a major role in transforming actors involved in armed conflict or the broader context of the conflict, they did influence specific relations between communities and armed groups



and their repertoires of violence, thus critically shaping the micro-dynamics that both sustain and constrain armed violence in the “everyday.” It is also important to be aware that individuals living in “no peace—no war” contexts are often profoundly sceptical about the possibility of security conditions substantially changing. Recall the previously quoted statements that participants made during my field research: “life is for the suffering”, or “I was born in war and will die in war”. Many individuals have limited hope in their ability to contribute towards possible changes in their communities.<sup>9</sup> This does not mean that these individuals do not want these conditions to change, but rather that they are focused on finding ways to maximize their security, in order to carry out the socio-economic activities (e.g. farming, fishing, petty trading) which are essential for sustaining themselves and their families.

### *Conceptual Framework and Contributions to the Literature*

I employ the idea of “reinventing order” as a conceptual framework to identify and analyze the way individuals cope with, navigate, and at times exploit the conditions of armed conflict. As Trefon (2004) explains,

The concept refers to dynamic new forms of social organization that are constantly taking shape to compensate for the overwhelming failures of the post-colonial nation-state. It is a rapidly shifting process that enables people simply to carry on with life and get things done. It entails juxtaposing opportunities and interests, capitalizing on old alliances and creating networks. It means multiplying possibilities in the hopes of achieving a result (p. 2).

It also refers to the ways that “function and dysfunction intersect and overlap” and the different ways individuals “create, innovate, adapt and continue with life” (*Ibid.*). The “reinventing order” framework offers a broad and interpretative approach to study civilian agency, which is both the strengths and limitations of the framework.

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<sup>9</sup> This was particularly the case during my research (2014 and 2015), as most individuals suspected that the national elections of November 2016 were going to be suspended so that President Kabila could remain in power, which turned out to be the case in the end.

The strengths of the “reinventing order” framework are as follows. First, it allows for a more fluid and dynamic understanding of civilian agency, which is one of the main limitations in the current literature that I noted earlier. To reiterate, civilian strategies and tactics change, often depending on the possibility and/or occurrence of armed violence. This needs to be reflected in conceptual frameworks and typologies used to study civilian agency. Second, the framework recognizes that there is no clear beginning or ending to “order”; it is not a static or fixed condition. Instead, it should be viewed as process that is constantly being imagined and practiced. Such an understanding allows scholars to consider the multiple rather than singular strategies being pursued by civilians towards their daily practices of “order”. Third, the framework opens up the analytical space to be attentive to the innovation, ingenuity, and creativity of “ordinary” people that are often excluded from our analytical gaze. The tactics and strategies that emerge as individuals try to create “order” in their daily lives are often conceived as “coping” or “survival” mechanisms. Because these mechanisms are so prevalent, they are worthy of our scholarly attention. In some instances, these may be the sole coping or survival mechanisms for large segments of the population (Larmer et al., 2013). At the same time, there is often a real potential for these mechanisms to better inform peacekeeping and peacebuilding activities (see Baines & Paddon, 2012; Suarez & Black, 2014).

There are also some limitations in the “reinventing order” framework. First, the framework places greater emphasis on collective rather than individual forms of agency. The challenge with this focus is that it often guides our analytical attention towards more organized as opposed to loose, or visible as opposed to hidden, responses, which are harder to analyze. Second, “order” is subjective; it varies according to time and place.

Scholars following this framework could run the risk of interpreting every tactic, strategy or expression as way to create “order”.<sup>10</sup> However, those following the framework should be using it to “uncover, rather than, presuppose individuals’ motivations and behaviours” (Thomson, 2009; 13).

In the literature on the DRC, the concept of “reinventing order” has been commonly used to capture the ways that individuals and groups come together to restore public services. This is largely based on an analysis of the new political complexes and social arrangements that emerged after former President Mobuto’s ‘*débrouillez-vous*’ (fend for yourself) policy, although some of these arrangements have continued well after this period (see Vlassenroot & Raeymaekers, 2008). ‘*Débrouillez-vous*’ was an “injunction to get by without the state” as it withdrew many social services (Larmer et al., 2013: 2). Trefon’s (2004) edited collection, focusing on Kinshasa, the capital of the DRC, examines how the provision of critical public sector services, such as water and health, are delivered through means outside of the state. The chapters emphasize the importance of political and social organization, as well as cultural systems, that help reinstitute these services.

Building on this, a Special Issue in the *Review of African Political Economy*, edited by Larmer, Laudati, and Clark (2013) explores how social institutions have been impacted and transformed by wars in the east, and how in turn this impacts political engagement, economic activity, and social interaction. For example, within the Special Issue, Seay (2013) examines the role of faith-based health care providers. She finds that

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<sup>10</sup> For a similar critique on “everyday forms of resistance” see Ortner (1995). She argues that the multiple ways in which resistance practices can be “creative and transformative” yet be the result of contradictory and mixed intentions.

historical, demographic and institutional factors help to explain why some of these health care providers are more successful than others. Titeca, De Herdt, and Wagemakers (2013) focus on the negotiations that occur between the state and the Catholic Church and the impact these have on the educational sector. D’Errico, Kalala, Nzigire, Maisha, and Kalisya (2013) analyze the informal systems that women have developed to address general health problems that stem from the deterioration of the health sector. Collectively, these and other studies show how both state and non-state actors involved in governance rely upon patronage networks. However, like all patronage networks, these arrangements involve a select few individuals that are in positions of relative privilege, compared to the majority of people, who are marginalized and excluded from these networks.

Departing from the social sector, other scholars have begun to examine the economic sector through this framework. This emerging scholarship has shown the complicated ways civilians, state armed forces, and non-state armed groups compete and cooperate in income generating activities (see Lauditi, 2013; Raeymaekers, 2014; Verweijen, 2013). This is an important area of research that challenges the prevailing narrative that the armed conflict in the eastern DRC is purely about extraction and exploitation that only benefits armed groups. These scholars offer critical insights into how “alternative livelihoods”, as Lauditi (2013) puts it, are sustaining armed groups while at the same time providing the individuals involved in these arrangements with a certain amount of protection/security to carry out their own economic activities.

Following the approach adopted in the existing scholarship, I use the “reinventing order” framework quite broadly in my analysis of civilian agency. I find that “order” in

Nyabiondo and Sebele are intricately linked to the quest for stability and predictability of daily life. To make sense of how “order” is being imagined and practiced we need to consider how these two conditions are being advanced through the tactics and strategies that civilians pursue. This helps to narrow the scope of analysis of what I mean by “order” while it also adds insight concerning how “order” is being conceptualized and practiced in the eastern DRC.

While my approach builds on the work of previous scholars, it also differs by distinguishing between *order making* and *order contestation* practices, which are different forms of order reinvention (see Chapter 8). By *order making* I examine the different ways civilians try to position themselves and rework existing protection and security provisions. Raeymaekers (2014) looks at what he terms “protection markets” to analyze the negotiations and arrangements that emerge among businesspeople and rebel groups. His scope of analysis is on how “violent capitalism” is sustained and transformed through these arrangements (see Chapter 2 for a more in depth discussion of his work). My focus is broader, as it looks at protection and security in the “everyday” of ordinary people. By *order contestation* I examine the varied expressions and actions employed to question the legitimacy of authority figures, such as the FARDC and the APCLS/PARC-FAAL. Scholarship on the DRC offers fewer insights on such *order contestation*, especially from the perspective of ordinary people (for an important exception, see de Heredia, 2013, who focuses on everyday resistance against statebuilding).

The disaggregation of order reinvention into *order making* and *order contestation* is what ultimately sets my research apart from others. Analytical refinement of this conceptual framework is important, as scholars should not assume that ordinary people

are only responding to situations of hardship (see Lubkemann, 2008 for a similar critique). I show that, through their actions, ordinary people are also contesting the prevailing order, thereby showing elements of defiance and resistance. A closer analysis of the interplay between state, non-state, and civilian actors in practices of protection provides a more comprehensive understanding of the “lived experiences” of civilians.

Because non-state armed groups also impose themselves and are solicited by the local population to be involved in other services, such as tax collection and regulation, dispute resolution, as well as road and lake policies, I also look at the negotiations and practices that are involved in these sectors. These services are supposed to be provided by the state and its functionaries; however, the local population often turns towards other actors (e.g. non-state armed groups or armed forces) to deliver these services as they are often perceived to be more effective than state institutions. This creates a plurality of authority figures and practices that need to be considered in the remaking of “order”.

### *Outline for the Dissertation*

In Chapter 2 I critically review three inter-related bodies of literature, on civil wars, non-state armed governance, and civilian agency. While scholars have advanced these areas of study, they remain limited by their attempts to identify categories and patterns that obscure our appreciation for the dynamic and fluid aspects of “no peace—no war” contexts, and the ways that individuals reinvent order as they shift between different situations. It is these limitations that have led me to adopt the approach taken in this dissertation.

Chapter 3 outlines the methodological approach that has guided my research. A political ethnography was a necessary approach to access the “messy and contradictory

space where individuals make decisions based on their own understanding of their own circumscribed position” (Thomson, 2009; 13). In this chapter I also outline the data collection and analysis processes. I conclude by discussing some of the ethical and security protocols adopted to ensure the safety of my informants and myself.

Chapter 4 provides a broad overview of the armed conflict in the eastern DRC. It is necessarily broad because it is impossible to reduce the DRC’s history into a single chapter. I focus primarily on factors that shaped armed mobilization and spurred the militarization of the “everyday”. This includes: communal tensions over citizenship, land, resources, all of which have been shaped by “divide and rule” policies adopted during and well after colonization. As will be shown armed mobilization dynamics have also been shaped by the extensive use of power-sharing agreements and military integration policies, pursued by the Congolese government.

Chapter 5 examines the co-governance arrangements that were established in Sebele and Nyabiondo. I provide the background to how these arrangements were forged, how they functioned on a day-to-day basis, and ultimately how they fell apart. It shows that even though the APCLS and the PARC-FAAL adopted almost contradictory approaches in these communities, they were striking similarities in how these armed actors were perceived and portrayed. This finding shows the complex relations that exist among the local population and the Mai Mai. Building on this, Chapter 6 analyzes the different meanings individuals attached to these co-governance periods. It dissects the different interpretations and responses to the different modes of regulation introduced in this period, which include basic security, tax collection and regulation, and conflict

resolution. I demonstrate that civilian logics and responses are a blending of reluctant compliance and restrained resistance.

Chapter 7 provides an analysis of how “order” was reinvented once these co-governance arrangements fell apart and individuals returned to a situation where the “certainty of uncertainty” prevailed. As the power configurations among these armed groups shifted, individuals had new concerns to address. I examine the different ways that they assessed and negotiated armed confrontation among these forces, and how they exploited the presence of these groups to curtail violence.

Chapter 8 summarizes the dissertation and concludes by situating the main findings and implications of this research within existing literature. In doing so, I also outline avenues for further future research.



## **Chapter 2: Theorizing Civil Wars, Governance, and Civilian Agency**

### **Introduction**

This chapter examines and builds upon three inter-related theoretical and conceptual bodies of literature. The first body focuses on theories of civil wars, by tracing their shift from the macro-to-the-micro level of analysis. To investigate the causes of and remedies to civil wars, macro-level approaches analyzed generic correlations between variables to explain the outbreak of violence - an approach that often reduced civil wars into a label or category. In response to this, micro-level approaches frame civil wars as a process, taking into consideration the different actors, resources, and tactics in the production of violence. A critical review of both macro-and micro-approaches, however, reveals an almost exclusive focus on mobilization of and participation in violence. In doing so, it fails to capture a wider set of interactions, relations, and processes that occur in areas that are trapped between “no peace—no war” (Richards, 2005), like the eastern Democratic Republic of the Congo. As Arjona (2016) aptly explains, “Far from being chaotic or anarchic, war zones are often orderly. Although fear and violence exist, chaos is seldom the norm. In many places, there is a sense of normality—even if different from that of peacetime—and people have expectations of what might happen” (p. 2).

Given these analytical and empirical gaps, this dissertation draws upon a second body of literature that aims to integrate the study of order, conflict and violence (see Kalyvas, Shapiro, Masoud, 2008). There has been a recent explosion of literature examining governance modalities that are created by armed groups during civil war (Arjona, Kasfir, Mampilly, 2015; Hoffman & Vlassenroot, 2014; Mampilly, 2011). Indeed, civil wars can no longer be defined by the lack of governance, but perhaps by

their competing modalities of governance (Dunn & Bøås, 2017). For analytical purposes, I divide this scholarship into two dominant approaches, referred to as the *administrative* and *insitutionalist*, and the *social ties* and *networks* approaches. As their labels imply, the first set of scholars tend to view governance as a set of administrative practices created by armed groups operating within a particular territorial area, while the second set of scholars conceive of governance as a set of negotiations among a host of actors embedded in diverse webs of economic, political and social relations. While not necessarily in opposition to each other, these two approaches to the study governance propose alternative explanations about how power is exercised in these contexts. However, they do so primarily from the perspective of “rulers” rather than “followers,” which leaves a critical gap in our understanding of these modalities (for an exception see Arjona, 2015). By overlooking for the nuanced ways in which civilians “nudge armed groups” (Kaplan, 2013b), the existing literature fails to provide comprehensive analysis of the outcomes of these modes of governance. This is why it is critical to consider how civilians come to comply, negotiate, and contest the norms and practices that they are being subjected to.

The third body of literature on civilian agency helps to address these analytical gaps, by turning its attention towards those who most intimately know about and experience war (Prashar, 2013; Sylvester, 2013). Theories on human agency are extensive across psychology, sociology, anthropology (see Emirbayer & Mische, 1998). The review here focuses on civilian agency in the context of armed conflict, which is far more limited. Existing scholarship has focused on specific types of relations and interactions among civilians and armed groups. These include *victim-perpetrator* and

*coercion-persuasion*. Recent interest into *ruler-ruled* relations and interactions complements and advances previous work. Crucial next steps in the study of civilian agency involve an analysis of the synergies among these different types of relations and interactions, which I argue is possible through the “reinventing order” framework. It is these broader discussions on civilian agency to which this dissertation seeks to make a contribution.

## **Theories of Civil War**

### *Macro-Perspectives and Dynamics*

The proliferation of civil wars in the early to mid-1990s—sprawling across parts of Eastern Europe, Sub-Saharan Africa, and Southeast Asia—sparked tremendous debate among academics and policymakers. The systematic and deliberate targeting of civilians by state and non-state armed groups became a defining feature of these “new wars” (Kaldor, 1995). Civilians were at the epicenter of violence, whether it be looting and pillaging, sexual violence, torture, forced displacement or casualties. Traditional humanitarian and peacekeeping missions were largely deemed inadequate in these contexts (Bonwick, 2006; Fox, 2002). The urgent need to better respond to these new episodes of violence revived the field of study by outlining the main causes and solutions to civil wars (see Sambanis, 2002; Walter & Snyder, 1999).

Drawing on econometric models and logics, macro-level studies emerged, shaping the initial parameters of the debate (Collier & Hoeffler, 2001; Fearon & Laitin, 2003). Although they varied in their theoretical positioning,<sup>1</sup> they presented competing mono-causal perspectives on civil conflicts. Some scholars considered identity cleavages, such

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<sup>1</sup> King (2004) identifies four theoretical strands under the identify politics rubric: essentialism, instrumentalism, institutionalism and constructivism.

as ethnicity, class or, religion, to be the main triggers of civil wars (Kaufman, 2001; Sambanis, 2001). Other scholars debated whether motives related to greed or grievance best explained why so many young people were joining armed groups (Berdal & Malone, 2000; Stewart, 2008). Branching off from this debate, other scholars tried to expand the economic approach by exploring the connections between population demographics, access to natural resources, such as oil or diamonds, and armed violence (Homer-Dixon, 1994; Le Billon, 2001). Still others focused on whether natural resources motivated or sustained armed rebellion in these contexts. The last, and perhaps most influential approach turned its attention towards the state. It suggested that the fragility of state institutions—varying from weak, to failing, to collapse—best explains the rise of illicit armed groups (Call, 2008; Rotberg, 2004; Zartman, 1995).

Despite the empirical and analytical limitations with these prevailing theoretical frameworks (discussed below), they were highly influential in policy circles for a couple of reasons. First, these studies proposed a simple explanation and solution to these “new wars”. Keen (2012) explains how econometric studies “offer an attractive and numerically derived oversimplification that gives us the illusion of having understood a complex world while allowing us to overlook a range of difficult issues” (p. 758). Second, these theoretical frameworks resonated with the ideological underpinnings of the neo-liberal agenda. By depicting these civil wars as inevitable these theoretical frameworks shift blame and responsibility for violence from the international community to forces within national states. In doing so, they conveniently justified what Richards (2005; 8) refers to as a “non-interventionist stance”. Instead of addressing the root causes of armed conflicts, the (liberal) peacebuilding toolkit has been limited to political and

economic liberalization, holding national elections, and (re)building state institutions (see Donais, 2009; Paris, 2010). According to some critics, the aim of this approach is to (re)build conflict or post-conflict states in a way that allows them to fully integrate into the global economic system (see Duffield, 2001; Chandler, 2007).

From a conceptual and empirical perspective, there are several limitations with these theoretical frameworks. First, these theoretical approaches confine a series of actors and processes associated with civil wars into a specific label. It is erroneous to assume that civil war breaks out because certain triggers or conditions arise; instead civil war requires leadership, organization, and followers. Focusing on *why* civil wars occur does not necessarily explain *how* they unfold or are sustained. The generic correlations proposed by these macro-level perspectives obscure the underlying actors, motives and processes that shape violence in civil wars.

Second, without an understanding or analysis of the micro-foundations of violence, these theoretical frameworks portrayed civil wars as illogical, chaotic and senseless. They attributed the outbreak of mass violence to “ancient hatreds” (Kaplan, 2000), a “clash of civilizations” (Huntington, 1996) or a group of unemployed thugs that were either waiting for the appropriate opportunity or were manipulated by elites to loot, rape and kill (Mueller, 2000). Informed by a Hobbesian perspective, these theories emphasized opportunistic and sadistic behaviour, gratuitous atrocities and the absence of political objectives (Kalyvas, 2007).

Third, these theoretical frameworks failed to consider the spatial or temporal variations of violence that occur within civil wars. By confining civil wars to a specific label, it was often presumed that the motives and patterns of violence are uniform across

the country. According to this assumption, national-level actors seeking power will use an array of strategies to gain the support or collaboration of regional or local-level actors. Through a sophisticated analysis, Kalyvas (2006) finds that cleavages between the center (national level) and periphery (local level) are far more common in civil wars than these approaches accounted for. His study shows that actors at the periphery often use master-level narratives to carry out violence that may in fact be driven by an alternative agenda. This is problematic when we realize that “most programmes of conflict resolution, prevention and mediation are typically driven by regional, national and international perspectives” (Verwimp, Justino & Bruck, 2009: 308. See also see Austesserre, 2006).

#### *Micro-Perspectives and Dynamics*

In efforts to move beyond the broad-brush strokes painted at the macro-level, research at the micro-level<sup>2</sup> has pushed towards a fine-grained analysis of civil wars. Considerable attention has been turned towards armed actors, which was an important correction to previous portrayals of armed groups as thugs, bandits or criminals devoid of political motivations (see Clapham, 1998; Bøås & Dunn, 2007 & 2017; Krause & Milliken, 2009). A more comprehensive analysis of armed groups’ behaviour also revealed substantive variation in the use of violence, both in its form and frequency. Although scholars offer competing explanations, the micro-turn converges around the view that the use of violence is a tactic, among others, in achieving social, economic or political objectives (Valentino, 2014). Scholars have explored the different conditions and scenarios that explain why armed groups use violence. These can be divided into two broad clusters: resources and organizational capacity of armed groups, and variations of

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<sup>2</sup> For an overview of the micro-turn in the study of civil conflicts see King, 2004; Verwimp, et al, 2009; Justino, et al., 2013. For a review and critique see Kalyvas, 2008 and Tarrow, 2007.

territorial control. Below, I review prominent scholars within each debate and the main critiques of their approaches.

*Resources, Organizational Norms and Structures, and the Use of Violence*

A number of scholars have examined the relationship between resources, organizational structures, and the use of violence against civilians. Among these scholars, Weinstein (2006) argues that variation in the use of violence depends on the type of resources that rebel groups use to sustain their membership and activities. Through a comparative study of Uganda, Mozambique and Peru, he distinguishes between “resource-rich” and “resource-poor” rebel groups. The former usually have access to economic resources (e.g. natural resource extraction, taxation, criminal activity and external patronage) and are typically driven by an opportunistic agenda, whereas the latter rely on social resources (e.g. ethnic, religious and ideological identities), which tend to have an activist agenda. According to Weinstein, access to the initial resources available to armed groups will determine the type of organizational structures and tactics pursued by armed groups, as they directly affect the type of members they will recruit. For instance, highly-committed individual *investors* who are dedicated to the cause of the organization and willing to make costly investments for future rewards are likely to join activist groups, whereas low commitment individual *consumers*, seeking short term gains from participation, are most likely to join opportunistic groups.

While Weinstein’s work presents a far more sophisticated analysis than the “greed versus grievance” literature discussed earlier, there are several shortcomings with his model. First, rebel groups often have access to a variety of resources, which makes it difficult to categorize them as a purely activist or opportunistic group (Mampilly, 2011).

The activist versus opportunistic dichotomy does not account for the possibility that rebel groups may acquire additional resources, which could influence the objectives, members, and activities of the armed group.

Second, Weinstein does not factor in the role of civilians during civil wars, and how this shapes the repertoires of violence used by rebel groups. Civilians often serve as a major resource to rebel groups; they act as informants, collaborators or supporters (Kalyvas, 2006; Wood, 2003). In other cases, civilians can defend themselves by forming local defense groups (Mégret, 2009) or joining government-sponsored militias (Jentzsch, Kalyvas & Schubiger, 2015). By factoring in these alternative responses, we can begin to consider a broader set of interactions that occur between rebels and civilians.

Third, Weinstein's model is highly path dependent. It assumes that patterns of violence will flow from the initial resources that are acquired by the rebel groups. In so doing, it overlooks the fact that recruits are trained and socialized within the armed group's structures (Baines, 2014; Tarrow, 2007). Beyond their commitment and investment level, Weinstein does not consider other motives individuals have for joining armed groups, or even the processes involved in mobilization, such as social ties and networks (Fujii, 2011; Parkinson, 2013). Lastly, there are other actors or dynamics that significantly influence the behaviour of armed groups, such as the state (Kalyvas, 2007), or the deployment of peacekeeping troops. None of these actors and factors are incorporated into his theoretical model.

Despite these limitations, Weinstein's book influenced research into civil war by thinking more seriously about the relationship between armed groups' organizational structures, resources and violence. His work highlights the correlation between the armed



group's external resources (economic or social) and its internal capacity (organizational structure, and discipline). Building on this insight, other scholars have examined how insurgents' organizational capacity affects their targets (Valentino, 2004), their ability to provide and sustain incentives to their members (Wood, 2010), or their ability to discipline the group's members (Wood, 2009).

#### *Variation in Territorial Control and Violent Repertoires*

Kalyvas' (2006) theoretical framework begins with the premise that civilians play an important role in the success of any rebel group in civil wars. One of the most common and easiest ways for rebel groups to gain civilian support is through territorial control. According to Kalyvas' theory, once an armed group seizes territorial control, opponents of the armed group residing in these areas are identified and eliminated. To avoid being targeted, individuals that oppose the group that is in control will either flee or switch their allegiance to remain safe. Although effective in generating support and collaboration from the local population, territorial control is difficult to acquire and maintain. It requires troop allocation and time commitment, which are scarce resources during civil war. It is therefore not uncommon for territorial control to vary substantially from one side to the other during the course of armed combat. Kalyvas identifies five different forms of territorial control that are common during armed violence: total incumbent control; dominant incumbent control; parity control; dominant insurgent control, and lastly total insurgent control. Based on this typology, he shows that armed groups' utilization of violence will vary from indiscriminate towards selective, depending on the degree of territorial control. He finds that the higher the level of territorial control, the less likely the armed actor will be to resort to violence.

When compared to Weinstein, Kalyvas outlines a more dynamic theoretical framework that takes into consideration both state and non-state armed groups and the role of civilians. However, there are some inherent assumptions within his theoretical framework that are problematic. First, Kalyvas' theory is based on the premise that all armed groups are continuously trying to expand their territorial reach and control. Kaplan (2017) points out that some armed groups may not want to expand to new areas. For instance, the resources they collect from a particular area may be so lucrative that it will not be beneficial to the armed group to bear the costs of taking on the control of new territories.

Second, Kalyvas assumes that state forces and rebel groups are in constant contestation and competition over territorial control. Staniland (2012) finds that the relationships between state and non-state armed groups are remarkably complex and fluid. Drawing on examples across southern-east Asia, he shows different forms of coordination, accommodation, and agreements among opposing armed groups. He develops a typology of wartime order,<sup>3</sup> which hypothesizes around variation in territorial control and state-insurgent cooperation, thus demonstrating the significant variation in these relations and interactions.

Third, Kalyvas incorporates civilian agency in civil wars into his theoretical framework by recognizing that violence is a joint process between the dominant and the peripheral levels. He accounts for the diverse and even unrelated motives driving the execution of violence between the two levels of analysis. However, by focusing exclusively on civilians' direct involvement in violence, he overlooks a wide range of

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<sup>3</sup> Staniland (2012) defines wartime order as: "the structures and distribution of authority between armed organizations: who rules, where and through what understandings" (p. 247).

alternative responses. In fact, only a small percentage of individuals directly participate in armed violence. Citing extensive evidence across case studies, Lichbach (1995) shows that only 5 percent of the population become active supporters of armed groups. Wood (2003) finds that only one-third of peasants that remained behind in rebel-held areas in El Salvador collaborated with insurgents.

#### *Key Gaps and Areas for Further Research*

The analytical turn in the study of civil wars from the macro-level towards the micro-level is an important shift in this body of scholarship. Confining civil war actors and processes into a fixed label or category obscures key insights about the dynamics of these wars. However, the scholarship, regardless of its level of analysis, has primarily focused on identifying structural factors that contribute towards the outbreak of violence and individual motives of why armed groups resort to violence against civilians. In doing so, the civil war literature has failed to consider broader sets of relations, interactions, and dynamics that take place in civil wars.

Richards' (2005) categorization of armed conflicts as “no peace—no war”, discussed is a useful correction to this. Especially as it convincingly shows how boundaries between the peace/war are extremely fluid. The ebbs and flows that follow violent episodes present critical opportunities for those living through these contexts and must be further considered in order to more fully comprehend the dynamics and repertoire of responses to situations of sustained civil violence. As Parashar (2013) astutely notes, “People live in wars, with wars and wars live with them after it ends... War begins with peace and there is peace in wars” (p. 618).

It is important to increase scholarly attention of “no peace—no war” contexts for several reasons. First, they account for the majority of today’s armed conflicts. Globally, the number of civil conflicts has been declining since the mid-1990s. Yet, about 90 percent of those that occur take place in areas that have already experienced armed violence within the past three decades (World Bank, 2011), and where the prospect for “reversion” is often imminent. Second, it is challenging to find or even define a durable solution to these contexts, as there are no longer precise moments when these armed conflicts can be seen to begin or end. This is because there are often multiple logics, rather than a singular logic, behind the armed conflict (Kalyvas, 2006). Third, the standard peacekeeping and peacebuilding tools used by the international community are failing to generate sustainable peace in these contexts. The majority of countries trapped in a “no peace—no war” situation have usually undergone the standard set of peacekeeping and peacebuilding activities, including peace agreements among belligerent parties, new constitutions, reforms to state institutions, and “free and fair” elections. Despite these extensive efforts, armed violence remains a prominent feature in the daily lives of those living in these contexts. Both approaches to the study of civil wars discussed above are largely based around strict conceptual distinctions between war and peace, chaos and order, and combatants and civilians that do not accurately reflect the complex dynamics of such conflicts.

### **Governance During Civil Wars**

Previous portrayals of civil conflicts as “domestic anarchy” (Vinci, 2008), “para-states” (Pełczyńska-Nałęcz, Strachota & Falkowski, 2008), “quasi-states” or (Jackson, 1990) or “black spots,” (Levitsky, 2008), did not adequately advance our understanding

of contemporary armed conflict. Despite its popularity among some academics and policy-makers, the fragile states literature and praxis has been largely discredited on conceptual and empirical grounds (see Bøås & Jennings, 2005; Englebert & Tull, 2008; Krause & Milliken, 2009). It has been widely recognized that this analytical approach is profoundly biased towards Eurocentric experiences with democracy and capitalist markets, which only account for a small number of states. In fact, it is estimated that 80 percent of the world's population lives in areas marked by "limited statehood" (Risse, 2011).<sup>4</sup> Most post-colonial states, particularly those in Sub-Saharan Africa, have never resembled or functioned as the ideal-type notion of the state. One of the most salient critiques of this approach is that states are often "identified as failed not by what they are, but what they are not" (Hill, 2005; 148). There are serious analytical limitations to this pathological approach, which tends to view statehood in an essentialist, teleological and instrumentalist manner (Hagmann & Hoehne, 2009).

Contrary to prevailing assumptions, the absence of such ideal forms of governance does not mean that there is a lack of public authority or services, even in countries that have been severally affected by prolonged armed violence, like the eastern DRC. In response to the widespread disillusionment with the fragile state perspective, an impressive body of literature examining non-state governance modalities in areas of limited statehood has emerged. Until recently, most scholars have examined state partnerships developed with "legitimate" non-state actors, such as non-governmental organizations, multilateral institutions, or private corporations, involved in delivering

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<sup>4</sup> According to Risse (2011) limited statehood refers to countries where the ability to enforce rules or to control the means of violence is restricted along various dimensions: (1) territorial, implantation across the entire sovereign; (2) sectoral, with regard to specific policy areas; (3) demographic, with regards to specific parts of the population; and (4) temporal.

public services. These actors are often perceived to be participating in a complementary manner, by responding to particular sectors or areas where services are needed but are insufficient. Drawing on these insights, scholars are now focusing on the role that “illegitimate” non-state groups, such as rebel groups, criminal gangs, or vigilantes, play in governance in areas of armed conflict (Arjona, Kasfir, Mampilly, 2015; Raeymaekers, Menkhaus, Vlassenroot, 2008). These armed actors often operate in direct opposition or contention to the state, as they are competing for popular support and collaboration for their cause.

The focus of previous scholarship on civil wars that primarily examined the mobilization of and participation in violence, makes it difficult to imagine that armed groups are also involved in other set of activities. Contrary to conventional wisdom however, territorial areas that fall under the control of armed groups are not controlled solely through the use of excessive violence (see Kalyvas, 2006). Instead, a particular set of norms and rules are established often shaping the types of interactions that emerge among combatants and civilians. Although practices of coercion, exploitation, and, violence do occur, they often do so in a more predictable manner than initially realized (Arjona, 2016). In some incidents, as will be later shown, some individuals residing in rebel-held territories have reported receiving better security provisions from rebel groups than the state (Förster, 2015).

Drawing on Olson’s (1993) work, this area of research often begins with the analytical distinction between “roving versus stationary” armed groups. Based on this distinction, interactions with civilians are primarily viewed in two ways: as a resource to be exploited or as a support base that can occasionally benefit the armed group (for a

similar dichotomy see Weinstein, 2006). Examples of the former would include Uganda's Lord's Resistance Army or Sierra Leone's Revolutionary United Front, while the latter includes the Revolutionary Armed Forces of Colombia or Sri Lanka's Liberation Tigers of Tamil Eelam. Although this is an important analytical starting point, it does not explain what happens in areas that fall under the territorial control of armed groups. Although rebel-held territories are common across civil wars, such as Sri Lanka (Stokke, 2006; Mampilly, 2011), Colombia (Arjona, 2016), Côte d'Ivoire (Förster, 2015), South Sudan (Mampilly, 2011; Walraet, 2008) and the eastern DRC (Hoffman & Vlassenroot, 2014; Mampilly, 2011; Raeymakers, 2014), what occurs in these territorial areas has traditionally been essentially treated as a black box. Opening this black box allows us to consider the broader set of interactions and relations that develop under areas of rebel control, which often involve more than violence (Arjona, 2016).

To date, there are two common research agendas among scholars working in this sub-field of study. First, is an interest in explaining *why* rebel groups divert scarce, vital resources, such as time and personnel, to control territorial areas. Second, there is a desire to explain *how* these administrative institutions vary from case to case, and *why*. Recent scholarship has documented tremendous variation in the activities carried out in these contexts, including: exercising authority through law enforcement activities; adjudicating disputes; regulating the economy through the collection of taxes; and delivering public goods, for example in the areas of health or education.

#### *Conceptual and Definitional Boundaries*

The growing interest and debate in this emerging sub-field is evident by the several conceptual terms used to describe this phenomenon, including “twilight

institutions” (Lund, 2006), “mediated states” (Menkhaus, 2007), “negotiated statehood” (Hagmann & Peclard, 2010) “real governance” (de Sardan, 2008), “governance without government” (Menkhaus, 2007), “hybrid governance” (Meagher, 2012), and “rebel governance” (Arjona, Kasfir, & Mampilly, 2015). The explosion of these conceptual terms demonstrates a burgeoning interest among scholars in examining governance modalities that arise in areas of limited statehood.

I identify two conceptual and analytical approaches to the study of governance during civil wars. The first I refer to as the *administrative and institutionalist* approach, which primarily views governance as a set of administrative practices that are created and enforced by rebel groups operating within a particular territorial space. This perspective highlights the importance of institutions, whether they be formal or informal, that are responsible for administering public authority and delivering services. The second, I refer to as the *social ties and networks* approach, which has a more fluid and dynamic conceptualization of governance. According to this view, governance involves a series of negotiations among social, political and economic actors, and formal or informal institutions, which result in a set of governance arrangements. This perspective puts greater emphasis on the web of power relations and networks that result in collective binding agreements.

While these approaches do not necessarily oppose each other, they give more weight to particular sets of actors and factors that underscore and ultimately shape these governance arrangements. They also reveal methodological differences in the study of order, power, and authority. Scholars whose work falls within the first approach tend to adopt more positivist research designs whereby they are interested in tracing the causes



and effects of governance structures. Within the second approach, scholars tend to develop a more interpretative research design, which presents a way of thinking and analyzing dynamic and complex dimensions of governance. Below I review the work of some of the most prominent scholars associated with these two approaches.

### *Administrative and Institutionalist Approaches to Governance*

The first strand of literature builds on Kalyvas' (2006) control-collaboration theory, which underscores the importance of territorial control among armed actors during civil wars. Building on these insights, Kasfir (2015) outlines three scope conditions that must be present to meet the minimalist threshold of rebel governance. First, the rebel group must control some territory within the state it is fighting against. More specifically, he notes that the rebel group must control the territory, either partially or completely, for at least six months. Second, civilians must be residing in the territory during the period in question. Third, the rebel group must commit an initial act of violence and continue hostilities against the state. It is only after these conditions are met that a rebel group can "organize civilians within a rebel-held territory for a public purpose" (Kasfir, 2015; 24). Most scholars adopting this approach are interested in explaining variation in the formation and outcomes of administrative institutions that are developed by armed groups.

Weinstein (2006) examines the democratic practices of rebel groups by focusing on two dimensions of their administrative structures: first, the extent of power sharing (e.g. unilateral or joint military-civilian); and second, the degree of inclusiveness (e.g. participatory or non participatory). By focusing on these two variables he develops a typology with four possible outcomes: unilateral military and participatory; unilateral and

non-participatory; joint military-civilian and non-participatory; and joint military-civilian and participatory. A joint power-sharing and participatory system between rebels and civilians is considered to be the most optimal outcome. According to Weinstein, this system will strengthen the rule making process, resource management, and provision of goods, and also check and balance the power of rebel groups.

Kasfir (2005) is interested in why some rebel groups invite the participation of civilians in their decision-making processes and structures. Drawing on Uganda's National Resistance Army (NRA) as a case study, he finds that the most important factors shaping the rebel group's decision include: military strength, ideological vocation, dependence on civilian assistance, and the need to accommodate to civilian preference in its operational area. From a military standpoint, he explains that once the NRA controlled a particular community, it no longer needed to accommodate to civilian preferences. However, it was difficult for the NRA to change its operating practices, as there were certain expectations among the local population about the promises NRA had made.

Through a comparative analysis of South Sudan, the eastern DRC and Sri Lanka, Mampilly (2011) analyzes the effectiveness of civil administrations developed by rebel groups. To determine this, he evaluates the rebel group's ability to: (1) control and stabilize the territory, through policing; (2) create a dispute resolution mechanism, including complaints against the rebel group; (3) provide public goods, such as education, and health care. According to these criteria he outlines the variation of governance structures along a spectrum ranging from effective, partially effective, non-effective to ineffective forms of governance.

Based on extensive research in Colombia, Arjona (2016) proposes a typology of social orders that emerge in civil wars. She first distinguishes between the types of conflict zones that exist. Accordingly, she identifies *disorder* as situations where civilians live with tremendous uncertainty; while the other variants are referred to as *order*, which are situations where there is a formal or informal social contract between civilians and combatants. The second distinction examines the types of order that emerge, which vary according to the level of intervention by the rebel group. When there is broad intervention into civilian affairs (e.g. controlling public speech or gathering, dress code or sexual conduct) this is called a *rebelocracy*; on the other hand, if rebels rule in a minimalist way (e.g. provision of taxes and policing) then this is referred to as a *aliocracy*.

The group of scholars that I have included under the *administrative and institutionalist* label have made significant theoretical contributions to the study of rebel governance. However, there are some shortcomings with their overall approach and the underlying premise through which they conceptualize governance. First, they present a rather static picture of rebel-civilian relations that have clear temporal and spatial boundaries within their analyses of rebel governance. Arjona's (2016) work opens up the analytical space to consider two conditions in civil wars - order and disorder. However, there is often tremendous fluctuation and a fluid boundary between order to disorder, shaping both civilian relations and interactions with armed actors, and the governance practices of armed groups. Furthermore, civilian-combatant relationships do not always begin or end during rebel governance. This is particularly pertinent for armed groups that are socially embedded within the communities they seek to govern, like the Mai Mai. These pre-existing relations, often based on a shared identity, shape the norms and rules

that are developed by the armed groups and in turn, civilians' compliance or resistance. Stronger emphasis should be placed on how pre-existing civilian-combatant relationships shape rebel governance, and/or how rebel governance shapes civilian-combatant relations once a rebel group retreats back into the "bush".

Second, the administrative and institutionalist scholars are subject to a variant of the earlier criticisms of studies of governance that were considered to be too state-centric, insofar as their approach is arguably too rebel-centric. These scholars primarily focus on the administrative institutions created by rebel groups in areas of that come under their control. For example, they consider whether these institutions are democratic (Weinstein, 2006), participatory (Kasfir, 2005), or effective (Mampilly, 2011). However, as Worrall (2017) explains, "it will be very unlikely that rebel governance will be entirely dominant. Rebels may in fact be little more than *primi inter pares* and may hold little more than their capabilities for violence. In these circumstances the rebels will be even more reliant upon existing ordering structure in order to govern" (p. 717). While these scholars recognize that rebel groups' governance style is often influenced and shaped by the state, they do not account for how divergent governance styles can co-exist, collide, or even co-opt. The point that Worrall makes is that structures, such as administrative institutions, play a role in the creation of governance, but so do other actors, such as customary chiefs, and critically civilians. Implicit in the overt emphasis on territorial control as the prerequisite for rebel governance is the fact that the rebel group will become the *main* source of authority in these contexts. This approach overlooks the fact that other sources of authority, such as police forces, state officials, and customary chiefs, are still influential in this context. This often leads to a series of interactions around "deal-making

and bargaining, co-optation, and cooperation,” among authority figures, which shape the governing style of the rebel group (Worrall, 2017; 711). Scholars that adopt a *social ties and networks* approach, as I label it, complement this scholarship by looking at the plurality of authority figures in these contexts.

### *Social Ties and Networks Approaches to Governance*

The second approach is influenced by previous scholarship that looks at how government officials sustain and expand their patronage networks, in order to bolster their influence, legitimacy, or resources (see Bayart, 1993; Reno, 1996). These “Big Men” tap into old or new networks in order to carry out their social, political, or economic agenda (see Utas, 2012). The starting point of many scholars that adopt this approach is the inherent “coexistence of multiple public authorities” each linked to “multiple parcels of authority” within the public sphere and give its own meaning to authority and political power (Lund, 2006). Rose (1999) conceptualization of governance is particularly useful, which he defines as:

... An emergent pattern or order of social system, arising out of complex negotiations and exchanges between “intermediate” social actors, groups, forces, organizations, public and semi—public institutions in which state organizations are only one – and not necessarily the most significant—among many others seeking to steer or manage these relations (p. 21)

Governance is understood as a network or coalition, whereby armed groups are one group among others involved in the production and management of authority (see Rayemaekers, Menkhaus, Vlassenroot, 2008). While the scholars that are largely situated within this approach focus on regulatory authority and public services in areas of protracted

violence, the types of coalitions or arrangements that are discussed do not always include armed groups.<sup>5</sup>

Drawing on this approach, Hagmann and Péclard (2010) develop an interpretative framework to understand statehood patterns in Africa. Their framework outlines a way to study what they refer to as “negotiated statehood” modalities. It focuses on “by whom and how state domination is fashioned (‘actors, resources, repertoires’), where these processes take place (‘negotiation arenas and tables’), and what the main outcomes and issues at stake are (‘objects of negotiation’)” (p. 544). Their proposed framework is underpinned by four theoretical propositions. First, statehood is understood as a partially determined process, fuelled by “evolving relations of control and consent, power and authority” (*Ibid.*). Second, these authors consider the diverse actors and strategies that compete over the institutionalization of power relations that form into distinct forms of statehood. Third, negotiations are profoundly unequal because they engage with heterogeneous actors, which have varying assets, entitlements, legitimacy and styles of expression. Fourth, statehood should be approached empirically rather than based on ideal types.

Menkhaus’ (2007) work on “governance without government” in Somalia is one of the first studies to critically examine the rise of these informal systems of governance and adaptation in response to the prolonged absence of central government. He demonstrates how the governance process is driven by coalitions of business groups, traditional authorities, and civic groups that have political and economic interests in fostering certain levels of predictability. Contrary to externally driven, top-down

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<sup>5</sup> For example, in the eastern DRC, Seay (2013) looks at how religious groups come together to provide health care services in the Kivus, while Titeca and De Herdt (2011) focus on negotiations between state and non-state actors to provide education services (discussed in Chapter 1)

approaches to statebuilding, these internally driven, bottom-up approaches have resulted in varied levels of success. He emphasizes how these governance arrangements have provided some semblance of public order and respect for the rule of law, something that has been absent in the country for the past 20 years. However, he is also cautious of how the very success of these coalitions could impede or hamper future approaches to statebuilding. Based on lessons drawn from these approaches, Menkhaus argues that future governance efforts should aim to create a “mediated state” in which “the government relies on partnership with diverse range of local intermediaries and rival sources of authority to provide core functions of public security, justice and conflict management” (p. 79). Although these are “not ideal choices for government”, he recognizes that this might be “the best of bad options for weak states” (p. 80).

Influenced by the “governance without government” approach, Raeymaekers (2014) is interested in tracing the evolution of protection arrangements in the eastern DRC during the war and post-war period. Through an in-depth study of Congolese-Ugandan cross-border traders, he analyses the economic and security arrangements that formed between a rebel group, known as the *Rassemblement congolais pour la démocratie-Mouvement de libération du Congo* (RCD-ML, Congolese Rally for Democracy-Liberation Movement) businessmen’s associations, and the Catholic and Protestant churches (see Chapter 4 for a discussion on the RCD-ML). He primarily focuses on taxation arrangements, which he refers to as “protection markets” that develop between businesspeople and the RCD-ML. Although these “protection markets” were initially imposed upon in a fairly intimidating and coercive manner, Raeymaekers shows how the Congolese traders found shortcuts in order to arrive at more favourable

concessions to carry out their commercial activities. As time passed, the RCD-ML also felt increasing pressure to accommodate to the businessmen's associations. As he explains, the brokers of this emerging, governable arrangement moved from being situated on the margins of the law to being the makers of the law itself. He also points to how the alliances formed completely shifted patrimonial logic, in favour of a more fragmented, decentralized form of political order after the war.

Despite the analytical and empirical contributions of these and other scholars, the *social ties and networks* governance approach are also limiting in two ways. First, these approaches tend to minimize the on exploitative power relations which sustain patronage networks. The benefits of these governance arrangements are largely dependent on one's social, political or economic position within these webs of networks. The majority of those who are on the margins of these arrangements are excluded by these networks, and therefore do not receive the benefits, especially as it applies to security/protection issues.

Second, while these are highly fluid and dynamic governance modalities, the strategies used by armed groups are largely reinforcing the status quo of domination, exploitation, and exclusion. Through a comparative study of the RCD-ML in the Congo and the Bakassi Boys in Nigeria, Meagher (2012) shows that both arrangements ended up reproducing rather than challenging predatory modes of governance. According to her analysis, the case of the RCD-ML represents local order based on power without legitimacy, whereas the Bakassi Boys represent an instance of social legitimacy without power.

Third, there is growing scepticism about the academic and policy interest in these alternative modes of governance. In particular, Meagher (2012) provocatively asks



whether “these non-state systems of order and authority are desirable [by the international community] because they are locally acceptable or because they are cheaper than building sovereign and accountable states” (p. 1078). This line of questioning is largely connected to previous criticisms against the neo-liberal approach towards peacebuilding, whereby the overall goal is to find ways to integrate these post-conflict states into the global economy, rather than ensuring that they function for their own population (see Duffield, 2001; Chandler, 2007).

#### *Key Gaps and Areas for Further Research*

By opening the black box of rebel-held territories, scholars using the *administrative and institutionalist* approach have examined the different ways armed groups exercise authority and provide services to the local population. Armed groups become involved in various functions and services typically viewed as the responsibility of the state. These include opening administrative offices, where they regulate social and political affairs of an area; providing security by patrolling areas under their control; managing economic activities through the collection and regulation of taxes; creating conflict resolution processes and mechanisms; and at times, providing public services, such as education and health services. The crux of this scholarship has focused on explaining the different administrative and institutional systems that are put in place. In doing so, the scholarship has focused much more on the “structure” side of the debate while overlooking “agency”, particularly of civilians. Inspired by Giddens’s (1984) theory of structuration, Worrall (2017) explains that structures play a role in creation of order, but it is also based on key actors, which uphold and shape order. When agency is examined, primarily through the work of *social ties and networks* scholars, the analysis

tends to be confined to individuals enmeshed in patrimonial networks. This confines our analysis to other authority figures, such as customary chiefs, local administrators, religious leaders, and business people. Generally, these individuals have a more elevated socio-economic and political status than the “general masses”.

Civilians’ accounts of these governance modalities are important because they provide a more nuanced account of what happens in “no peace—no war” contexts. As Kaplan (2017) boldly states, “As this body of scholarship stands, it is like having a model of democratic participation without a theory of the participants – the voters” (p. 42). A close reading of civilians’ interpretations and portrayals also shows that they have some leverage over the conduct of these armed groups, perhaps even more than is recognized within the existing literature. While it is important not to overstate the agency of civilians, it is just as important, not to undermine or discount it. A review of the existing literature on civilian agency during armed conflict begins to address this gap, especially by examining the different roles and responses that are commonly pursued by individuals and communities in search of a more elaborated sense of order.

### **Civilian Agency During Armed Conflict**

There is growing recognition among scholars that civilians play a crucial role in armed conflict, often shaping the behaviour of armed actors and their use of violent repertoires. Valentino (2014) argues that “civilians are not merely bystanders to armed conflict, they play a central, if often involuntarily, role as the underwriters of war” (p. 94). Sylvester (2013) insists that when it comes to studying war, people’s narratives and experiences constitute and influence war just as much as other critical factors, such as weapons, tactics, or objectives. These scholars make a persuasive argument as to why

civilian experiences matter in the study of armed conflict, which is the point of departure for this dissertation.

Following the work of several scholars in this field, I recognize that civilians, even if constrained to varying degrees, make tactical decisions and adopt strategies that are critical to scholarly understandings of armed conflict dynamics (see Arjona, 2015; Kalyvas, 2006; Kaplan, 2017; Massullo, 2017). As Arjona (2017) convincingly states, “Insofar as people make choices considering the alternatives available to them, identifying the range of those options is an essential step toward theory-building” (p. 756). While the existing literature has made important contributions in examining the different *identities* and *responses* that civilians adopt and pursue, these categorizations often fail to capture the messy reality of living with, and within, prolonged armed violence (see Chapter 1). For the most part, the literature has focused on particular types of interactions and relations that occur among civilians and armed groups: *victim-perpetrator*, and *coercion-persuasion*. These relations and interactions become the locuses under which civilian agency is theorized and conceptualized.

The *victim-perpetrator* literature examines repertoires of violence used by armed groups and the different ways that civilian mitigate potential or actual physical threats. The focus on civilian self-protection strategies is a direct response to the failures of humanitarian and peacekeeping missions in the 1990s, which led some scholars to provocatively ask, “Who really protects civilians” in these situations? (Bonwick, 2007). Scholars develop several typologies to capture the varied responses that civilians take in these complex situations. This literature provides an important corrective to previous conceptualizations of civilian protection “As an activity done *to* civilians by others, as

opposed to an activity done *by* civilians themselves” (Jose & Medie, 2015; 2; Italics in original). Relations between civilians and armed groups are primarily viewed as that of victim-perpetrator, which is problematic because it only captures *one* type of interactions that occur in situations of armed violence.

The *coercion-persuasion* literature is interested in “theorizing the mechanisms [and patterns] that underlie distinct types of civilian cooperation and non-cooperation” (Arjona, 2017; 757). In particular, scholars have focused on how the different forms and degrees of cooperation or non-cooperation directly harm or benefit armed actors. In general, scholars tend to agree that the survival of armed groups largely hinges on the behaviour of civilians. According to Mao Tse-Tung, “Guerrilla warfare basically derives from the masses and is supported by them, it can neither exist nor flourish if it separates itself from their sympathies and cooperation” (cited in Masullo, 2017; 4). This underlying logic has not only informed the operations of insurgents, but also the majority of counterinsurgent policy strategies that aim to “win the hearts and minds” of local populations. In this body of scholarship the relation between civilians and armed groups is often viewed as one of *coercion and/or persuasion*.

The main challenge with these two bodies of scholarship is that they focus on particular types of relations and interactions that occur among civilians, combatants and armed groups. This is not reflective of other arrangements that emerge during armed conflict, especially in situations where armed groups are interested in governing particular areas. Convincingly, Arjona (2017) argues that current conceptualizations of civilian agency need to be further redefined as they have failed to consider that the relations between armed groups and local populations are often relations between *ruler*

*and ruled*. Worrall (2017) states that insurgents must engage with civilians in some way to exercise enough control over them to facilitate their aims. Podder (2017) explains that “Coercion as the basis for authority can be useful in the short run; however, in the long run, it is likely to undermine legitimacy and support” (p. 690; see also Kasfir, 2005; Schlichte & Schneckener, 2015). The importance of legitimacy, and the questions it raises with respect to compliance and resistance, has been an important area of research among political scientists (see Dalh, 1961; Weber, 1978). However, the reframing of civilian-combatant relations and interactions as ones of *ruler and ruled* is largely unexplored and has important implications in our theorization of civilian agency in these contexts (Arjona, 2017 and Podder, 2017 are important exceptions). Below I review the different set of relation and interactions among armed groups and civilians, according to these categorizations, focusing on the options and strategies available to by civilians.

#### *Victim and Perpetrator Dynamics: Self-Protection*

Civilian self-protection strategies during armed conflict are gaining attention among academics and policymakers alarmed by the limitations of international peacekeeping and peacebuilding efforts (see Bonwick, 2006; Clark-Kazak, 2014; Megret, 2009; Suarez & Black, 2014; Williams, 2013). Individuals that use self-protection strategies are commonly concerned about their security conditions, and search for ways to mitigate potential or actual physical threats. This concern with security conditions affects the type of risks that individuals are willing to take when they respond to armed actors and their violent repertoires. The intention of improving security conditions by making risk assessments and taking calculated risks is a critical feature of self-protection strategies. In a review of the existing literature, Jose and Medie (2015) identify three

common elements found in self-protection strategies: (1) a variety of actions are taken to protect against the immediate threat of physical violence orchestrated by state or non-state armed actors; (2) these strategies are initiated and deployed by individuals or communities; and (3) they are employed during times of armed conflict.

Baines and Paddon (2012) provide an analysis of the strategies adopted by civilians during the war in northern Uganda. In particular, they identify three main protection strategies used at the height of the war. These include: *neutrality*, involving a series of ways civilians concealed their allegiance to an armed group; *avoidance*, through either temporary or permanent displacement; and lastly, *accommodation*, requiring different forms of cooperation or collaboration with armed groups. Individuals who participated in their focus group discussions also distinguished between two time periods that called for changes to their strategies – periods when they were living in the village, and periods when they were in displacement camps. Baines and Paddon (2012) underscore the importance of local knowledge systems and networks that were used by their participants to inform their strategies.

Following Hirschman's (1970) "voice-exit-loyalty" framework, Barter (2012) considers the different options civilians pursue during times of conflict. Drawing on a variety of examples of armed conflicts around the world, he outlines a series of deliberations that arise in the face of ubiquitous threats. According to this framework, civilians can take actions to reduce or avoid conflict by *fleeing* (exit); they can also strategically *align* themselves with an armed group to gain protection (loyalty); or lastly, they can *document and contest* violence, either privately or publicly (voice). Barter also considers how these varied decisions and options may be employed concurrently.

Other scholars have delved more deeply into a particular type of self-protection strategy. Some scholars have examined civilians' choices for staying behind as opposed to fleeing, despite the risks involved in these decisions. Massullo (2015) explains that a considerable number of individuals may not have the interest, capacity or resources to flee. Steele (2009) shows that civilians can choose different destinations in order to minimize the cost of displacement and maximize the prospects of security in a new area. However, these authors differ in their interpretation of what "staying put" means for armed groups. Whereas Steele considers this a strong signal that civilians will cooperate with armed groups, Massullo argues that those that stay put can equally cooperate or not cooperate (see Massullo, 2017 for a discussion on these difference).

Despite the important contributions that this scholarship has made to the study of civilian protection it does not, for the most part, distinguish between the different types of *actors* and *threats* that civilians encounter during armed conflict. This is a critical oversight as these are crucial factors that shape civilian responses.

#### *Coercion and Persuasion Dynamics: Cooperation and Non-Cooperation*

Famous revolutionary thinkers and practitioners, such as Mao Tse-Tung (1978) and Che Guevera (1997), underscore the importance of civilian cooperation, arguing that these are key ingredients in both insurgent and counterinsurgency warfare. The existing scholarship has analyzed the varying types, motives, and degrees of civilian cooperation with armed groups, which is often acquired through a mixture of coercion and persuasion (Verweijen, 2016) or sympathy and fear (Kalyvas, 2006).

There are different types of support that civilians can offer to armed groups. Civilians can provide basic supplies, such as food, clothing, and medicine, as well as

logistical support by finding a safe place for armed combatants to stay or hide, or by collecting or withholding information (see Wood, 2003). Clandestine networks are often formed to facilitate support and collaboration (see Parkinson, 2013), typically requiring high levels of commitment and coordination among civilians. Most scholars would agree that individuals providing these types of supports, even if for prolonged periods, are not necessarily members of armed groups (Arjona, 2017; Kalyvas, 2006). Providing support in a combat capacity would be a different scenario. Kalyvas (2006) aptly observes that “popular support” does not always have to be an observed behaviour; it could also take the form of an attitude, preference, or allegiance. For him, conceptualizing support as attitudinal is problematic because it is unobservable. At the same time, he recognizes that observed behaviour is also problematic, as it is often consistent with contradictory attitudes (see Lichbach, 1995).<sup>6</sup>

Civilians’ motives for cooperation or non-cooperation with armed groups vary. Some individuals could be convinced or persuaded by the broader objectives of the armed group, they could be driven by security considerations (Kalyvas, 2006), or perhaps they are motivated by moral or emotional reasons (Wood, 2003). Social ties and networks that emerge on the basis a shared identity also play critical role in mobilizing support (see Fujii, 2011). Civilians could also be subject to material incentives or sanctions. Fear is also an important factor (Stoll, 1998), but it is usually not the only one. Kasfir (2015) reminds us that, “Civilians often volunteer their support beyond what they must do to stay alive” (p. 22). Given the fluidity of armed conflicts, support is also likely to wax and wane. Lichbach (1995) makes the distinction between hard and soft supporters, passive

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<sup>6</sup> The identified challenge here is methodological, where there is often a discrepancy between actual behaviour and reported behaviour by respondents, perhaps even more so in situations of armed conflict (see Chapter 3 for a more in-depth discussion on this).



and active supporters, and also individuals that are caught in the middle (see also Peterson, 2001). Kalyvas (2006) points out that there is a difference between initial motivations, sustaining motivations, and combat motivations. In his words, “Support is the outcome of a dynamic, shifting, fluid and often inconsistent confluence of multiple and varying preferences and constraints” (p. 101).

The opposite of collaboration with armed groups is typically viewed as non-collaboration. However, scholars differ in how they define and conceptualize non-collaboration. These distinct conceptualizations have varying implications for armed groups. Kalyvas (2006) explains that armed groups are not only looking for collaboration from civilians, but they are also seeking to prevent civilians from collaborating with their rivals. He disaggregates defection into three types: non-compliance, informing, and switching sides. Non-compliance involves actions such as complaining and critiquing, tax evading, shirking, and fleeing. Informing involves providing information about an armed group to its rival. Most often this is information that is provided in relation to the operational tactics and strategies of the armed group. Kalyvas argues that informing is different than switching sides, because the former is usually private and requires secrecy, which is not the case for the latter.

For other scholars, non-cooperation with armed groups does not necessarily have to entail cooperation with its opponents. For Kaplan (2013a) and Massullo (2017) non-cooperation entails civilians’ refusal to collaborate with *each* and *every* armed actor operating in an area. Massullo (2017) identifies ideal types of cooperation along a continuum, which include: oblique, brokered, unilateral, and armed. Oblique non-cooperation considers the indirect and disguised ways civilians refuse to cooperate with

armed groups. Brokered non-cooperation is the result of negotiations and dialogues that occur between armed groups and civilians. Unilateral non-cooperation is when civilians refuse to collaborate with an armed group in an overt way, but without negotiating this behaviour with the armed group. Lastly, armed non-cooperation is when civilians refuse to cooperate and oppose armed groups by organizing violence of their own, usually in the form of self-defence forces (see also Jentzsch, Kalyvas, & Schubiger, 2015; Mégret, 2009 on this topic). Kaplan (2013a) examines the institutions that civilians create in order to retain “autonomy” from armed actors. Drawing on insights from the Peasant Worker Association of the Carare River (ATCC) in Colombia, he shows the important role local institutions play in reducing violence. In particular, the ATCC developed a system to investigate whether individuals, suspected to be collaborating with an armed group. If the suspected individual was found guilty, she/he was given a choice to either stop their collaboration or leave the community.

#### *Ruler and the Ruled Dynamics: Compliance and Resistance*

To better theorize civilian agency, scholars also need to consider the choices and responses that they pursue in the context of non-state armed governance, which is also a prevalent pattern associated with armed conflict. Governance raises several questions related to compliance and resistance, which need further scrutiny. To date, the literature on this topic has been limited (see Arjona, 2017 & Podder, 2017 for exceptions). To help illuminate these dynamics, I review existing scholarship on theories of compliance and resistance with armed groups.

Although there are broad similarities, complying with rules that are being proposed by armed groups differ from when civilians offer support or collaboration.

Podder (2017) writes, “[Civilian] support is defined as ‘more than reluctant acquiescence’. It suggests a degree of fit between an armed group and a community. However, [civilian] support is not the same as compliance, which entails willing obedience to rules set by an armed group on civilians resident in a territory under its control” (p. 687). Podder begins to outline a critical distinction: compliance normally occurs when an armed group is governing a particular area, whereas support could be offered to either “roving or stationary” armed groups. Another distinction between compliance and support is the visibility of these responses. Compliance is usually widespread in contexts of armed group governance, whereas support is often a covert in order to avoid possible retaliation.

Compliance is commonly derived from certain beliefs or perceptions. On the one hand, compliance could include beliefs about the ruler, and her/his legitimacy in this position. As Podder (2017) explains, the “Subjects as a collectivity accept the authority of a ruler as rightful” (p.687; see also Weber, 1978). On the other hand, compliance could also revolve about the appropriateness of the rules that are being enforced. Arjona (2017) disaggregates this further by examining “proscriptive” and “prescriptive” rules, which are rules that regulate different realms of people’s lives, or between rules that are more or less instrumental to the interest of the armed group. Compliance can therefore be a belief or reaction to either of these rules or the ruler themselves in situations of governance.

Podder outlines a spectrum of compliance, which is primarily shaped by the armed group’s use of violence. At one end of the spectrum is *voluntary compliance*, which occurs when armed groups are seen to be acting in the interest of the community as a whole. To create this appearance, armed groups will draw upon “historically contingent

values, norms, and beliefs” (p. 688). Symbolic, cultural or ritualistic norms, which are often context specific, can help to create the “Necessary fit between the armed group’s goals and the community’s expectations from legitimate political authority” (*Ibid*; see also Hoffman, 2015; Mampilly, 2015). As levels of violence change, so does the nature of compliance. *Quasi-compliance* is a type of compliance that is “Motivated by a willingness to comply but [it is also] backed up by coercion, in order to ensure that others will obey the ruler” (p. 688). At the other end of the spectrum is *coercive compliance*, in which the conviction about the appropriateness of rule is inconsequential. Drawing on Weinstein’s (2006) differentiation of armed groups, Podder explains that “resource rich groups”, that have access to revenue generating resources are likely to rely on coercive compliance, in comparison to “resource poor groups” that remain largely dependent on local communities for resources, information, and recruits.

Resistance is often conceptualized as the opposite of compliance. There is wide consensus in the literature that resistance involves *oppositional action* of some kind; however, there is considerable disagreement about whether resistance must be *intended* by its actors, and whether it must be *recognized* by targets and/or observers (Hollander & Einwohner, 2004). Scott’s (1985) seminal work on “everyday resistance” is central to these debates. He argues that a focus on overt protests or rebellions can easily overlook the covert and subtle forms of resistance, which are prevalent among individuals, or communities of liminal socio-economic and political status. Characterized as “weapons of the weak”, the resistance tactics that he observes include foot dragging, evasion, false compliance, forged ignorance, pilfering, slander, and sabotage.

A critical idea that is linked to Scott's (1985) work is the notion of "transcripts" (hidden and public), which establish the ways of behaving and speaking that usually conform to particular social settings. For Scott, resistance is a subtle way of contesting "public transcripts" by making use of prescribed roles and language to resist the abuses of power – including things like rumour, gossip, disguises, metaphors, folktales, and ritual gestures. These strategies are particularly effective in situations where violence is used to maintain the status quo. As he puts it, creating the illusion that one is subscribing to the public transcript allows for a "a veiled discourse of dignity and self-assertion within the public transcript... in which ideological resistance is disguised, muted and veiled for safety's sake" (1985; 137).<sup>7</sup> Everyday forms of resistance often require little coordination or planning, and are used by individuals and communities to resist without directly confronting or challenging the status quo. One of the major criticisms of Scott's work is that the widespread prevalence of everyday resistance makes it difficult to determine what counts as resistance or not (see Ortner, 1995).

Resistance in situations of armed conflict, which often includes tactics against state or non-state armed groups, is far more limited. The existing literature on this topic has pointed to the importance of community structures and mechanisms. Mampilly (2011) argues that the quality of state institutions (e.g. legitimate and effective) shapes the success or hindrance of rebel created institutions. If the local population is accustomed to receiving a certain standard of public goods and services, they will resist against rebel groups that cannot provide the same (see also Wickham-Crowley, 2015).

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<sup>7</sup> Whereas Scott (1985) largely presumes that elite are largely unaware and unable to recognize of these everyday forms of resistance, Wedeen (1999)'s work demonstrates the opposite. She argues that the elite, in her case the Syrian regime, has to make some concession for this, in order to survive in the long-run.

Kaplan (2017) observes that social cohesion and organization among individuals residing in the same community plays a critical role in implementing collective strategies that allow communities to retain their autonomy. Arjona (2015) explains that in situations of rebel governance, there can be either partial resistance or full resistance. The former entails opposition to specific decisions or actions by rebels, whereas the latter entails opposition against rebel rule altogether. Her work on Colombia shows that are two factors that determine civilian's willingness and ability resist collectively: the quality of pre-existing local institutions, and the scope of rebel intervention in local affairs.

Debates about the use of armed violence as a form of resistance are particularly pertinent in the context of armed conflict (see Jentzsch; Kalyvas, & Schubiger, 2015; Mégret, 2009). Arguably, all non-state armed groups are rebelling against the state and could be broadly construed as a form of resistance. For instance, self-defence forces found in a wide range of contexts usually form in order to protect one's family, friends and community. In areas of chronic insecurity, self-defence forces are often perceived to be a necessity rather than an option, especially when state armed forces are directly or indirectly involved in the oppression of their own population (see Chapters 5, 6, and 7).

#### *Key Gaps and Areas for Further Research*

The literature on civilian agency during armed conflict has made important contributions by providing critical insights into how civilian choices and strategies shape the behaviour of armed groups and their use of violent repertoires. Although it is unlikely that civilians on their own will change the broader context and actors, they are likely to influence specific interactions or moments of their daily lives. To better understand the choices available to individuals and communities, scholars have focused on particular

relations and interaction that occur among civilians and armed groups. Primarily this has been theorized according to relations and interactions of *victim-perpetrator*, and *coercion-persuasion*. While conceptualizing civilian agency according to these relations and interactions is not inaccurate, it is incomplete, as it does not capture the wide spectrum of scenarios that civilians often encounter. Recent attention into *ruler-ruled* relations and interactions that emerge among civilians and armed groups help to address this gap by opening up new questions about compliance and resistance in these contexts.

As the literature grows and evolves, there is a continued tendency among scholars to compartmentalize civilian agency into these standard type relations and interactions, which largely correspond to dynamics and patterns of armed violence. However, civilians often experience *all* of these (and perhaps other) types of relations and interactions. How do all of these different types of relations and interactions shape civilian agency? This question is particularly pertinent for individuals and communities living in situations of “no peace—no war”, where there are ebbs and flows in the use of violence by armed actors. As Korf, Engeler and Hagmann (2010) explain, “war is not a matter of ‘all terror all the time’ *all over the place*” (p. 386; Italics in original).

To fully understand civilian agency, scholars need a broader conceptual framework that provides a more comprehensive account of the choices and strategies that civilians concurrently adopt as they fluctuate between “war” and “peace”. Towards this end, I draw on the idea of “reinventing order” as a conceptual framework that allows me to identify and analyze the way that individuals cope with, navigate, and at times exploit the conditions of armed conflict (see Chapter 1 for a discussion). One of the main advantages of this framework is that it opens up the analytical space for a more fluid and

dynamic perspectives on civilian agency. This permits scholars to consider how “order” is both imagined and practiced under the various relations and interactions that emerge among civilians and armed groups.

## **Conclusion**

This chapter has reviewed three bodies of literature: civil wars, governance during civil wars, and civilian agency. Despite the shifts in the macro—and micro—approaches to the study of civil wars, the scholarship has focused almost exclusively on the mobilization of and participation in violence. This fails to provide a nuanced perspective of other prevalent dynamics that occur in civil wars, which are central to our understanding of civilian agency. Given these limitations, I examined the literature on non-state armed governance. I identify two dominant approaches to conceptualizing governance within this body of scholarship and the implications this raises regarding civilian agency. I refer to these as the *administrative* and *institutionalist*, and the *social ties* and *networks* approaches. By reviewing the civilian agency scholarship I found a focus on specific types of relations and interactions among civilians and armed groups. These include *victim-perpetrator* and *coercion-persuasion*. Recent interest into *ruler-ruled* relations and interactions complements and advances previous work. Crucial next steps in the study of civilian agency involve an analysis of the synergies among these different types of relations and interactions, which I argue is possible through the “reinventing order” framework. Arjona’s (2017) raises a critical point when she states that “how we conceptualize a specific choice depends greatly on the assumptions we make about the locus of that choice – that is, the relevant context for making that particular decision” (p. 729).



This chapter has examined the theoretical and conceptual challenges in studying civilian agency. The following chapter will continue this discussion by considering the methodological difficulties, especially in a “no peace—no war” context like the eastern DRC. It will also provide an overview of the research design, data collection and the analysis process.

## Chapter 3: A Political Ethnography of Civilian Agency

### Introduction

Political scientists are increasingly relying on ethnographic approaches to study a wide range of issues, such as political mobilization during the civil wars El Salvador (Wood, 2003), daily resistance among “ordinary” people in Rwandan (Thomson, 2013), and the use and effects of domination tactics employed by the authoritarian regime in Syria (Wedeen, 1999). A methodological shift among political scientists towards ethnographic approaches largely coincides with a growing interest to study of the various dimensions of power, which not only operate within the formal state structures and institutions, but also within the informal spaces and domains that may initially seem apolitical. Ethnographic methods are particularly adept at studying these dimensions of power, as they allow the researcher to examine the “*informal workings of formal power structures*” (Kubik, 2009; 31: Italics in original).

I join this growing movement of scholars by examining civilian agency in the eastern DRC, a region that is pathologically reduced to its violence, exploitation, and brutality. This makes it a crucial case for exploring the blending of reluctance compliance and constrained resistance that are used towards armed actors. In this chapter, I begin by discussing some of the conceptual and methodological challenges in the study of civilian agency, and why an ethnographic approach was useful. This is followed by an overview of the “ethnographic turn” (Vrasti, 2008) in political science discipline, where I also define how I understood and practiced a political ethnographic approach. I then outline the preparation and training before my field research, data collection and analysis processes. I conclude by discussing some of the ethical and security challenges that arise

when conducting research in “no peace—no war” contexts, and outline some of the strategies I adopted to mitigate these risks.

### **Challenges to the Study of Civilian Agency**

Studying civilian agency raises several conceptual and methodological challenges. In the following I discuss three inter-related challenges. The first challenge is related to the tensions that arise between how agency is being conceptualized and how it is actually practiced or exercised. What scholars may initially understand as civilian choices or actions may not necessarily be reflective of informants’ experiences. An interpretive approach allows the research to uncover, rather than presuppose individuals’ motivations and strategies (Thomson, 2011).

Das (2007) explains how people will often “descend into the ordinary” to cope with and heal from violence. Individuals and communities will establish mundane routines and habits in an effort to create a sense of normalcy within their lives. Riaño-Alcala and Baines (2012) argue that the “descent into the ordinary” is what gives a sense of continuity to people’s lives and to their relations to others. As they put it, these are “moments that make daily life more liveable” during violence, oppression and fear (p. 388). These scholars remind us of our analytical tendency to frame agency as an escape from, rather than the descent into, the ordinary, and how this may impair our analysis. Many of the strategies and tactics that I found in my research appeared to be almost intuitive, habitual, and routine-like, which at times made it difficult for participants to even identify them as a response to a situation. However, I argue that these responses draw upon a sophisticated body of knowledge about the context and actors involved in violence, which demonstrates the iterative responses that occur in the region. Prolonged

*immersion* and *sensibility*, the two core principles of political ethnography (Schatz, 2013), permitted me to better understand the realm of possibilities and limitations that participants encountered in their daily lives. More specifically, I was able to get a glimpse of how critical elements, such as iteration, projectivity, and evaluation, shape the decisions made and strategies pursued by individuals and communities (see Emirbayer & Mische, 1998)

The second challenge is about observable and non-observable behaviour. For positivists, attitudes or preferences are problematic because they are unobservable (see Kalyvas, 2006). Having an attitude or a preference does not necessarily mean that individuals will act in a way that reflects these beliefs. Moreover, there is also an important difference between reported behaviour and actual behaviour. For interpretivists, narratives and discourses are “not simply words or ideas but also the actions and practices that enact the idea, that make it ‘real’” (Dunn, 2003; 10). I consider narratives and discourse to be important as they ultimately help individuals to “make sense” of the world and their place within it. The implications of this are that I consider agency to be exerted when individuals adopt particular narratives or tell certain stories to convey a particular image or message.

Third, researchers often have to rely on informants’ recollection of events to understand if and how they navigated certain events, which may affect the accuracy of these events. For instance, some events may be forgotten all together or in part, or they may be simply remembered or narrated differently than how they occurred. Sylvester (2015) explains this well when she notes that:

We should not assume that what we hear from interviewees is what they really truly think rather than what they think at the moment, what they think we want to hear ... the issue is not getting at

the 'truth', a slippery concept, but rather providing the opportunity for people to tell their stories as they understand them or wish for them to be understood (p. 64).

Opening the space and time for participants to narrate the events they have experienced, as they wish to remember them, also presents a unique opportunity to examine how the "made sense" of their lived experiences. Without being present during the actual event, this is as close as a researcher can get to these experiences.

### **The "Ethnographic Turn" in Political Science**

Within political science, ethnographic approaches have been overlooked because they often fail to produce empirical generalization, establishing casual relationships between variable. However, ethnographic approaches can "produce conceptual innovation" (Schatz, 2013; 307) by teasing out insiders' perspectives and experiences that are critical to social and political processes. Ethnographic approaches are beneficial as they "draw researchers 'out from behind their desks' and bring them closer to the people, events, processes and institutions that the discipline seeks to understand" (Schwartz-Shea & Majic, 2017: 97). Because of these benefits, ethnographic approaches are increasingly gaining prevalence within political science, especially within comparative politics (see Scott, 1985; Wedeen, 1999; Wood, 2003; Thomson, 2013) and international relations (see Ratelle, 2013; Vrasti, 2008; Wilkinson, 2013). Kibuk (2013) explains that the recent "ethnographic turn" in political science (Vrasti, 2008) stems from two broader shifts within the discipline.

The first is the discipline's shift in the level of analysis from the macro to the micro, which is accompanied by a renewed interest in observing human behaviour in its natural environment. There is a "focus on 'real life' interactions of people in 'real time' rather than on interactions of variables in abstract theoretical space" (Kubik, 2013; 26-

27). The second is a departure from materialist-institutional explanations towards symbolic-cultural perspectives. In the past, politics was commonly reduced to the competition for and allocation of material resources, but there is now growing attention to the different ways in which identity, culture and symbols interplay with structures and institutions (see Mampilly, 2015; Wedeen, 1999). Wedeen (2010) captures this perspective in the following terms: “An understanding of culture as the production of meaning also refers to the work done by language and other symbols—how symbols are inscribed in activities that operate to produce observable political effects” (p. 261). While not all political scientists embrace these shifts, there is a growing appreciation and practice of ethnographic approaches within the discipline.

“Ethnographic approaches build on the premise that people do not function in a vacuum; their modes of thought and behaviour develop in interaction with the real world environment”, writes Brodtkin (2017; 131). One of the greatest benefits of ethnographic approaches is that it brings in the historical, social and cultural contextualization of political behaviour and beliefs, which was often overlooked in political analysis. Simmons and Smith (2017) explain, “more often than not, at both the design and analysis stages, scholars categorize political phenomena while ignoring the meanings that words and practices take on and how those meanings shape politics” (p. 128).

Unlike other disciplines, political science scientists that adopt both positivist and interpretative epistemologies draw upon ethnographic approaches. The different epistemological positions used to guide ethnographic research are rare in other disciplines, where there may be greater consensus on these issues (see Kubik, 2013 for an overview of other disciplinary approaches to ethnography). In political science this

plurality is reflective of epistemological debates that continue to challenge and expand the boundaries of the discipline.<sup>1</sup> Therefore, ethnographic approaches serve different purposes, depending on the scholar's epistemological position. For positivists, ethnographic approaches have allowed scholars to produce cross-site comparisons and begin to generalize from their data (see Arias 2013). It can also help to identify variation in order to generate and test casual theories (see Wood, 2003). For interpretivists, ethnographic approaches has permitted them to open new areas of inquiry into actions that initially may seem irrelevant or simply too ordinary for comment (Wedeen 1999; Scott, 1985). The different ways in which political scientists are engaging and adopting ethnographic approaches demonstrates that there is no single ethnography, but several types of ethnography within the discipline (Kubik, 2013).

### *Defining Political Ethnography*

In order to accommodate to these epistemological positions, political scientists tend to have a relatively broad understanding of ethnography. Most commonly adopted within the discipline is Schatz's (2013) definition of *political ethnography*, which also informs this study. Rather than defining ethnography by a specific set of methods (e.g. participant observation or interviews) or related activities (e.g. learning a local language, or writing field notes), Schatz defines ethnography by its principles. He identifies two core principles - *immersion* and *sensibility*. However, he explains that only one of these principles needs to be present for a study to qualify as ethnographic under his definition.

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<sup>1</sup> It should be noted that not all political scientists using ethnographic approaches embrace this plurality. Criticisms among both interpretivists and positivists have emerged. From an interpretivists perspective Vrsti (2008) problematizes the way in which ethnography has been "imported" into the study of international relations. Following suit is Wedeen (2010) who laments the way that political scientists have "trimmed down" ethnography to field interviews and it is still subordinated to game theoretic models. For a critique from a positivist perspective, see Laitin (1998) who argues that ethnography by itself is largely "inadequate", but that when combined with large-*n* statistical work and formal models it is a useful approach.

*Immersion* into the “place and lives of the people under study” (Wedeen, 2010; 257) is common practice among ethnographers. According to Schatz, a researcher is sufficiently or adequately immersed when she/he is “‘neck-deep’ in a research context to generate knowledge based on that context” (2013; 5). Schatz explains that he specifically uses this broad categorization of ethnography, noting that this brackets critical questions regarding the duration or intensity of immersion required in ethnography. While there are varied norms and practices of these issues in other disciplines,<sup>2</sup> within political science, there are no set standards on these issues.<sup>3</sup> Some of the ethnographic studies that I turned to during my research were based on six months of field research (see Thomson, 2013), while others were 18 months (see Wood, 2003).

Although most scholars<sup>4</sup> recognize that longer-term immersion is beneficial, there are important factors that affect the amount of time a researcher spends in the “field”. This includes the amount of financial support that a researcher receives, or time that the researcher can allocate in the “field” in order to complete her/his study.<sup>5</sup> As will be discussed in subsequent sections, contexts affected by armed violence also raise another set of challenges for long-term immersion. Political scientists are perhaps less rigid on the amount of time and the way one is immersed, since not all scholars consider it to be

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<sup>2</sup> Even within anthropology these requirements are also changing. Kurk (2013) notes how multi-sited ethnography is changing the standard ethnographic trinity ‘one observer, one time, one place’. Anthropologist Lubkemann (2008) demonstrates this shift. Instead of spending substantive time in one particular location, he followed war refugees and migrants from Mozambique into South Africa and Angola.

<sup>3</sup> See the special issue in *PS: Political Science and Politics* (2017) entitled “Profession Symposium: Ethnography and Participant Observation”.

<sup>4</sup> It should be noted that not all political scientists consider immersion to be necessary in an ethnographic study. For instance, Simmons and Smith (2017) assert that an ethnographic study does not necessarily involve long-term immersion or participant observation. It can also be based on archival research, interviews or even survey data.

<sup>5</sup> Schwartz-Shea and Majic (2017; 98) note how “political science (and other departments) are often under pressure to hire job candidates who will publish quickly and extensively in order to secure tenure. As a result, PhD students are often ‘normed’ since their first days in graduate school to prioritize professional productivity and this may influence their methodological choices.”



imperative aspect of an ethnographic study. As Simmons and Smith (2017) explain: “what matters *most* is how scholars approach the material gathered from these sources—that is paying attention to the political meanings embedded in [the sources]” (p. 126; *Italics in original*). These observations resonate with the other principle outlined by Schatz.

*Sensibility* relates to the ability to “glean the meanings that the people under study attribute to their social and political reality” (Schatz, 2013; 5). This requires researchers to be attentive to how participants interpret and portray the world within which they are embedded, and how these perceptions shape their interactions. Scott writes, “if you want to understand why someone behaves as they do then you need to understand the way they see the world, what they imagine they’re doing, what their intentions are” (cited in Wedeen, 2010; 259).

While Schatz does not impose a particular epistemological disposition in his definition, I adopt an interpretivist perspective to my analysis (see Schwartz-Shea & Yanow, 2012). This has important implications concerning my relation to knowledge and the knowledge claims that I advance through this study, which I discuss in the sections below.

### **Preparations and Training Before Field Research**

Given the challenges of working in areas of prolonged armed violence, like the eastern DRC, I took several steps to adequately prepare and train for my field research. In June 2014, I attended the Rift Valley Institute’s (RVI) Great Lakes course, which is taught by some of the leading academic and policy experts on the region.<sup>6</sup> The course

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<sup>6</sup> The initial focus of this dissertation was on South Sudan, where I conducted two and a half months of preliminary research from March to May 2013. During this period I developed a wider range of contacts,

was particularly useful in two ways. First, it offered me a rich historical understanding and analysis of the region by focusing on key issues that have spurred armed mobilization. This includes issues related citizenship rights, access and management of land and resources, regional interests and actors, and international interventions, varying from peacekeeping, stabilization, and peacebuilding. Second, it gave me the opportunity to consult with several seasoned researchers and practitioners working in the region prior to my departure into the region. Our conversations covered a variety of topics, such as logistical advice, information about security conditions, names and contacts of potential translators and research assistants, discussions about general protocols while working and living in rural communities, and potential participants to interview in Bukavu and Goma. These conversations were useful at helping me assess what would be realistically feasible during my field research, and making necessary adjustments before arriving in the region. Following the RVI course, I took eight weeks of intensive French language training through the *Alliance Française*. By the end of this training, I attained a basic level of comprehension, which allowed me to carry on basic conversations once I reached the Kivus.

### **Data Collection**

In total I spend eight months in the Kivu Provinces, which consisted of two research trips. The first trip took place from September to December 2014 and the second from May to August 2015. Each trip began and ended with a brief period in Bukavu or Goma where I normally stayed for a couple of weeks. Apart from these brief periods, I

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selected a community to work and live in during my field research, and developed a working partnership with a local NGO. However, when civil war erupted in December 2013, it was no longer possible to continue working in South Sudan. I therefore had to change the country of focus for my dissertation. These events meant that I did not have enough time to carry out preliminary field research in the eastern DRC, like I had in South Sudan. While not equivalent, the RVI course helped me to prepare for my research.

spent the majority of my time in Nyabiondo, located in Masisi Territory in North Kivu, and Sebele, located in Fizi Territory in South Kivu (see Appendices 2, 3, and 4 for maps).

Besides allowing me to enter or exit the eastern region, my time in Bukavu and Goma also served two broader purposes. First, it allowed me to meet with Congolese Government officials from *Agence nationale de renseignements* (ANR, National Intelligence Agency), the *Direction générale de migration* (DGM, Directorate-General of Migration.), and *Forces armées de la République démocratique du Congo* (FARDC). While academics do not require official authorization or clearance for their work, a seasoned scholar advised me to meet with the above-cited agencies and departments as a precaution. Each time I met with a government official they would sign and stamp the back of my *ordre de mission* (work or travel document), which indicated that I had met with them and discussed my work. In the eastern DRC, a stamp is often interpreted as sign of authorization. I carried a photocopy of my passport and my *ordre de mission* everywhere I went, which was useful when I was asked to identify myself and explain the purpose of my visit.

Second, I conducted several interviews with representatives from civil society, local, national and international non-governmental organizations, and multilateral institutions. The main purpose of these interviews was to gather background information about the territories in each province, in order to identify possible communities to carry out my research. The interviews focused on a variety of issues on the different regions, including the broader political and economic environment of these areas, as well as the general access to these areas (e.g. road conditions) and recent security conditions. While

this information was useful in helping me select my research sites, it should be noted that I did not include it in my analysis.

### *Research Sites*

I selected Nyabiondo and Sebele as research sites on the basis of two main criteria. First, the communities needed to have previous experience with governance by armed groups. As will be discussed in subsequent chapters, Nyabiondo and Sebele were both co-governed by APCLS/PARC-FAAL and FARDC (see Chapters 5 and 6). While these particular cases demonstrate incidents where governance arrangements were formalized, they are common in other parts of the eastern DRC, although usually less formalized (see Chapters 4 and 5).

When I began my research, most of the literature on governance modalities by armed groups in the eastern DRC focused on “foreign” armed groups (see Mampilly, 2011; Raeymakers, 2014). As I wanted to expand the conceptual and empirical analysis of these discussions, I was particularly interested in identifying communities that had been governed by “local” armed groups that fell under the Mai Mai label. Although the Mai Mai are often spoken of in a singular way, they consist of multiple armed groups that vary in terms of their size, capacity, and levels of violence towards the local population (see Chapter 4 for a discussion of the origins and evolution of the Mai Mai).

Given their location, Nyabiondo and Sebele were governed by different Mai Mai groups, which did not appear to have any links. In Sebele it was the PARC-FAAL (*Parti pour l'action et la reconstruction du Congo–Forces armées alléluia*, Party for Action and the Reconstruction of the Congo-Hallelujah Armed Forces) and for Nyabiondo it was the APCLS (*Alliance des patriotes pour un Congo libre et souverain*, Alliance of Patriots for

a Free and Sovereign Congo) (see Chapter 5 for a discussion of these groups). Since both of these groups fell under the Mai Mai label they shared similar objectives and tactics. Like most of the Mai Mai, the APCLS and PARC-FAAL portray themselves and are commonly portrayed as a self-defence force for a particular ethnic community. In Nyabiondo it is the Hunde and in Sebele it is the Bembe. When compared to “foreign” armed groups, “local” armed groups in the eastern DRC are generally not well equipped, trained or resourced. However, they tend to have strong socio-economic and political linkages with local communities (see Chapter 4). Although these community relations vary for each Mai Mai, they raise important questions about obedience and resistance, which are largely missing from the non-state armed group governance literature.

Second, the communities needed to be situated in relatively accessible and safe areas, as I wanted to stay within these communities for a few months. One of the advantages of Nyabiondo and Sebele is that they are fairly close to major towns in their respective territories, such as Masisi Centre and Baraka. If the security conditions changed quickly and unexpectedly, as they often do in the Kivus, I took comfort in knowing that I could reach town within an hour.

My rationale for working in two communities was not based on the typical controlled comparisons in research designs within political science, which illuminate either contrasting outcomes despite similar explanatory characteristics or similar outcomes despite contrasting explanatory characteristics (Simmons & Smith; 2017). Instead I was interested in looking at two Mai Mai groups in order to get a more comprehensive understanding of how these armed groups interacted with civilian populations that came under their partial control. While there is broad understanding of

the social ties between local population and the Mai Mai, they have not been studied in the context of governance, which has the potential to change these dynamics.

*Field Observations, Interactions, and Interviews*

To collect my data in Nyabiondo and Sebele, I used a combination of strategies, including field observations, daily interactions, and interviews. In total I interviewed 184 respondents, which included 87 individuals from Nyabiondo and 97 individuals from Sebele. One of the advantages of being immersed in my research sites was that it allowed me to interview participants on more than one occasion. This allowed me to establish trust with respondents by developing a stronger rapport, before probing into sensitive issues. Below, I outline a breakdown of the number of interviews held with each respondent in two charts.

**Table 1. Interview breakdown in Nyabiondo**

|  |                            |
|--|----------------------------|
| Total participants                           | 87 (31 female and 56 male) |
| Participants interviewed on 2 occasions      | 15                         |
| Participants interviewed on 3 to 6 occasions | 5                          |

**Table 2. Interview breakdown in Sebele**

|  |                            |
|--|----------------------------|
| Total participants                           | 97 (48 female and 49 male) |
| Participants interviewed on 2 occasions      | 19                         |
| Participants interviewed on 3 to 6 occasions | 7                          |

*Recruitment of Participants*

Upon my arrival to each community, my translator and I introduced myself to the various authority figures and obtained their approval for my stay and work in the

community. This included the Chief of Collectivity, the FARDC commander, and the head of the local branch of the *Police nationale congolaise* (PNC, Congolese National Police). To select participants for my interviews, I relied on a combination of purposive and snowball sampling techniques. I wanted to collect diverse perspectives and experiences on the different modes of governance, and I was interested in how different positionalities shaped these experiences. While I was purposively collecting different perspectives based on diverse positionalities (see below), these should not be viewed as representative views or experiences of the particular groups in the communities.

I selected participants based on the following criteria: (1) individuals that had been present in the community during the co-governance period under study. As I had expected, some individuals had fled during this period while others came to the community after this period. There was no way of knowing this until I began an interview with the person; (2) diversity of age,<sup>7</sup> gender, socio-economic status,<sup>8</sup> and involvement in leadership<sup>9</sup> position; and (3) availability and interest in participating in the research project, which I discuss in more detail in the subsequent section on ethics.

While in the end I was successful in recruiting a fairly large number of participants, there were some challenges that I encountered along the way, which are worth discussing as they shaped the interview process. First, some individuals were

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<sup>7</sup> All participants were at least 18 years of age. However, I did try to interview individuals who would be considered “youth (unmarried without their own house), “adults” (those with a family and with their house), and the elderly.

<sup>8</sup> Diverse socio-economic status was determined by the different occupations carried out by individuals. These varied from farmers, fishermen, vendors at the market, shop-owners, restaurant owners, motorcycle taxi drivers, mechanics, carpenters, tailors, teachers, and religious figures.

<sup>9</sup> Apart from customary chiefs, both hereditary and elected (discussed in Chapter 5), there were other leadership positions in the community. Most of the socio-economic activities carried out in the community were organized and had an appointed leader to advocate on behalf of others. For instance, each type of vendor in the market, vegetables or meats, had a president, while there was also a president for the market, the motorcyclists, and so forth. Each community also had a couple of grassroots organizations, many of which raised their funds through co-ops.

initially motivated to participate in the study because they were hoping to receive monetary compensation for their time, as they have previously from other researchers or humanitarian workers. As one of the customary chiefs bluntly put it, “you know we are telling you these stories, but these stories cost money” (Field notes, June 2015). My translator and I had anticipated and prepared for the fact that there were going to be certain expectations among community members. We decided that it was best to be as direct and explicit about compensation at the very beginning of the interview. At times people would decline, like the chief mentioned above, while others continued with the interview. Some continued with less enthusiasm and interest, which would result in shorter discussions, while there were others that did not mind “helping out” or “giving their contribution,” as they would commonly put it. As one respondent explained, “This is how the world works. Everyone can help each other at some point” (Interview May 2015). Other respondents also appreciated that a *muzungu* (white person) was taking the time to talk with them. “Thank you for talking to me. When *muzungus* come they only talk to the chief but not us” (Interview June 2015).

Second, it was generally more difficult to recruit female as opposed to male respondents. There were several reasons for this. Many female respondents spoke about the various responsibilities that they carry out on a daily basis. This includes all the cooking, cleaning of the house, washing clothes, fetching water, tending the farming field, and ensuring that there is enough money to cover school fees for their children, which often involves selling food or wood at the market. Several respondents explained that these responsibilities have increased with on-going armed violence. A female



respondent that owns a small restaurant in Nyabiondo captured this best during one of our interviews:

It has become such that we can't distinguish widow from a wife because the responsibilities are the same. This wasn't always like this. When I was growing up my father and mom worked in the field together. This changed because most men are traumatized [from the wars] ... During the war men are targeted and this is why they expose women by asking them to get things [like water or from the fields] (Interview July 2015).

My translator and I were mindful of this and did our best accommodate our schedule to dates and times, which would be most convenient for female respondents. When possible we would carry out our interviews while they were carrying out their daily chores. For instance, we would go to their homes while they were cooking or washing clothes, or to their shops or restaurants if they were not busy. We would meet them on evenings when they had more time, or early in the mornings before they went to the field.

Another reason why females were more reluctant to participate in interviews than men stemmed from the (dis)belief and (mis)perception that “men know more than women”. I was commonly told, “I don't know anything about that, I'm a woman”, or “this is a topic that does not concern me, you should talk to my husband”. In order to open up space for a more meaningful conversation I began each interview with a series of questions regarding the different roles and responsibilities that women and men play in the community (discussed below). I wanted to convey my interest in knowing more about gender specific concerns and experiences throughout the interviews.

Third, some participants were initially suspicious of who I was and what I was doing in their community for such a long time, which is unusual of *muzungus*. “Is it really true that she is a student and has come this far to write her book?” (Field notes, June 2015), asked one respondent to my translator in private. Although my translator and I explained the purpose of my visit every time we met a participant, at times more than

once and in different ways, questions often remained. Some respondents posed some fair but tough questions upon our first meeting. Given the body language and tone used when posing these questions, they often felt like a test. For instance, I would be asked, “Why do you want to talk to *me*, specifically?” or “Why did you choose *our* community the eastern DRC?” I took the time to answer each question as comprehensively as I could and tried to ensure that the respondent was satisfied with my response. With some informants, their suspicions did not seem to subside, while there were others who I ended up forming a deep rapport and relationship with after we had these initial discussions.

Fourth, recruiting participants for a second interview was sometimes more difficult than for the first interview. Respondents expressed and responded to this in different ways. Some became suspicious, although they did not show this during our first meeting. They would ask, “Why do you need to speak to me again?” or say, “I’ve already told you everything I had to say about that” (Field notes, November 2014). These responses were surprising since we would request to meet with them again after our initial interview, which they would agree to at the time. I learned that having concrete follow up questions such as “I want you to continue your story on ‘X’ topic/event” or “What did you mean by ‘Y’?” helped to alleviate these concerns. Other participants would agree and commit to a second interview; we would establish a date, time and place, but they would not come. At times, it was clear that they had genuinely forgotten while at other times it seemed like they were avoiding another meeting. My translator and I discussed these dynamics on a regular basis to better ascertain what was happening and how to proceed.

### *Interview Process*

My interviews initially focused around a specific event in the participant's life, which was the time period her or his community was co-governed by state armed forces and non-state armed groups. However, I quickly realized that the temporal boundaries that I was adopting did not always resonate with most informants' "lived experience". For instance, through our interviews, participants went "back and forth" during different periods, where they had different types of relations or interactions with armed actors. For many individuals, what happened before or after these co-governance periods was just as important to understanding their lived reality. I therefore adjusted my strategy and asked participants to tell me about their lives before, during and after the co-governance period to get a more comprehensive perspective.

To understand the different choices and strategies that civilians made, I first needed to examine the different norms and rules that armed groups adopted prior to, during, and after co-governance. I was particularly interested in understanding the different modes of regulation used by these armed groups, and if and how this affected the daily lives of the respondents. For instance, how did these armed groups exercise their authority? What norms and rules did they develop and how they did they unfold in daily life? After having a better sense of how "daily life" functioned during these different periods, I was interested in how participants "made sense" of these norms and rules. What choices did participants perceive that they had in these situations and how could they shape the behaviour of these armed groups? How did they frame and articulate their experiences? I tried for the interviews to flow in a "conversational" manner, as much as

was possible. This involved finding a balance between “what came up” from the participants, and “what was brought up” by myself as the researcher.

After explaining the project, outlining potential risks and benefits, and receiving oral consent, each interview began with broad topics about the participant’s life. This included information about the number of people that resided in their households, their socio-economic activities, and their relation to the community.<sup>10</sup> As explained above, I also asked about expected gender roles and responsibilities in the community. I found that general discussions about daily life would often allude to the different ways that the war is impacting their lives. For instance, respondents would commonly lament about their life conditions: “We are living in tremendous uncertainty” or “We have been suffering here” were common expressions that I heard. When I asked them to explain what they meant by these expressions, our conversation would often begin to move into the different actors and dynamics that cause their “suffering”. Once we reached this critical point in our discussion, participants responded in different ways.

Some participants closed down, which was noticeable by both their body language and verbal communication. I refer to these as “reluctant participants”. For instance, when speaking about the Mai Mai one respondent referred to them as “those that cannot be named” while another participant explained that they “wanted to avoid talking about political matters” (Field notes, June 2015). Cognizant that informants in situations of armed violence often use silence as a protection strategy (Baines, 2016; Green, 1995), I respected these responses, and would move towards other topics considered less sensitive or controversial. With time, some of these “reluctant

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<sup>10</sup> By this I mean, how long the individual and her/his family have been living in the community or whether they play a leadership role of some sort.

participant” would revisit these sensitive topics, while others never did, and I did not pursue them further.

Other participants had a stronger inclination and perhaps motivation in sharing their thoughts and experiences with the “war”. These “active participants” would be cautious; for instance, they often looked to see if anyone was around us or they would lower their voice, before continuing with their stories. One participant stated, “Today I want to tell you the truth” while another noted, “you should know the truth of the situation” (Field notes, June 2015). If participants demonstrated a general openness to talk about the “war”, it became relatively easy to pose questions about different ways armed groups exercise authority in their community. In fact, most participants would bring this information up on their own terms and ways. Several respondents would begin by stating: “you know, there was this one time when they [APCLS/PARC-FAAL and FARDC] were both living here in our community” (Field notes, June 2015).

Since the topics covered were particularly sensitive and controversial I did not use an audio recorder during the interviews. Based on my previous experience in conflict and post-conflict countries,<sup>11</sup> I recognized that it is particularly challenging to establish trust in contexts marked by ongoing violence where there is often tremendous suspicion, especially towards *muzungus* (see section on ethics). Aware of these dynamics, I asked respondents if I could take written notes during my interview.<sup>12</sup> I documented not only

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<sup>11</sup> This includes different research projects or work experiences in northern Uganda (2005 and 2006), South Africa (2006-2007), Guatemala (2008), Peru (2008), and South Sudan (2013).

<sup>12</sup> The hotel and house where I stayed in Nyabiondo and Sebele were safe but modest; they did not have electricity or running water. The lack of electricity would have made it difficult for me to use an audio recorder, as I could not re-charge the needed devices. For instance, I would have to transfer the files from the recorder onto my computer, and onto a possible external hard-drive for back up. In each community there was a kiosk, which had a generator that you could pay to use. While I used this to recharge my cell phone battery, I would have not felt comfortable leaving my computer at the kiosk. In fact, I did not bring

what was discussed, but also the general responses to the interviews. For instance, did the participant appear to be apprehensive about the interview? Was she/he evading certain topics? Or did the participant seem to be “overly pleasing” and perhaps trying to tell me what she/he thought I wanted to hear? Fujii (2010) refers to this as the “meta-data”, which is the “spoken and unspoken thoughts and feelings, which they do not always articulate in their response to interview questions” (p. 232). For her, this may include rumours, inventions, denials, evasions, and silences. Following Fujii, I also consider these responses a type of “data” and brought it into the analysis process.

The length of the interviews varied from half an hour to three hours depending on availability and interest in the project. All interviews were conducted in Swahili and simultaneously translated into English by my translator (discussed in the next section). Respondents were given a choice of where to hold the interviews, which often included the lounge in my hotel or the house I rented, the respondent’s home or work place. Interviews were conducted from the morning and until the early evenings, depending on the availability of the participant. Market days (Saturday in Nyabiondo and Tuesday in Sebele), as well as Sunday since most individuals attend some church, were usually off limits. I would use these days to review my notes but also to walk around the communities, as well as observe and participate in the daily life of some of the informants.

### *Observations and Participation in Daily Life Activities*

In addition to interviews, I observed and participated in several activities in Sebele and Nyabiondo. This involved documenting daily observations, interactions, and

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my computer with me to either community, as I did not want to draw any additional unnecessary attention to myself.

conversations I had with individuals as I walked through the community, shopped at the weekly market, and ate at local restaurants. I accompanied a couple of female participants, as they carried out their daily shops, including walks to their fields and to the water-wells.<sup>13</sup> I also took a day trip visit to neighbouring communities, Libwio which is beside Nyabiondo, and Nemba which is beside Sebele, as some participants wanted to show me where their family's land was or introduce me to other family members. I took field notes of gossip, rumours, and jokes that I encountered throughout these activities.

These observations and activities were useful in several respects. First, it allowed me to better understand the difficult living conditions that participants faced on a daily basis. The extremity of the poverty which many respondents endured became apparent when I visited them at their homes. The average household in Nyabiondo and Sebele contains five to six family members, which are often crammed into small mud houses with two rooms. Making sure that all children are fed and going to school is a daily struggle. Accompanying female informants to their farming fields and water wells also showed me how difficult it is to carry out these daily tasks, especially as they have to walk long distances to reach their fields. These tasks become more challenging when there is increased insecurity on the roads.

Second, these activities allowed me to better observe daily relations and interactions between community members and authority figures, such as chiefs, the FARDC, and the PNC. While these authority figures were not the primary focus of my research, they were constantly referenced throughout my interviews. In particular, I was able to better document how power is perceived to operate by these individuals and how

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<sup>13</sup> I should note that I did not participate in these activities on a regular basis; this was more of an ad hoc activity that occurred when the right connections were forged with participants.

it is actually exercised. For instance, some of the chiefs that I interviewed would commonly inflate their influence over the population. However, when I would see them trying to carry out their expected roles and responsibilities, I could also see their struggles. For instance, the chiefs are responsible for organizing *salongo* (community labour), but in order to obtain full participation from community members, the process has become somewhat coercive. When I went with female participants to their fields, and when I visited Libwio and Nemba, I also got to see first-hand the different barriers that are set up by the FARDC. Almost every single participant discussed barriers, and it was helpful to see where they were located and how they functioned (see Chapters 5, 6 and 7 for discussion of barriers).

Third, participants also often made visual references that I would not have been able to “pick up” on if I had not been able to observe them myself. For instance, one of the chiefs in Sebele had a fairly negative reputation, and was reported to be irresponsible by several respondents. One of the main criticisms against this chief was that he was “full of appearances”. To illustrate their point, some participants would point to how he used “whitening” face cream, to make himself look like and subsequently be treated like a *muzungu*.

Fourth, while I could not directly observe the “co-governance” arrangements that unfolded in Nyabiondo and Sebele (which had already ended by the time I was doing my research), I went on “walking tours” with some respondents that wanted to “show me” where APCLS/PARC-FAAL’s bases were set up when these armed groups were living in communities. This gave me a better sense of the proximity of the former bases and I also saw remnants of the underground prisons that these armed groups had created (see



Chapter 6 for a discussion of this). I also saw where the APCLS used to deploy their soldiers to collect food from women that were returning from their fields (see Chapters 5 and 6 for an explanation of food collection systems). Overall, these observations either confirmed certain things that participants were stating, or raised new questions, which would have been difficult to arrive at without these observations.

There were also some challenges in carrying out observations and participating in daily activities. As a *muzungu* I stood out everywhere I went, which did not allow for much discretion. This became more problematic when participants were being “seen with me” as it raised questions about our relationship. For instance, one day I was preparing to go to the market with one of the daughters who stayed at the same house that I was renting in Sebele. Just before we left, her mother approached my translator, and asked if would consider going alone to the market. She was worried that people might get the wrong impression and assume that I was giving her money, and that she could later be targeted for this. Her request, which I followed, made me far more cautious about the inherent expectations that I raise by simply being a *muzungu*. This ultimately impacted how much “hanging out” I did, especially in public.

### **Data Analysis**

In total, my interviews and field observations were recorded into ten notebooks. When I transcribed the hand-written notes into typed format it generated over 300 pages of single spaced of data. As I was transcribing, I developed a series of thematic codes. This was an iterative process whereby the data was organized into a number of themes and sub-themes according to patterns, and later categorized again into broader themes

(Creswell, 2014). While this period was fully devoted to transcribing and analyzing my data, the analysis process did not begin here.

During my field research I reviewed my interview and notes in the evenings. To understand the choices available and pursued by participants I first needed to understand how these co-governance arrangements functioned. I began by identifying the different modes of regulation used during the co-governance period. After having a better sense of what happened, I tried to identify the different ways that participants understood and responded to these rules. How did they speak about them? How they engaged with them, and ultimately what this meant for them in their daily lives? In other words what were participants' attitudes and responses to these norms and rules, and what was the underlying logic in the ways that they responded? The focus was not necessarily on verifying these perceptions or responses as I expected these to vary according to participant. However, over time, I was able to find similarities and differences in the ways respondents spoke about and responded towards armed actors.

The distinctions proposed by Eastmond (2007) served as a useful guide throughout the analysis process. She explains the importance of distinguishing between:

*Life as lived*, the flow of events that touch on a person's life; *life as experienced*, how the person perceived and ascribed meaning to what happens, drawing on previous experience and cultural repertoires; and *life as told*, how experience is framed and articulated in a particular context and to a particular audience. Past experience is always remembered and interpreted in the light of the present as well as by the way that the future is imagined. What is remembered and told is also situational, shaped not least through the contingencies of the encounter between narrator and listener and power relationships between them. We need to add a fourth level, *life as text*, the researcher's interpretation and representation of the story (p. 249).

While I did not organize my data into these categories, I listened with particular attention to how lived experiences are being narrated and constructed. This is a process that was shaped by both the respondent and the researcher. Many view this as the co-construction

of knowledge, and in part it is because the researcher is both an “actor and spectator” (Wedeen, 2010; 257). However, I was also cognizant that I made the final decisions on what was included and excluded in the text, which gave me elevated status in the analysis (see Clark-Kazak, 2011 for an expanded discussion on this).

### **Security and Ethical Considerations**

I received approval for this study from the Research Ethics Board at Dalhousie University in July 2014. While this process was helpful in preparing me for possible ethical challenges, I was also aware that areas affected by ongoing-armed violence present unique sets of ethical dilemmas and challenges for researchers (see Nordstrom & Robben 1995; Sriram, King, Mertu, Martin-Olga, 2009; Thomson, Ansoms & Murison, 2013; Wood, 2006). This involved a considerable amount of preparation prior to, during, and even after I returned from the “field”. Some of these issues have already been discussed. They vary from: acquiring the informal authorization from government department and agencies; selecting research sites that are relatively safe for prolonged immersion; creating trust with participants when discussing sensitive and controversial topics; collecting and storing data in a safe way; and safeguard the anonymity of your respondents during the data collection, analysis, and writing processes.

One of my initial challenges was determining what is “safe” and “accessible” in a region that is commonly reduced to its “conflict minerals” or labeled as the “rape capital of the world” (see Autesserre, 2012; Eriksson Baaz & Stern, 2008).<sup>14</sup> When I expressed my interest in staying in potential research sites for several months, most international workers insisted that this was impossible given the insecurity of the region. The type of

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<sup>14</sup> As Dunn (2003) explains, dominant understandings and framings of the DRC continue to be rooted in hundred-year-old racial stereotypes, which are part of colonial, scripted images of African backwardness and primitivism.

responses I received is part of the increasing “bunkerization”<sup>15</sup> culture of humanitarian and development workers, which is marked by extreme risk aversion. To follow their security protocols most NGOs are accustomed to carrying out short missions to the “field” to deliver supplies or collect information, which usually only last a day or two.<sup>16</sup> Despite their concern and willingness to assist, most of these actors were also apprehensive about sharing any information related to security conditions with researchers. It was therefore difficult to have a “real” conversation of which community(s) I should consider, as the majority of those I consulted strongly advised against this.

When I turned to local or national NGOs, I ran into a different set of responses. For the most part, these actors were far more helpful about providing a more realistic account of the security conditions. They also made suggestions or recommendations on communities that met my selection criteria. Through my initial interviews in Bukavu and Goma, I met two key contacts, who I refer to as “Pierre” and “Emmanuel”, and who helped me to identify my research sites according to the selection criteria. Pierre and Emmanuel had profound knowledge about local armed conflict dynamics in the region, which was critical to this project. In particular, both Emmanuel and Pierre had ethno-linguistic ties to Masisi and Fizi, respectively, and provided me with a sophisticated analysis of these contexts. After several meetings, they eventually connected me, either by a phone call or text messages, to some of their contacts in Nyabiondo and Sebele. I

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<sup>15</sup> Duffield (2010) notes that international humanitarian and development organizations are increasingly distancing themselves, physically and socially, from local population through their “bunkerized” compounds. Duffield uses the bunkerization compound as a representation of increased security protocols which often result in the militarization of development.

<sup>16</sup> An important exception to this is MSF who has various clinics in remote and isolated locations in the Kivus.

remained in close contact with Emmanuel and Pierre during my time in these communities, as they continued to informally guide and advise me throughout the process.

My attentiveness towards the security conditions continued once I reached Nyabiondo and Sebele. As noted earlier, their relative proximity to major towns was a strategic decision on my part - although as a visitor in these communities, I felt as if the family or neighbours who I stayed with were always looking out for me. For instance, they would caution me about particular individuals; for example, they would say, “be careful that person tends to drink too much and easily breaks out into arguments” or “that person is known for the witchcraft, so stay away”. While I did not always follow their advice, I did have a sense that they were looking out for my translator and I. Through Pierre and Emmanuel, I was also monitoring the broader security conditions in the region in case they impacted Nyabiondo or Sebele.

My concern here not only lay with my own safety but also was for individuals who participated in my research. I was aware that the topic and questions I had were sensitive and needed to be approached with tremendous consideration. Although respondents were primarily speaking about retroactive time periods (e.g. the co-governance period), this did not reduce concerns for their safety. At the time of my research, the APCLS and PARC-FAAL were not present<sup>17</sup> in Nyabiondo or Sebele, but they were active within these territories. The APCLS and the PARC-FAAL are also socially embedded within these communities, meaning that they have mothers, fathers,

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<sup>17</sup> While APCLS/PARC-FAAL did not have a base or presence in these communities, I was aware that soldiers often come to the communities to visit family or friends, and pick up essential supplies. In fact, I interviewed an APCLS soldier who was on “break” and had come home for a week. It is difficult to identify these individuals as they dress in civilian clothing.

aunts, uncles, and siblings present there. They also have informants, supporters, and collaborators that are tasked with collecting information and materials supplies. These individuals are careful about “protecting” the image of these armed groups. A female respondent explained, “Most people cannot say that the APCLS is bad or that they did wrong things. Instead they will show that the FARDC is the one that is doing wrong things” (Interview October 2014).

However, other expressions such as “you never know who could be listening”, or “the Mai Mai come at night and take you if they find out you have been talking ill of them” were also commonly used in reference to the “spies” or “collaborators” that live among them. To appear neutral participants often explained that they “avoid saying too much” or simply “avoid saying anything in the first place” (see Chapters 5 and 6 for continued discussion on this topic). Speaking negatively about these armed groups is therefore extremely risky, as people fear that this information will get back to these armed groups, and lead to reprisals. I was cognizant of these dynamics during my field research, which is why I attentive to the silences of “reluctant participants” and also reflected on the intentions of “active participants”.

Deeply aware and concerned about these potential risks, I developed several strategies during my research. My translator and I paid close attention to the way these armed groups were being referred to. This varied from “our children” or “those in the bush” or “rebels”. We followed the lead from the participants, using the phrase that they would use. I also held our interviews in discrete locations. While I ultimately left it up to my respondents to pick our meeting spot, I was cautious of where we were and who was around us during our interviews. I was also attentive to how loud we were speaking,

which was difficult at times, as some participants became excited to shared their opinions. In Sebele, I was able to rent a small house, which gave me the advantage of holding interviews in the sitting area, while in Nyabiondo I stayed in a hotel. At times, my translator and I were the only guests at the hotel, which also allowed us to use the common sitting area for interviews.

### *Informed Consent, Anonymity, and Confidentiality*

Upon meeting with participants, I outlined potential risks and benefits of the project. Once the respondent indicated that they understood this, I requested their oral consent to participate in the interview, explaining that they always had the choice to withdraw from the project. I was comforted when some participants declined to participate in the project, as it reassured me that my translator and I were following appropriate ethical protocols.

Most participants seemed more interested in talking about the benefits than the risks of the project. As discussed earlier, some participants hoped to receive some form of monetary compensation for their participation, as they have in the past. Although my translator and I were explicit about this at the beginning of the interview, there were a couple of participants who asked for assistance after the interview was completed. When this occurred I would re-seeK their consent in the study to ensure that they had understood this from the beginning. Although difficult, I decline to assist participants. I knew I had to be consistent about this in order to treat all participants in the same way.

To guarantee the anonymity of respondents, I consciously use broad labels or categories to describe them, such as farmer, shopkeeper, teacher, carpenter, or tailor. Instead of identifying hereditary or elected customary chiefs, I use the term “chief” as

there are several of these in each village. I also altered or remove any distinguishing features or identifiers of participants' interviews, which could trace it back to the source.

### *Working with Translators*

There is a thriving political economy surrounding translators, “fixers” or research assistants in the Kivus. Some of these individuals have tremendous experience conducting research in remote and isolate areas and have a wide range of networks in the region. They are accustomed to working with broadcasting or film crews, and can easily charge US\$100 to \$200 per day.<sup>18</sup> As MONUSCO was beginning to reduce the size of its mission, it did not renew several contracts with local employees, who began to work as free-lance translators or research assistants. Like most doctoral students, I could not afford to pay these prices; however, I also did not consider some of these individuals to be the best fit for the project. I was extremely attentive to how potential translators presented and carried themselves, since the project's success depended, in part, with their ability to connect and relate with respondents. Some of these individuals were proud to have accumulated such experiences, but this also came across as overly confident, and somewhat elitist.<sup>19</sup> They also had a fairly fixed idea of what and how research should be conducted, which seemed at odds with ethnographic approaches. For instance, they thought that if we were able to work harder (i.e. carry out a certain number of interviews per day), we would be able to spend less time in these communities, which was at odds with the approach of this research.

One of the challenges is that my French was not strong enough to conduct interviews in Swahili and have them be translated into French. I therefore needed to find

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<sup>18</sup> These prices would increase if one wanted to meet with the armed groups.

<sup>19</sup> A colleague of mine, working for an international NGO, described them as “city slickers”.



a translator who spoke English, which meant that there were fewer options. Through the various contacts I developed in Bukavu and Goma, I interviewed several candidates before selecting my translators. After I narrow down the selection process, I conducted language proficiency tests where I had short listed translators translate from Swahili to English and vice versa. I also conducted a series of “role playing” exercises to see how they would respond to potentially difficult incidents that may occur in the “field”. For instance, how would they make a reluctant and hesitant participant feel more comfortable? How would they respond to an authority figure that wanted a bribe? How would you respond if a community member was spreading rumours about me? How would they respond if we learned about an attack by an armed group on the community? Fortunately, these incidents did not occur during my field research but it did give me a sense of how these individuals may respond in situations of high-stress and potential danger.

I ultimately chose two candidates, one whom I worked with during my first trip and the other who I worked with in my second trip. Both of them signed confidential agreements before we began working together. Both individuals that I selected were male. Although I initially wanted to work with a female translator, the few females that I interviewed did not pass the language proficiency tests. Both of the translators were trained in English at a local institute, called the *l’Institut Supérieur Pédagogique de Bukavu* (ISP), based out of Bukavu. We also carried an English-French dictionary with us. If a word or phrase came up during an interview that they could not immediately translate, we took note of it, and revisited it afterwards. Both individuals had previous experience working with local and international NGOs. Since they had not worked with

the UN or major NGOs, I could negotiate with them a more affordable rate. These individuals were also interested in expanding their research skills, which helped us to find an agreement. My translators were from different ethno-linguistic groups than the ones in Nyabiondo and Sebele. One of the translators had previously worked in Sebele and helped to identify the house that we rented.

### *Reciprocity*

As explained earlier, respondents did not receive compensation for their participation in the study. This was simply not feasible within my budget. However, I also did not want individuals to participate in the study because they would receive something in return. I worried that this might affect the way they behaved towards me, and ultimately, what they said to me. I also did not want to replicate donor-recipient relations and dynamics that they are so keenly familiar with.

That being said, I recognized and valued the time and commitment that individuals devoted to this project. Although I knew it would be impossible for me to adequately compensate them for this, I tried to foster reciprocal relations, as much as I could. When respondents wanted to talk to me about personal issues, I gave them the same interest, attention, and time that I would if we were holding an interview. While I wanted to avoid playing the “role of the social worker” (see Clark-Kazak, 2013), some participants wanted someone to listen to them. While they often asked for my advice, I often felt ill equipped to offer it. For instance, one participant was concerned about her husband who wanted to get a second wife. She was worried about the financial implications that this would pose to her own family, which was already struggling to

make “ends meet”. I was honest about my limitations as an outsider and instead we tried to brainstorm possible insiders that might be better placed to help her.

While I was unable to assist individuals, I engaged in two collective projects in an effort to “give back” to the communities. To manage the community’s expectations about what I could assist with, I became involved with these projects at the very end of my research. To be honest, I was not planning on them, but they happened by chance.

In Sebele there were major concerns with the water wells. As the community continues to grow there are no longer enough water wells, especially during the dry season, as they dry up. Women were having to walk for 10-15km a day (each way) to access other water sources and in some cases this was leading to marital disputes as they were unable to manage or complete their household responsibilities. While community members were aware of these issues, they had not directly presented them to NGOs operating in their areas. Therefore, we organized a “water committee” including both women and men, who were charged with finding concrete figures that they could present to NGOs – for instance, the number of households in Sebele; approximate number of new households per year; the number of water wells; the number of water wells that have stopped working, etc. Once they collected this information we did a mock presentation before we went to Baraka where I set up meetings with three international NGOs for them to present their case. A few weeks after I left Sebele one of the chiefs called me to tell me that these NGOs were now competing for who could build their water wells.

In Nyabiondo, there were two grassroots organizations that were doing a series of research activities related to the armed conflict. On separate occasions members from these organizations expressed an interest in receiving more formal training for its

volunteers. Upon the completion of my research, I organized a two-day training session with members from both organizations. We first discussed what type of topics would be helpful to discuss. They explained that they wanted to learn more about how to do research, proposal writing, fundraising, and advocacy. My translator and I did a series of presentations on these topics. When I returned to Goma, I also raised awareness about the type of activities that these organizations were carrying out, and the type of assistance that they were soliciting.

In comparison to the support and assistance that I received from community members, I recognize that these activities are insufficient. However, I think that they helped to foster relationships that were built on mutual respect and support.

## **Conclusion**

This chapter has outlined the methodological approach underpinning this study. It has argued that a political ethnographic approach is particularly useful when it comes to studying civilian agency in “no peace—no war” contexts. As Wedeen (2013) aptly explains:

Ethnography is especially a good way to gain insight into actors’ lived political experiences, to observe how people make sense of their worlds, to chart how they ground their ideas in everyday practices and administrative routes, and to analyze the gap between the idealized representation and actual apprehension of events, people and political order (p. 85).

This chapter has also outlined the various preparations and training before field research and the data collection and analysis processes. I also discussed some of the ethical dilemmas and challenges, and the different ways I tried to navigate these. The following chapter will provide a historical overview of the armed conflict in the Kivus, before turning attention towards the specific context in Nyabiondo and Sebele.

## Chapter 4: The Making of the "No Peace—No War" in the Kivus

*"When you look on the outside there may seem like there is peace, but when you look in the inside you can see that it's not there" (Interview May 2015).*

### Introduction

Colonial images and discourses reinforcing a representation of the DRC as the "Heart of Darkness" are commonly adopted to frame the armed conflict as chaotic and irrational (Dunn, 2003).<sup>1</sup> This prevailing (mis)representation fails to adequately consider the underlying political, economic, and social factors shaping violence. The DRC's history is filled with practices of domination, exploitation, and brutality, which have created different logics for the use of violence (Beneduce, Jourdan, Raeymaekers & Vlassenroot, 2006; Eriksson Baaz & Stern, 2008). As Stearns (2012b) aptly explains, "Local actors have grown up with memories of violence and prejudice that reach back generations and shape their actions today; conversations with or about armed groups in the region often begin with history lessons" (p. 10).

In this chapter, I provide an analysis of the making of "no peace—no war" in the Kivus, offering a historical overview of the origins and evolution of the region's armed rebellions. As subsequent chapters will demonstrate, armed groups have an equivocal impact on local populations (see Chapter 6 and 7). The predatory, exploitative behaviour of armed groups is a major tribulation but is often tolerated to a degree, as these same groups sometimes advance the socio-economic grievances of communities. A hierarchy of violence is created, often shaping relations between armed groups and civilians.

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<sup>1</sup> For a recent debate, see the *New York Times* article by Jasanoff (2017) and critique by Longman (2017).

Understanding these complex relations is crucial to the success of peacekeeping, stabilization, and peacebuilding activities in the region.

I begin this chapter with an overview of the current state of affairs, examining the key actors and dynamics underpinning the armed conflict. This is followed by an analysis of the events believed to have spurred the armed rebellions, from the pre-colonial period until the post-peace settlement era. I focus on contentious issues that have ignited socio-economic and political competition and cleavages between ethnic communities, including contestation over citizenship rights, access to and management of natural resources, and political representation within the state apparatus. These interconnected issues intensified through the persistent application of "divide-and-rule" tactics, beginning under colonial rule until well after independence. I show how discourses on the "balkanization" of the Kivus have been reinforced, serving as the impetus for armed rebellion. Whether real or imagined, discourses of balkanization continue to reflect the fears and feelings of insecurity (physical, economic, and political) of a large part of the Kivu population (Bouvy, 2014). These dynamics help explain the perplexing relations that have emerged between civilians and the Mai Mai, which play a critical role in sustaining the armed conflict in the Kivus.

### **Current State of Affairs**

Most scholars agree that armed groups are supported and influenced by a constellation of local, national, and, at times, regional players (Stearns, Verweijen, & Eriksson Baaz 2013a; Vlassenroot & Raeymaekers 2008). Untangling the various networks that abet armed groups is difficult, as they “stretch from the very local to the national, sub-regional and international levels” (Verweijen, 2016; 8). Of particular

concern is the continuous proliferation of armed groups in the region. According to a recent study, there are approximately 70 different armed groups in the Kivu Provinces (Stearns & Vogel, 2015). The proliferation of armed factions has fragmented a political landscape characterized by a constant shift in alliances, which reinforces the “certainty of uncertainty,” discussed in Chapter 1.

As will be demonstrated below, the impetus for armed rebellion in the Kivus has evolved due to changes to the various networks of support and finance. Since the mid-1990s, the Rwandan and Ugandan governments have been actively involved in the armed conflict in the eastern DRC. To varying degrees, Rwanda and Uganda have supported and financed some of the most the most forceful armed factions, including the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (AFDL, Alliance of Democratic Forces for the Liberation of Congo-Zaire), the *Rassemblement congolais pour la démocratie Congolese* (RCD, Congolese Rally for Democracy), the *Congrès national pour la défense du peuple* (CNDP, National Congress for the Defence of the People), and the *Mouvement du 23 mars* (M23, March 23 Movement). These “foreign”<sup>2</sup> armed groups comprised large-scale, sophisticated movements with many well-trained, equipped soldiers. Most of these groups were successful in controlling major rural and urban areas in the Kivus, including Bukavu and Goma, where they established different governance modalities.

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<sup>2</sup> References to armed groups as “foreign” appear in quotation marks, as these groups included significant numbers of local recruits. Furthermore, because the local recruits were largely mobilized from the Banyarwanda or Banyamulenge communities, whose members have contentious citizenship status in the country, they are often referred to as “foreign”.

When comparing the type of governance modalities created by “local”<sup>3</sup> and “foreign” armed groups, “foreign” groups clearly developed more extensive arrangements. However, they were often considered far more predatory and exploitative by respondents, because they lacked legitimacy with the local population. In fact, participants who lived under and through these governing arrangements experienced them as some of the most difficult periods, often serving as points of comparison when participants discussed different levels of exposure to and tolerance for violence (see Chapters 6 and 7). These observations illustrate the importance of the type of social relations between combatants and civilians, largely overlooked in literature on rebel governance (see Chapter 2).

Although interference by Rwanda and Uganda has diminished, these governments could revert to old habits in the near future (Vlassenroot & Verweijen, 2017). Despite geopolitical changes in the Great Lakes region, many “local” armed groups continue to exploit historical precedent as a pretext for their own armed rebellions. In particular, armed groups stoke deep fears that the Kivus are being “balkanized” by regional actors, a fear which has taken on a new dimension with the Congolese government policy of reintegrating former rebels into the military (discussed below).

As support from neighbouring governments decreases, national elites, including politicians, military officials, and businesspeople, have been steadily strengthening their connections with armed groups in the Kivus (Stearns, et al., 2013a). By supporting armed groups, these “Big Men” have been able to shape national dynamics to their own

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<sup>3</sup> References to armed groups as “local” appear in quotation marks, as some of these groups received support or aligned themselves with foreign governments or rebel groups at different times. Significantly, they are also referred to as “local” because the leaders and the majority of members belong to ethnic groups considered autochthonous (indigenous) to the region.



advantage, including influencing elections or reforming the national army. State officials and high-ranking military officers' support for armed groups makes it difficult to determine whether the armed groups are acting on their own or on behalf of the state. When we consider the historical record of the Congolese government's frequent forging of alliances with armed groups to advance certain policies, the picture is even less clear. Therefore, with such quickly changing dynamics, it is difficult to delineate without ambiguity which armed group working in the Kivus is local or foreign, non-state or state-sponsored.

Notwithstanding fluctuations in political and economic backers, “local” armed groups have relied on the support and collaboration of the local population. This is particularly pertinent for the Mai Mai, who claim to protect the interests of their respective ethnic communities. The various Mai Mai groups differ significantly, making it challenging to identify common characteristics. Most Mai Mai leaders and members come from the same ethnic community they claim to protect and defend. During the Congolese Wars (1996-1997 and 1998-2003), the Mai Mai played an important role protecting their communities against the myriad of armed groups from neighbouring countries. Most Mai Mai draw upon narratives and discourses of autochthony, which is used to galvanize their support and bolster their legitimacy. However, sharp tensions exist between the Mai Mai's claims to protect civilians and the abuses of civilians they have committed (discussed in Chapter 6). Importantly, in the context of “no peace—no war,” the Mai Mai are a powerful symbol of resistance to and liberation from the balkanization of the Kivus (de Heredia, 2012; Vlassenroot & Van Acker, 2001). It is therefore highly advantageous for armed groups to assume the Mai Mai name, which reinforces their role

in liberation and resistance. While the ways the Mai Mai currently operate have changed, certain Mai Mai groups have maintained a strong base of local support. Writing about the Mai Mai, Vlassenroot (2013) observes, “Even if these armed groups have gradually become connected to national and regional actors and political and socio-economic power struggles, they continue to claim to protect their communities, and rarely transcend ethnic or clan divisions” (p. 14).

The eastern DRC has also been the site of some of the most expensive and sustained peacekeeping, stabilization, and peacebuilding activities in the world. At the forefront of these initiatives is the *Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo* (MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo).<sup>4</sup> With a budget surpassing US\$1 billion, MONUSCO is one of the largest peacekeeping missions in the world, including 17,439 military and police personnel. MONUSCO has undertaken a diverse set of activities aimed at enhancing the protection of civilians, including: (1) developing early warning and response mechanisms; (2) “neutralizing negative forces” through military operations; (3) the demobilization and reintegration of combatants; and (4) bolstering the presence and capacity of state institutions through the “island of stability” program.

Despite the innovation behind its protection strategies, many of which have been adopted by neighbouring countries,<sup>5</sup> meagre results have been achieved in the DRC. Although MONSUCO has a robust mandate, a recent study of UN missions found it

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<sup>4</sup> Previously known as the *Mission de l'Organisation des Nations Unies en République démocratique du Congo* (MONUC, United Nations Organization Mission in the Democratic Republic of the Congo).

<sup>5</sup> For instance, peacekeeping missions in South Sudan and the Central African Republic adopted several of these measures.

routinely avoids the use of force when civilians are threatened by armed groups (UN, 2014c), severely hampering the mission's ability to deter armed groups operating in the region. Local populations are deeply aware of these challenges, which have imperilled the credibility of the mission. A recent study drawing on a representative sample of 5,166 adults found that more than half of respondents had a negative overall perception of MONUSCO. Furthermore, 77 percent of respondents considered MONUSCO's contributions to security efforts as weak to non-existent (Vinck & Pham, 2014; 54).

MONUSCO has also invested significant resources in restoring the Congolese state, especially in areas previously controlled by armed groups. MONUSCO's International Security and Stabilization Support Strategy (ISSSS) laid out a comprehensive, four-year plan to "build the trust and capacities of local actors and of the state and social institutions" (Stabilization Support Unit, 2013), focusing on seven areas of intervention: democratic dialogue, security, the restoration of state authority, return, reintegration and socio-economic recovery, and the fight against sexual violence. This plan was developed alongside the Congolese government's Stabilization and Reconstruction Programme for War-Affected Areas (STAREC). A recent study by Oxfam (2015) found the expansion of state presence has not necessarily yielded positive results. The study found that state officials, especially the army and police, are common perpetrators of abuse, varying from extortion at road blocks to forced labour, illegal taxation, arbitrary arrests, and protection payments. This predatory behaviour has led many individuals to the "belief that the state exists mainly to make money from them" (Oxfam, 2014; 19). The persistent presence of armed groups in the Kivus is influenced considerably by these dynamics. As state actors continue to behave in predatory and

exploitative ways, they inadvertently provide a compelling rationale for the existence of armed groups, many of whom have increasingly been adopting anti-government rhetoric.

### **Divide and Rule During Colonialism and Independence**

The Kivu Provinces comprise an ethnically diverse region known for its fertile highlands. Since before colonization, the most prominent ethnic groups in North Kivu have been the Banyarwandan,<sup>6</sup> Hunde, Nyanga, and Nande, while in South Kivu the Bashi, Warega, Banyamulenge,<sup>7</sup> Bafulero, Bavira, Bembe, and Babuyu (Vlassenroot, 2004). Ethnic identities hardened under colonial rule, when access to political and economic power and resources became increasingly contingent on identity. In particular, customary authority underwent various changes, as did mechanisms regulating access to land (Mamdani, 2001).

In the pre-colonial era, different chiefdoms connected various ethnic communities. While some chiefdoms were centralized and others less so, each was headed by a *mwami* (king).<sup>8</sup> The *mwami*'s power was primarily based on his control over land, which he would lease to farmers. In return, farmers would pay a *kishoke* (tribute) to access and cultivate parcels of land. Vlassenroot (2013) explains how this land-tenure system served different social functions. First, it integrated individual farmers living within a specific territorial area into a network of dependent relations centred on the payment of tribute. Second, it began to territorialize ethnicity. Finally, it reinforced the

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<sup>6</sup> Banyarwanda refers to individuals with ancestral ties to Rwanda.

<sup>7</sup> Banyamulenge refers to individuals that “come from Mulenge,” a hill in Uvira. During citizenship debates, the Banyamulenge attempted to change their identity from being Banyarwandan and claiming that they are in fact Banyamulenge rather than Banyarwandan.

<sup>8</sup> See Stearns (2012b) for further discussion of chiefdoms in North Kivu and Vlassenroot (2013) for chiefdoms in South Kivu.

power of customary chiefs. Farmers' access to land was traded for loyalty and servitude to the *mwami*.

When Belgium gained control of the Congo in 1908, it began to regroup these chiefdoms into a new administrative structure, creating *chefferie secteurs* (chiefdom sectors), which were quite large, and *petites chefferies* (small chiefdoms), which were smaller. The overall aim was to assimilate and regulate the local population under the authority of existing or newly appointed customary chiefs. The colonial rulers were strategic in applying different customary laws and systems to ethnic groups in order to advance their own interests. It is during this period that ethnic groups began to be antagonized and forced to compete for power (Mamdani, 2001).

Control over land and people intensified as the colonial administration began to build coffee, tea, and cotton plantations in the Kivu highlands. The eastern DRC had a much lower population density and lagged behind the rest of the country with respect to infrastructure, but had plenty of natural resources. Masisi and Rutshuru were regarded as particularly lucrative territories, with good climate and fertile soil for plantations. As the number of plantations increased, a labour shortage arose, especially on plantations in Masisi, where the Hunde population was reluctant to work for settlers. In response, the colonial government began to actively recruit workers from Rwanda.

Between 1928 and 1936, approximately 17,902 Banyarwandans immigrated to the eastern DRC to work on the plantations. Initially, these workers came alone, living in temporary camps on the plantations. As the demand for labour grew, recruiting individual workers, who wanted to start families or did not want to leave their families behind, became more difficult. In 1937, the colonial administration created the *Mission*

*d'immigration des Banyarwanda* (MIB, Banyarwandan Immigration Mission), tasked with managing mass migration to Masisi (Stearns, 2012b).

To facilitate this process, certain concessions needed to be made to the autochthonous communities. Initially, the system was designed to benefit autochthonous chiefs who began to profit from the *kishoke* paid by the influx of immigrants. Since the immigrants were not considered autochthonous, they were not granted their own customary authority, responsible for allocating land (Mamdani, 2001). As the number of immigrants and their family members increased, they began to demand their own customary authorities. In 1937, a new chiefdom called Gishari was created in North Kivu, ruled by Chief Bideri, a Tutsi chosen by the Rwandan King Rudahigwa. To obtain land for the chiefdom, the Belgian administrators purchased 47,810 hectares from the Hunde Chief Kalinde for 7,000 Belgian Francs.<sup>9</sup> Bideri continued to have strong ties to King Rudahigwa and even paid tribute to him while he was in power. In 1942, Chief Bucyanayandi replaced Bideri, and asserted greater independence from Rudahigwa.

The creation of the Gishari chiefdom initially incited fear of a “balkanization” of the Kivus among the autochthons. Hunde families living in areas that became part of the Gishari chiefdom were forced to leave, although some refused. Between 1937 and 1945, an estimated 100,000 Rwandans immigrated to Gishari with the assistance of the MIB. The Gishari chiefdom was soon flooded by so many families that the colonial administration had to officially stop the influx. However, it continued to assist Rwandan immigrants settle in other areas in Masisi, Rutshuru, and Kalehe until 1956 (Stearns, 2012b).

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<sup>9</sup> Stearns (2012b) explains that the Hunde population still remembers and regrets this infamous transaction, even today. The contemporary equivalent is roughly US\$20,000 for a territory the size of the New York boroughs Queens, Brooklyn, and Manhattan combined (p. 17).

Similar to other colonial administrations, the Belgians rotated their support for autochthons and Banyarwandans to advance their own interests, increasing tension and competition between these communities. For instance, once the Belgian administrators officially halted immigration from Rwanda in 1957, they began to strip away the political and economic power previously given to immigrant communities, abolishing the Gishari chieftdom and breaking it up into three parts. They removed Bucyanayandi and reinstated Chief Kalinda. Reflecting on this period, Stearns (2012b) explains, “This was momentous because it removed Banyarwandan group rights to land in the region, damaged their ‘indigenous’ status and compromised their right of belonging to the land” (p. 18).

The immigration policies of the colonial administration also dramatically changed the demography of the region. In Masisi, the Banyarwandans became the largest ethnic group, outnumbering the Hunde, Nande, and Nyanga. While it may be tempting to blame these policies for the subsequent tensions and violence between autochthons and Banyarwandans, there were already large settlements of Banyarwandans in the Kivus that predated the colonial administration (Vlassenroot, 2004). However, during this earlier period, the Banyarwandan communities were much smaller than the autochthonous communities and, therefore, less competition existed.

These underlying tensions over political and economic power heightened as the Congo prepared for its pre-independence election in 1958. Although the Banyarwandan were granted voting rights by the colonial power, most high-level positions remained under the control of the autochthons. Similar trends continued after the Congo gained its independence in 1960, as autochthonous communities tried to gain greater control over newly established police and judicial institutions (Stearns, 2012b). Immediately following

independence, several violent clashes between the autochthons and Banyarwandans broke out, soon to be dubbed the Kinyarwanda<sup>10</sup> War (1962-1965). In 1963, a group of Banyarwandans attacked a Hunde police station in Masisi. The following year, all Banyarwandans in political positions were replaced by Hunde politicians. Hunde politicians were also favoured in the legislative and provincial elections of 1965, which were deemed rigged. Finally, in October 1965, the North Kivu provincial assembly voted to expulse all Banyarwandans, accusing them of supporting a rebellion that had begun in the west of the country, and would eventually come to the east (Vlassenroot & Verweijen, 2017).

In 1965, Colonel Joseph Mobutu launched a *coup d'état*, which promised to bring an end to the political instability and insecurity marring the post-independence period. During his 30-year-long dictatorship, Mobutu governed through a web of complex power relations. He was also proficient at advancing his patronage interests and networks by switching his allegiances between various ethnic groups. In the Kivus, Mobutu was skilful at exacerbating competition, tension, and suspicion between the autochthons and Banyarwandans. For instance, he passed and revised a series of laws to reflect his allegiances of the day. In 1972, he introduced a law that granted citizenship to anyone who had immigrated into the Congo before 1960. Although this law did not grant customary land rights, many Banyarwandans capitalized on this law. In 1973, Mobutu changed the basis for granting land rights, rejecting customary land titles and making the state the only legal provider of land titles. This law was a direct threat to the political and economic power of customary chiefs, who benefited from the *kishoke* to which they had been entitled. The Banyarwandans took advantage of this opportunity and began to buy

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<sup>10</sup> Kinyarwanda is a language spoken in Rwanda, as well as by Congolese Banyarwandans.



as much land as possible, thereby creating a Hutu and Tutsi elite in the region who would play a critical role in future armed rebellions. In 1981, Mobutu reversed his stance, introducing a new law granting citizenship to those who could prove their families had arrived in the Congo before 1885.

Challenged by increased political pressure and an economy in disarray due to the end of foreign aid provided during the Cold War, Mobutu announced a democratization process in 1990.<sup>11</sup> He declared the end of the one-party system and conducted a national census, which once again refused to recognize Banyarwandan immigrants as Congolese citizens. In response to this announcement, several registration offices were burnt down by Banyarwandans, who had an interest in ending the census process. This provided the pretext for what would soon be dubbed *la guerre de Masisi* (the war in Masisi), even though violence also spread to the neighbouring provinces of Rutshuru, Walikale, and Kalehe. During three months of violence, an estimated 6,000 to 15,000 people were killed and 250,000 displaced (Stearns, 2012b). Violence was triggered by an inflammatory speech delivered by Provincial Governor Mbogho in March 1993, in which he urged security forces to help the Nande, Hunde, and Nyanga oppose the Banyarwanda. The mobilization of several Mai Mai groups in the Kivus can be traced to this period. Although this violence came to an end in November 1993, it would soon reignite, following the arrival of refugees from Burundi and Rwanda.

### **The Congo Wars and their Aftermath**

Socio-political tensions in the region were exacerbated in 1993 with the arrival of thousands of Burundian refugees, followed by more than one million Rwandan refugees

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<sup>11</sup> The country's economy had virtually collapsed by this time. Drawing on the work of Collins (1997), Dunn (2003) explains, "Its formal economy shrank more than 40 percent between 1988 and 1995. Its foreign debt in 1997 was around \$14 billion" (p. 140).

in 1994. The biggest challenge was the militarization of the refugee settlements whereby large segments of the *Interahamwe*, a youth militia involved in the genocide, and Rwandan government forces intermingled with refugees. It did not take long for these armed factions to begin regrouping and launching cross-border attacks into Rwanda. Shortly thereafter, the AFDL was created, merging a broad coalition of interests.

The AFDL was led by Laurent Kabila, a Congolese who worked his way up within the group, and who had the backing of four Congolese political parties (Stearns 2012b). Along with the Ugandan government, the Rwandan government was the main sponsor of the AFDL, if not its initiator. The AFDL also received support from the governments of Angola, Ethiopia, Eritrea, Tanzania, and Zimbabwe, each of whom had an interest in ousting Mobuto. In October 1996, the AFDL invaded North Kivu and began to dismantle the refugee camps. To the horror of international observers, several thousand refugees were forcefully repatriated into Rwanda. Nevertheless, the *Interahamwe*, an armed youth militia faction involved in the Rwandan genocide, which had been controlling and exploiting humanitarian assistance in the refugee settlements, managed to flee and hide in the Kivus, where they remain to the present day. They changed their name to the *Armée de libération du Rwanda* (ALIR, Rwandan Liberation Army), and then to *Forces démocratiques pour la libération du Rwanda* (FDLR, Democratic Liberation Forces of Rwanda) in 2001. The ALIR/FLDR has been a critical actor in subsequent rebellions in the region. It has both served as a convenient pretext for Rwanda's military interest and involvement in the DRC, and often aligned itself with the Congolese government and other armed groups to fight off Rwandan-backed groups.

Communities in the Kivus generally supported the AFDL's objective, the ousting of Mobutu. However, the local population was initially suspicious of the high numbers of Kinyarwandan speakers within the AFDL. In fact, hundreds of youth, especially Banyarwandan and Banyamulenge youth who had first crossed the border into Rwanda to support the Rwandan Patriotic Front (RPF), eventually joined the AFDL (see Stearns, 2013b; Vlassenroot & Van Acker, 2001). Fearful that this was another attempt by the Banyarwandan and Banyamulenge to balkanize the Kivus, customary chiefs began to organize their own local defence forces, which would come to be known as the Mai Mai. With the approval of both local leaders and community members, the Mai Mai were put in charge of protecting and defending their own ethnic communities. The AFDL came face-to-face with some of these Mai Mai groups, who initially blocked the AFDL's passage to Kinshasa. After clarifying its intentions, some Mai Mai joined the AFDL, while others were persuaded to give the AFDL passage.

On May 17, 1997, the AFDL entered Kinshasa and Laurent Kabila declared himself president. As Dunn (2003) explains, "Soon afterward, Kabila proclaimed himself the new president, renamed the country the Democratic Republic of the Congo (DRC), reintroduced the flag and currency unit originally adopted at independence, banned political parties and began to consolidate its power" (p. 3).<sup>12</sup> From the very beginning, Kabila faced an uphill struggle, inheriting outstanding issues left unaddressed by Mobutu. He struggled to establish control over the whole territory, insecurity along the eastern borders continued, and the legal status of the Banyarwanda and Banyamulenge remained in flux (Vlassenroot, 2004). The newly created *Forces armées congolaises* (FAC, Congolese Armed Forces) were still too fragmented to provide adequate security. Kabila

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<sup>12</sup> Mobutu had renamed the country Zaire.

also faced strong internal opposition due to his links with Rwandan and Ugandan allies. He had to make a choice: consolidate internal support or continue to rely on external support, thereby continuing to discredit his legitimacy as an independent president. On July 27, 1998, he requested all foreign troops leave the DRC. While the disavowal of these allies is often cited as the reason for the Second Congolese War, others note that this plan had already been put in motion at least six months prior to Kabila's decision (Dunn, 2003; Stearns, 2012b; Vlassenroot, 2004).

The Second Congolese War (1998-2003) involved eight countries and at least a dozen armed groups, leading to the deaths of millions of people. Backed by Rwanda and Uganda, a new rebel group called the RCD, began its operations in July 1998. While the second war began under the leadership of Laurent Kabila, he was assassinated in 2001, when his son, Joseph Kabila, quickly took control as president. Joseph Kabila has remained in power since this time.

While there were some similarities between the RCD and the AFDL, there were also important differences shaping the RCD's trajectory. Stearns (2012b) notes that one of the most significant differences between the AFDL and the RCD was the involvement of the Congolese Hutu community. During the first war, the Hutu community mainly fought against the AFDL, as it was dominated by Tutsi, both Rwandan and Congolese. The RCD leadership recognized that they needed to attract the Hutu community if they were to be successful, especially as the Hutu community had forged a strong alliance with the ALIR/FDLR, which was mainly composed of Rwandan Hutus. This alliance posed a great threat to the RCD. Consequently, in its initial planning and organization, the RCD solicited prominent Hutu leaders with positions of power within the group. These Hutu

leaders subsequently began to reform the structure of customary power, replacing dozens of Hunde chiefs in Masisi and Rutshuru with Hutu leaders of their choosing.

Although the RCD quickly gained territorial control of major urban centres and mining sites, internal divisions between the Rwandan and Ugandan governments compromised its success. According to Prunier (1999), Presidents Museveni of Uganda and Kagame of Rwanda had different visions: while the former wanted to build a strong Congo that would become lucrative for business interests, the latter wanted a weak Congo that would make neo-colonialist expansion easy. The RCD splintered into factions: the Ugandan-led *Rassemblement congolais pour la démocratie -Mouvement de libération* (RCD-ML, Congolese Rally for Democracy-Liberation Movement,) and the Rwandan-led *Rassemblement congolais pour la démocratie* (RCD, Congolese Rally for Democracy).

On the opposing side, the various Mai Mai factions played an active role in contesting the RCD and received support from the Congolese government, which began to encourage a more centralized organizational structure for the Mai Mai. To facilitate this, it began to assign government ranks to some Mai Mai leaders. In North Kivu, Mai Mai groups operating in southern Masisi and Walikale came under the command of General Padiri. Similarly, the Hutu Mai Mai were led by Bigembe Turikinko and Hassan Mugabo, Hunde fighters by Colonel Akilimali, and the Tembo by General Damiano (Stearns 2012b). In South Kivu, the Mai Mai operating in Fizi came under the overall command of Dunia Lwendama.<sup>13</sup> The Fizi Mai Mai would become the catalyst for the *Parti pour l'action et la reconstruction du Congo-Forces armées alléluia* (PARC-FAAL,

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<sup>13</sup> Dunia had been involved with the Simba rebellion that erupted in the 1970s. He was also the chief of operations under the leadership of Kabusenge and Sofeles, which was the first Mai Mai group to form in response to the AFDL (see Stearns et al, 2013b).

Party for Action and the Reconstruction of the Congo-Hallelujah Armed Forces), discussed in the following chapters. The new ranks and structures encouraged by the Congolese government were important, as they legitimized these groups symbolically. Despite their incorporation into the Congolese army (not operating in the Kivus at that time) by the Congolese government, most Mai Mai still maintained their own command structure and autonomy (Hoffman & Vlassenroot, 2014).

Nearly all Mai Mai aligned with President Kabila, although they received irregular and insufficient resources to carry out their military operations. Many Mai Mai also fought alongside "foreign" rebel groups taking refuge in the region. In North Kivu, Mai Mai groups collaborated with the Rwandan rebel group, the ALIR, and in South Kivu, the Mai Mai formed alliances with the Burundian rebel group, the *Conseil national pour la défense de la démocratie–Forces pour la défense de la démocratie* (CNDD–FDD, National Council/Forces for the Defence of Democracy).

Trapped in a military deadlock, the armed factions came to the negotiation table, and signed the All Comprehensive Agreement in 2002. The agreement established a power-sharing formula among the belligerent parties and put in place a transitional government from 2003 to 2006. Through its infamous “4+1 formula,” the country was governed by one president, Joseph Kabila, and four vice presidents. Two of the vice-presidential seats were held by RCD and RCD-MLC members, and the other two were assigned to leaders of Congolese opposition parties. The All Comprehensive Agreement has been widely criticized for failing to address the underlying causes of the conflict, while primarily focusing on national and regional dimensions (Autesserre, 2010). During the transition period, the belligerent forces managed to retain control and access to the

territorial areas they had previously governed, further solidifying their power and allowing them to carry out their economic activities.

### **Precarious Peace and the Proliferation of Armed Groups**

The transition period in the DRC came to an end when multi-party elections were held in 2006, won by incumbent President Joseph Kabila. Some armed groups would later become political parties, while others were offered a chance to integrate into the *Forces armées de la République démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo). The army integration process consisted of mixing of troops into new brigades, through the *brassage* (brewing) process, as it was called. The *brassage* process was meant to integrate combatants from all over the country, to ensure set quotas were met by the newly integrated brigades. The official quota system required the following composition: the FAC (35%), the MLC (17%), the RCD (28%), the Mai Mai (8%) and other groups (12%) (International Crisis Group, 2006). The integration quota system was never followed, as the process suffered from poor logistical, financial, and management support, and was also manipulated by armed factions, who were keen on maintaining their privileged positions and access to territorial strongholds where they controlled lucrative natural resources (Eriksson Baaz & Verweijen, 2013b).

An “open door” dimension further compromised the integration process. Verweijen (2016) captures this well:

Some leaders refused to integrate their troops into the army and kept hidden arm caches. Others did integrate but manipulated their integration, attempting to maintain separate chains of command and un-integrated units in the army. Those who initially refused military integration were offered another opportunity to integrate at a later stage, often being promised higher ranks and positions than before. This policy created incentives for military leaders to refuse integration or desert, as it allowed them to up the stakes in the subsequent rounds of negotiations. When new negotiations did not yield the desired results, they would frequently withdraw from the process to create more mayhem and demand further concessions in future integration processes (p. 23).

The Congolese government's negotiation and integration policies regulating armed groups inadvertently planted the seeds for future armed mobilization in the region. The government began to selectively reward armed groups that were the largest and most successful in their violent campaigns, while marginalizing those that were smaller and less successful (Larmer et al, 2013). Several Mai Mai groups were either disadvantaged or excluded from the initial peace settlement process and package. Many of the Mai Mai did not have access to Kabila's patronage networks, thereby depriving them of the bargaining power necessary to obtain influential and lucrative positions within the FARDC (Eriksson Baaz & Verweijen, 2013).

The Mai Mai who did receive positions were highly disappointed with the outcome, some eventually abandoning the integration process along with their soldiers. For instance, a Mai Mai group led by Dunia was initially incorporated into the FARDC and Dunia was promoted to general when he integrated his forces. However, his title was merely symbolic, as he was eventually relocated to Bukavu to reduce his influence and break up his networks in Fizi (Stearns, 2013b). This move prompted Captain Yakutumba to start a new armed faction in 2007, which is now known as PARC-FAAL (discussed in Chapter 5). The new generation of Mai Mai learned to be more politically astute, tapping into influential political and economic circles, both nationally in Kinshasa and provincially in Goma and Bukavu, to receive the necessary backing.

One of the most powerful armed groups to emerge shortly after the transitional period was the CNDP. Under the leadership of Laurent Nkunda, who had refused to take up a new position within the FARDC, the CNDP functioned with far greater sophistication than other armed groups in the region (Vlassenroot & Verweijen, 2017). Its



success hinged upon its wide network of supporters and its military performance. The CNDP gained support from some Hutu and Tutsi elite who had strengthened their influence during the RCD period, but were now on the brink of losing their privileges during post-war settlement. The CNDP also benefited greatly from the support of Rwandan government officials, army officers, and diaspora members.<sup>14</sup> One of the CNDP's major concerns, and a precondition for future integration into the army, was the eradication of the FDLR.

With several thousand troops, the CNDP took control of most of Masisi, where it installed its own administrative apparatus. According to Stearns (2012a), the CNDP began extracting taxes from small shops, markets, and mining sites. In exchange, it provided security through its police force. It was also known to have covered the cost of certain school fees and health bills for underprivileged families. The CNDP was highly disciplined and punitive; it severely punished anyone who opposed its regulations, as well as anyone thought to be collaborating with its enemies. The CNDP also focused on spreading its ideological beliefs, which were largely inspired by other revolutionary armed factions, such as the Rwandan Patriotic Front (RPF) and Uganda's National Revolutionary Movement (NRM). It was known to hold regular rallies, where its leaders would deliver speeches, followed by singing and dancing, and targeted the education system, where schoolchildren were taught CNDP songs praising individual commanders.

In late 2006, in the wake of failed government offensives, the CNDP and the FARDC entered a round of negotiations in Kigali. A truce was reached, which provided a blueprint for subsequent agreements. The consensus was to mix the CNDP into the

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<sup>14</sup> According to Stearns (2012a; 26), the CNDP had chapters not only in rural Masisi, but also in Canada, South Africa, and Belgium.

FARDC, creating six “mixed” brigades deployed to Masisi and Rutshuru, with assurance that CNDP combatants would not be deployed outside the Kivus. Part of the agreement required that CNDP forces would not be integrated as they had been before, but rather mixed within the FARDC. The process was called *mixage*, a different form of *brassage*, ensuring that CNDP commanders would retain command and control of their combatants (Eriksson Baaz & Verweijen, 2013).

One of the mixed brigades' first missions was to pursue and launch an offensive attack against the FDLR. Having managed to inflate troop numbers, the CNDP received approximately US\$190,000 per month in salaries to carry out the offensive, helping to replenish ammunition and weapons (Stearns, 2012a). According to one CNDP senior officer, “*Mixage*—that’s how we built the CNDP” (cited in Stearns, 2012a; 30). It did not take long for the *mixage* process to officially fall apart. Nkunda’s brigades operated autonomously, initiating military operations that were not planned or controlled by the hierarchy (Eriksson Baaz & Verweijen, 2013b). After a series of failed attempts to make the arrangement work, the Congolese government gave up and, by the end of 2007, dispatched 20,000 troops in an offensive mission against the CNDP (Stearns, 2012a). President Kabila changed its tactics, and began fighting alongside the FDLR, and other armed factions.

Several Mai Mai groups either formed anew or resurfaced to counteract the CNDP. Most continued to be structured along ethnic lines, although the *Coalition des patriotes congolais résistants* (PARECO, Coalition of Congolese Resistance Patriots) was an exception. The PARECO brought together combatants from Hutu, Hunde, Nande, Tembo, and Nyanga communities in North Kivu, forming a broad coalition to put an end

to the CNDP, which was considered another example of Tutsi domination in the region. It was not difficult for the PARECO to mobilize its recruits; not only was the group open to diverse ethnic representation, but there was an ample supply of recently demobilized combatants in the Kivus.<sup>15</sup> After the CNDP was dismantled (discussed below), the PARECO splintered into several armed factions, some of which were active throughout my field research, including: Nyatura, a Hutu-dominated group led by Matias Kulume; LaFontaine, a Nande-dominated group led by Colonel Sikuli Lafontaine; and, lastly, but most importantly for the focus of this dissertation, the *Alliance des patriotes pour un Congo libre et souverain* (APCLS, The Alliance of Patriots for a Free and Sovereign Congo), a Hunde-dominated group led by Colonel Janvier Karairi (discussed in Chapter 5). Before it fragmented, the PARECO gained significant strength and became a major opponent of the CNDP.

In 2008, the Congolese government organized a peace conference with active armed groups. From January 9 to 25, 2008, the Goma Conference brought together around 1,300 delegates, including community leaders, civil society members, and armed faction combatants. The overall purpose was to address the underlying tensions fuelling armed rebellion that had been left unaddressed by the previous peace agreement. While ambitious, the conference agenda seemed to be on track. However, a series of backroom deals that took place before and during the Goma Conference compromised the entire initiative from the beginning. The Congolese government tried to diminish the CNDP's influence by inflating the presence of other armed groups, encouraging all armed factions, no matter how small, to attend. It also supported the creation of new groups or

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<sup>15</sup> According to Stearns (2013a), approximately 102,000 soldiers were given a demobilization fee and returned to their communities between 2005 and 2008.

the revival of dormant ones (Vlassenroot & Verweijen, 2017). In hindsight, this strategy inadvertently promoted the proliferation and splintering of numerous armed groups and factions.

The Goma Conference also failed to eradicate the CNDP. It did not take long for the CNDP to resume its military activities after the conference, and, by November 2008, the CNDP came within a few kilometers of Goma. The Congolese government became increasingly desperate, and decided to change its approach by beginning a series of back-channel negotiations with Rwanda, a long-time supporter of the CNDP. Kabila and Kagame agreed that it was time to arrest Nkunda and integrate the CNDP into the FARDC. In return, the two governments launched a series of military offensives against the FDLR. A final peace agreement was signed on March 23, 2009, an ordinary date at the time, which would later become the name of a Rwandan government-backed armed faction, the M23 (discussed below).

To manage military offensives against the FDLR, a parallel power structure was created, where the CNDP managed to maintain control of crucial areas, including mining sites in Walikale and Nyabibwe (Stearns, 2012a). The deployment of Banyarwanda-dominated FARDC units within the Kivus triggered old fears, and reactivated conflict narratives around autochthony (see Chapter 5 for a discussion of this dynamic in Fizi). These military operations initiated a shift in government policy—from negotiation and integration toward military offensive. While these operations were generally successful in weakening the FDLR, dislocating them from their key strongholds, the humanitarian cost was high. The FDLR was weakened and forced to operate in isolated areas, where it launched a series of attacks against local communities, both to replenish its supply

sources and retaliate against alleged traitors. Increased insecurity stemming from these operations provided an impetus for armed group mobilization and proliferation (Verweijen, 2016).

At this time, an important group called the *Raia Mutomboko* (“the population is angry”) became more active, concerned with the FARDC’s failure to protect community members from the FDLR. *Raia Mutomboko* proved to be extremely successful at displacing the FDLR and, as its reputation grew, it expanded to other areas. The first group was created in Shabunda in 2005. However, other groups taking up the *Raia Mutomboko* name emerged elsewhere in South Kivu, including Kalehe and Mwenga, and, eventually, in North Kivu, in Walikale and Masisi (Stearns et al 2013c; Vogel, 2013). Different groups loosely bound together by anti-FDLR ideology, the *Raia Mutomboko* factions increased their operations and evolved into a brutal and abusive militia, causing some groups to lose their credibility.

In 2011, attention focused on presidential and parliamentary elections, which were largely discredited due to rigging and irregularities on the part of President Kabila, who nevertheless secured his power for another term (Carter Center, 2011; Stearns, 2012a). During this period there was also major restructuring of the FARDC to address the organizational chaos resulting from previous reintegration efforts. Weakening the CNDP’s grip on the FARDC in the Kivus was a major focus. This regimentation process, as it was referred to, entailed mixing and training all combatants in the FARDC, requiring them to withdraw from their field operations (UN, 2011). As a result, major power vacuums developed in the Kivus, which allowed armed groups, including the FDLR, to extend their areas of operation and control (Vlassenroot & Verweijen, 2017).

The regimentation process threatened the status and position of former CNDP personnel, prompting some members to desert and form a new armed group, known as the *Mouvement du 23 mars* (M23, March 23 Movement), in reference to the previous accords signed by the CNDP that Kinshasa was accused of violating. The M23 received substantial support from Rwanda, including weapons, ammunition, and access to areas on the Rwandan side of the border. The M23 advanced quickly and managed to capture Goma on November 20, 2012, a huge embarrassment to the Congolese government and MONUSCO.

To avoid further damage to its credibility, the UN Security Council adopted Resolution 2098, establishing the Force Intervention Brigade (FIB).<sup>16</sup> With a total of 3,096 soldiers from South Africa, Tanzania, and Malawi, the FIB was mandated to “neutralize armed groups by carrying out targeted offensive operations either unilaterally or jointly with the FARDC in a robust, highly mobile and versatile manner” (cited in Tull, 2017; 8). The FIB’s bold mandate significantly challenged the foundation of peacekeeping operations around the world. While the Security Council was explicit that all armed groups are considered a threat, the FIB would have been unable target all groups simultaneously. The initial FIB and MONUSCO operations against the M23, presumed to be the most destructive group, were largely successful.<sup>17</sup> After its success with the M23, the FIB targeted armed groups originating in neighbouring countries, such as the FDLR, the Allied Democratic Forces-National Army for the Liberation of Uganda

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<sup>16</sup> FIB forces were initially established for a one-year period, but their mandate was renewed.

<sup>17</sup> Despite the success of the M23, Rwanda’s support had largely diminished by this point, due to regional and international pressure (see Tull, 2017). In turn, its leader, Salati Makenga, surrendered with approximately 1,500 combatants on November 7, 2013. Nevertheless, there was a lot of speculation during my field research about the remobilization of the M23.

(ADF-NALU),<sup>18</sup> the Lord's Resistance Army (LRA),<sup>19</sup> and the National Forces of Liberation (*Forces nationales de libération*, FNL).<sup>20</sup> The FIB concentrated most of its efforts on the ADF-NALU and the FDLR, but with far more limited success. Tull (2017) explains this failure: "Once the M23 was defeated, FIB lacked the will and incentives to take on other groups, some of which it may even consider as useful to Kinshasa and its regional allies, such as the FDLR" (p. 12). Although the operations received far less attention, the FIB also targeted some Mai Mai groups, including the APCLS and the Nduma Defense of Congo (NDC), putting a strain on relations with the local populations (discussed in Chapter 5).

Many analysts expected the defeat of the M23 to reduce armed mobilization in the Kivus, sending a message that, if MONUSCO and FARDC put their resources together, they could achieve great things. Remarkably, the opposite occurred. Over the course of 2014, the number of armed groups increased, a trend that continued in 2015 and 2016 (Stearns & Vogel, 2015; Vlassenroot & Verweijen, 2017). Currently, the Congolese government is attempting to reduce the incentive to negotiate using armed mobilization, and the integration of armed groups is no longer preferred policy. This shift makes it difficult for armed groups to gain access to high-level military and political positions within the state apparatus. While this was a necessary, crucial change, disrupting the underlying logics and networks of the armed groups, constructed largely around the

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<sup>18</sup> An armed group linked to Ugandan militants operating around Beni in northern North Kivu (see Scorgie, 2011; Titeca & Vlassenroot, 2012; Fahey, 2016; Tamm, 2016).

<sup>19</sup> A rebel group from Northern Uganda led by Joseph Kony that took up arms in the late 1980s. In the mid-2000s, the LRA was dislodged from Uganda, after a series of military operations launched by the Ugandan armed forces, and has been sporadically operating out of South Sudan, Central African Republic, Chad, and the eastern DRC (see Van Acker, 2004; Allen & Vlassenroot, 2010; Baines, 2016).

<sup>20</sup> A former rebel group in the Burundian civil war (1993-2008) that became a political party in Burundi. However, the group still has ties to combatants hiding in the eastern DRC who have never laid down arms (see Alfieri, 2016; Wittig, 2016).

desire to gain the material advantages of incorporation into the FARDC, will still take time. This is especially true of some Mai Mai groups who have become a source of protection for the local population.

Many local communities in the Kivus refer to the Mai Mai as “our children,” capturing the complicated ways these armed groups are socially embedded in the lives of community members. Mai Mai combatants are often their husbands, brothers, sons, uncles, neighbours, friends, or schoolmates. These intimate relations often necessitate varying levels of support and collaboration, be it material, logistical, or informational (Verweijen, 2016). Community members provide the Mai Mai with basic supplies or a safe place to hide. Because of widespread community support, the Mai Mai can operate in surrounding communities with relative ease. They are often granted access to the market or mine sites, which are covertly taxed to create revenue for the armed group. Community members do not readily reveal Mai Mai activities or operations to the FARDC. In fact, people will often cover for the Mai Mai, refraining from reporting their abuses and instead portraying them as their “saviors” (discussed in Chapters 3, 6, and 7). While previous scholarship has explored the different ways the Mai Mai adopt narratives and practices to reinforce the notion of belonging in relation to autochthonous communities (Bøås & Dunn, 2014; Hoffman, 2015; Verweijen, 2015), less attention is paid to how communities utilize these discourses to their own advantage. In some cases, they even restrain predatory and exploitative Mai Mai behaviour (see Chapters 6 and 7).

Efforts to strengthen and restore the state apparatus, especially the FARDC, have had ambivalent effects on community relations with the Mai Mai. While theoretically a sound approach, in practice it has resulted in increased deployment of the FARDC.



Civilians being forced to live in proximity to the FARDC has resulted in increased predatory and extortionist behaviour on the part of the army. Deployed with inadequate numbers of troops and weapons, the FARDC are often unable or unwilling to offer the population any genuine security (Eriksson Baaz & Verweijen, 2013). The appalling wages earned and living conditions experienced by FARDC soldiers also make it incredibly difficult for them to sustain themselves and their families. The presence of other state officials or institutions, such as provisional government officials or police, does little to curtail abuses committed by the FARDC.

Despite this expansion of the state, it is not unusual to find armed groups and the FARDC living side-by-side or within close proximity to each other. These opponents often establish informal agreements, whereby they agree not to enter each other's territories unless engaging in direct combat (Bafilmeba & Mueller, 2013). Given the FARDC is often deployed with insufficient troops and equipment, little incentive or motivation to pursue the enemy exists, unless they are given direct orders to do so. Of course, the agreements reached between the FARDC and armed groups vary tremendously, in terms of length (varying from years to days), physical proximity (living in the same community or nearby), and the nature of the agreement (formal versus informal). The following chapters will examine how local communities cope with, navigate, and exploit such conditions, with administrative control and authority often fluctuating between the FARDC and armed groups.

## **Conclusion**

This chapter examines the different logics of armed violence in the Kivus, which largely revolve around a series of inter-related issues related to citizenship rights, access

to and management of land, and political representation. Many of these issues were intensified through “divide and rule” tactics, initially adopted by the colonial administration and prevailing throughout the post-colonial period. It is important to understand the origins of these communal tensions, which often shape the discourses adopted by the Mai Mai.

Further, this historical overview identifies the precursors to the APCLS and the PARC-FAAL, to be discussed at length in the following chapters. As has been demonstrated, these armed groups, like many others in the region, are derivatives of earlier factions. While the APCLS and the PARC-FAAL may not possess the military strength of their predecessors, they have been able to maintain strong links with the local population and use them to their advantage. They have also learned from mistakes committed by former groups, which helps to bolster their legitimacy.

## **Chapter 5: Uneasy Cohabitation: Co-Governance Among Opponents**

### **Introduction**

In Chapter 4, I offered a historical analysis of the armed conflict in the eastern DRC, detailing the different incentives for armed mobilization and illustrating how previous peace settlements among belligerent parties have inadvertently reinforced ruler/ruled relations between armed groups and civilians. By gaining territorial control of specific areas, armed groups developed their own ruling systems. In this chapter, I provide an analysis of the governance modalities that emerged from competing and opposing armed forces in two communities. In Nyabiondo, co-governance arrangements were forged between the APCLS and the FARDC, while in Sebele, they formed between the PARC-FAAL and the FARDC. In the following, I examine how these co-governance modalities were initially created, their daily operation, their dissolution, and their aftermath. I also begin to identify some of the ways these co-governing arrangements were interpreted and portrayed by community members. An in-depth examination of respondents' perspectives follows in Chapter 6.

Although the types of administrative structures and processes used by armed groups in Nyabiondo and Sebele to regulate socio-economic activities were different, the outcomes were similar. In both locations, armed groups provided minimal forms of authority and public services, including basic security, conflict resolution mechanisms, and tax collection. These co-governing arrangements were partially engineered by the Congolese government, part of accelerated peace negotiations and military integration efforts. Unexpectedly, these arrangements ended up bolstering the legitimacy of the APCLS/PARC-FAAL and literally pit the FARDC and the APCLS/PARC-FAAL against

each other, allowing community residents to “choose” which set of actors best met their needs.

### **Rethinking Non-State Armed Governance**

The scholarship on armed, non-state governance reveals the complex ways armed actors exercise authority and regulate socio-economic domains in areas where they operate. I previously identified two dominant approaches advanced by this literature: *administrative and institutionalist*, and *social ties and networks* (see Chapter 2). The analytical scope of the *administrative and institutionalist* approach to governance is limiting, as it puts too much emphasis on the armed group’s territorial control (Kasfir, 2015). Thus, in contexts characterized by fluctuating governance modalities, there are analytical limitations to the *administrative and institutionalist* approach. In the eastern DRC, the state's lack of monopoly over the use of violence has created a situation of permanent competition, negotiation, and collusion by the various armed actors. Bouvy (2014) explains how this leads to “unusual compromises” among armed actors, while Vlassenroot, Mudinga, and Hoffman (2016) consider the “implicit agreements” that emerge among armed actors, often characterized by non-confrontation.<sup>1</sup> Due to the impact of these arrangements on security conditions for the local population, the complicated ways in which armed groups compete, negotiate, and collide with each other must be factored into how governance is conceptualized and practiced in the Kivus. These observations result in broader findings about how “governance” is performed by armed actors and understood by civilians.

The *social ties and networks* approach addresses this gap by adopting a more fluid

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<sup>1</sup> These arrangements resemble what Staniland (2012) refers to as “wartime orders” (see Chapter 2). However, his analysis only focuses on state-rebel relations, and does not consider the ways civilians influence these dynamics (see Chapters 6 and 7).

and dynamic conceptualization of governance, emphasizing the series of interactions and negotiations among the wide range of actors involved. Accordingly, governance is understood as a *process*, often facilitated by social ties and networks, rather than merely as administrative institutions in a territorial area. With an interest in understanding how governance is practiced, rather than how it is supposed to function, there is greater attention to the “practical norms” (de Sardan, 2015)<sup>2</sup> of governance. This approach is particularly useful for dissecting the “rules of the game” that emerge between armed actors and examining how these rules result in the “logic of appropriateness” (March & Olsen, 1984) outside administrative institutions.

As the “rules of the game” are constantly being reworked among armed actors, each group learns to observe the other and respond accordingly. Existing scholarship demonstrates the paradoxical ways in which armed groups, positioned outside and against the state, will often adopt prevailing norms and practices used by the state to govern (Hoffman & Vlassenroot, 2014). For instance, some armed groups replicate the same practices used by the state to evoke symbols of authority and legitimacy (see Hoffman, 2015; Mampilly, 2015). Other rebel groups strategically alter state practices, demonstrating that they operate differently but nevertheless implicitly relying on variations of state practices (see Förster, 2015; Wickham-Crowley, 2015). However, the existing literature fails to adequately consider how civilians factor into these dynamics (see Chapters 6 and 7 for this analysis). The role of civilians is particularly important in the Kivus, where some armed groups, especially those that invoke the Mai Mai label, are heavily dependent on the local population (see Chapters 4 and 7).

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<sup>2</sup> de Sardan (2015) defines “practical norms” as “the various informal, de facto, tacit, or latent norms that underlie the practices of actors which diverge from the official norms” (p. 8).

The governance arrangements among opponent armed actors in Nyabiondo and Sebele are interesting sites to rethink conceptualizations of non-state armed governance. In particular, I identify four features of the governance arrangements that emerged, which are not addressed in the existing literature: Four features of these governance arrangements distinguish them from existing literature: (1) the creation of these arrangements; (2) the co-habitation and co-governance of opposing forces located in the same community over significant periods of time; (3) the termination of these arrangements; and (4) the pre-existing relations between civilians and the APCLS/PARC-FAAL, based on shared notions of identity, which had important ramifications for the treatment of civilians, as well as how civilians interpreted and portrayed these situations.

As emphasized in existing literature, a prerequisite for rebel governance is the partial or complete control of a particular area by an armed group (Kasfir, 2015). Territorial control is normally attained through military victory (Kalyvas, 2006), which inherently assumes that these arrangements result from violent competition. However, governance arrangements can also emerge from broader peace negotiation processes, as was the case in Nyabiondo and Sebele, where co-governance arrangements were formed after an initial ceasefire was reached. While peace negotiations continued in the background, both the APCLS and the PARC-FAAL gathered in “assembly camps,” providing the armed groups with a place to convene and gather their troops, with the goal of eventually integrating into the FARDC.

Unlike demobilization camps, which are common in DDR processes, assembly camps are created before an official agreement has been reached between the fighting parties. A key distinction is that combatants remain fully armed in assembly camps,

unlike demobilization camps where combatants are usually required to surrender their weapons before entering. In the eastern DRC, some of these assembly camps were created inside rural communities, where armed groups operated prior to reaching an official agreement. At different points, Nyabiondo and Sebele were used as assembly camps by the APCLS and the PARC-FAAL, respectively. This resulted in non-violent competition among authority figures, who struggled over control and management of administrative processes to show they “were ruling in a good way”. Armed factions situated in these communities competed for the loyalty and support of the population, which in turn gave the residents a certain amount of leverage. These co-governing arrangements were fairly short-lived, as many participants strongly anticipated when they first learned about these arrangements. In Nyabiondo, co-governance lasted from November 2012 to February 2014, while in Sebele it lasted from February to August 2013.<sup>3</sup> As will be explored below, there was no definitive victory after the ceasefire ended. Both the APCLS and the PARC-FAAL retreated to the “bush,” where they have remained since the ceasefire fell apart.

### **Nyabiondo**

Nyabiondo is located in Masisi Territory (see Appendix 3 for map), one of the most ethnically diverse areas in the eastern DRC, and includes Hunde, Tembo, Nyanga, Hutu, and Tutsi communities. Located in the northwest, Nyabiondo is a comparatively large community of approximately 12,237 households, each containing an average of five

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<sup>3</sup> Although not lengthy, both agreements lasted six months or longer, meeting the time and length criteria of rebel governance outlined by Kasfir (2015).

people.<sup>4</sup> Its population is predominantly Hunde, although there are also some Hutu and Nyanga people living in the community.

Nyabiondo is divided into approximately 21 sub-units, which are administered by a *mutembo* (customary chief),<sup>5</sup> *condifa* (female chief assistant), and *kiroro* (messenger). The Chief of Locality (the head of the *mutembo*) also resides in the community.<sup>6</sup> In addition, a small local government office hosts the Chief of Sector and his advisors, and a police station is located next door, staffed by 10-15 police officers, by my estimates. A considerable number of these police officers were combatants under the Mai Mai Akilimali leadership (see Chapter 4 for a discussion of Akilimali). Periodically, since the *Rassemblement congolais pour la démocratie* (RCD) period (1998-2003), the FARDC has also maintained a base on the outskirts of Nyabiondo.

Nyabiondo is divided by a long dirt road; in the centre of the community, there is a large market,<sup>7</sup> some shops, restaurants, and even a couple of small hostels, as well as a medical centre run by *Médecins Sans Frontières* (MSF), and a small MONUSCO base that has been there since 2005. At the time of research, the Indian battalion<sup>8</sup> administered this base and other MONUSCO satellite bases in Masisi, with the largest located in Masisi Centre. A small internally displaced persons camp is located on the outskirts of Nyabiondo.

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<sup>4</sup> These population estimates were provided by local authorities. However, it should be noted that there has not been an official census in the DRC in recent times.

<sup>5</sup> In Swahili, *batembo* is plural and *mutembo* is singular. I use these interchangeably, depending on the context.

<sup>6</sup> The Chief of Locality is the only hereditary position. All other authority figures mentioned are either appointed by the Chief of Locality or selected by the local population.

<sup>7</sup> The Nyabiondo market opened in 1994. Current administrators estimate it hosts around 500 traders each market day and is considered the second largest market in Masisi.

<sup>8</sup> India is one of the largest troop-contributing countries in UN peacekeeping missions in the eastern DRC and elsewhere.



Most households in Nyabiondo are sustained through farming activities. Families often sell part of their produce to cover additional expenses, such as school fees and uniforms or medical supplies. There are two market days in Nyabiondo. The unofficial alcohol market takes place on Friday, beginning in the afternoon until late at night. Women from Nyabiondo and neighbouring communities who make locally brewed alcohol<sup>9</sup> sell it here. Saturday is the official market day, featuring all sorts of produce, livestock, as well as household goods (e.g., cooking utensils, school supplies, used clothing, etc.) In terms of other sources of income, a few individuals work as carpenters, mechanics, or tailors, while others have rented a locale and opened a shop or restaurant. However, some start-up funding is usually required to begin these activities.

Since the early 1990s, several armed groups have emerged in Masisi, most of them mobilizing its fighters and supporters along ethnic lines. Each group claims to “protect and defend” their own community against the others, resulting in chronic insecurity. As Bouvy (2014) explains, “Each ethnic community seems to perceive the other as a genuine threat to its own interests, even to its existence”. Nyabiondo has fallen under the control of several armed groups active within the territory.

It was difficult to determine which armed groups came and when, as respondents had different recollections of these events, but most recalled a similar set of actors and events. The Mai Mai Akilimali was the first armed group to take control of Nyabiondo between 1995 and 1999. Predominantly Hunde, the Akilimali mobilized during the RCD period, was subsequently integrated into the FARDC, and then deployed in Walikale. Between 1999 and 2000, the *Forces démocratiques de libération du Rwanda* (FDLR) were present, described as one of the most difficult periods for the people of Nyabiondo,

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<sup>9</sup> The local alcohol is a banana-based spirit known regionally as *kasusu*.

and serving as a frequent reference point with respect to hardship caused by armed groups. From 2008 until writing, the APCLS has been operating in this area. At the time of my research, the most prominent armed groups operating in Masisi included the APCLS, associated with the Hunde, the Nyatura with the Hutu, and the NDC with the Nyanga and Raia Mutomboki, the latter presented as an armed group opposed to foreign occupation (see Chapter 4 for discussion of these armed groups). Although they typically do not last, alliances are often formed to fight off “common enemies”.

The APCLS was created by the self-proclaimed “general” Janvier Karairi in 2008. Like other Mai Mai leaders, Janvier took an early interest in “armed politics,” and was president of the Hunde youth group within the Bashali *chefferie* in Kitchanga, his Masisi hometown. The youth group would soon become known as *wakombozi* (the liberators). Through this position he played an active role in *la guerre de Masisi* (the war in Masisi) in 1993. In 1996, Janvier joined the AFDL and, in 1999, when the RCD war broke out, aligned himself with the Mai Mai (Bouvy, 2014). A few years later, Janvier joined the PARECO, an armed, inter-ethnic group created to combat the CNDP.

During the Goma Conference in 2008, the APCLS splintered from the PARECO<sup>10</sup> and formed its own group. Unlike the Nande and Hutu PARECO representatives attending the Goma Conference, the Hunde representative, serving on behalf of Janvier, refused to sign the *actes d’engagement* (statements of commitment) (Stearns, 2013a). According to an informant in Nyabiondo, Janvier withdrew from the Goma Conference due to a paragraph in the *actes d’engagement* stating that the

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<sup>10</sup> The PARECO was an armed, inter-ethnic group, a novelty in the eastern DRC, which allowed each major ethnic group a leadership position within the organization, including the Hunde, Tembo, Hutu, and Nganga. Initially formed to fight against the Tutsi-led CNDP, the PARECO dissolved in 2008. Some of its commanders were integrated into the FARDC, while Janvier and La Fontaine deserted to create their own groups.

Congolese government would send regular progress reports to the Rwandan government regarding military activities against the FDLR. According to the informant, “To us [Hunde community members] this meant that the DRC is not a sovereign nation. This is why they created APCLS” (Interview July 2015).

The APCLS utilizes liberation discourses and narratives that contain a heavy anti-balkanization undertone. When asked what motivated him to create the APCLS, Janvier explained,

Since we felt our country had been overrun by foreigners, we felt obliged to find ways to free our country. We are convinced that this is our patriotic duty to save our country. We are carrying out this fight through following the spirit of the National Constitution. In articles 63 and 64, the Constitution exhorts all the Congolese people to defend the sovereignty and the integrity of Congo when our country is under attack. This is what pushed us to create our movement. We are not the enemies of the country, but its sons and, as such, we have the right to defend our sovereignty, our independence and to be well treated... (cited in Bouvy, 2014).

Janvier's reference to “foreigners” is an allusion to the Congolese Tutsi and Hutu involved in the RCD, the CNDP (National Congress for the Defence of the People), and the *Mouvement du 23 mars* (M23, March 23 Movement). This depiction originates in previous debates on nationality, land access, and citizenship rights in the Kivus. The similarities of these narratives to those of the local population are striking (see also Bouvy 2014 for similar observations).

The APCLS set up their headquarters in Lukweti, a small community surrounded by mountains and forests in northwest Masisi Territory. Janvier established his "general's quarters" close to Lukweti, at the top of Mount Sinai (Bouvy, 2014). From 2008 to 2013, the APCLS controlled several communities along the main road, running from Libwio to Lukweti (see Appendix 5 for map of APCLS' zones<sup>11</sup> of influence). Nyabiondo is located

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<sup>11</sup> I used Stearns and Vogel (2015) to map out zones of influence which are different than zones of absolute control. As they explain: “While some armed groups exert effective control over an area, others may be

approximately three kilometres from Libwio and eight kilometres from Lukweti. Residents of Libwio and Lukweti come to Nyabiondo on a weekly basis, usually for the Friday and Saturday markets. Similarly, Nyabiondo residents go to Libwio, Lukweti, and the surrounding areas to tend to their fields. Precise estimates of the size of the APCLS are challenging to establish, the numbers being variable and difficult to collect. As of August 2013, one study estimated the APCLS was comprised of approximately 1,500 combatants (Bafilemba & Mueller, 2013). Like other Mai Mai operating in the Kivus, the APCLS has formed pacts and alliances with other armed groups. One of the most perplexing pacts has been with the FDLR, which operated near Mount Sinai (see Bouvy, 2014).

#### *Ceasefire for a Common Enemy*

In November 2012, the APCLS and the FARDC came to an agreement: they would stop confronting each other and instead join forces to fight a common enemy, the M23. Like its predecessors, the RCD and the CNDP, the M23 was highly organized, well-trained, and had plenty of soldiers and weapons. Prior to the APCLS-FARDC truce, the M23 had been expanding beyond its initial base in Rutshuru and quickly gaining control of neighbouring areas. On November 20, 2012, the M23 took control of Goma, the capital of North Kivu, causing alarm about its capacity to reach Kinshasa. In response to the growing M23 threat, the APCLS and FARDC strategically set aside their differences to defeat this seemingly unstoppable force. As part of their agreement, some APCLS soldiers joined the FARDC on the “front lines” in Sake, while the remainder

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able to exert substantial influence over larger zones but lack full control over those areas. By zones of influence, we include both kinds of influence. Hence the size of an armed group area does not necessarily correspond to its strength” (p. 8)

waited to be integrated into the FARDC, congregating in assembly camps in Nyabiondo and Kitchanga (see Appendix 6 for map).<sup>12</sup> Negotiations regarding the integration of the APCLS into the FARDC continued as these arrangements were put into place.

While most participants in Nyabiondo hoped the APCLS would eventually integrate into the FARDC, the initial arrangements made many of them doubtful, wherein the APCLS set up their base at one end of the community, while the FARDC remained at the opposite end. When asked about this period, many respondents would begin their story in the same way: “You see that hill over there [pointing towards the right], that was the APCLS base, and that hill over there [pointing towards the left], this is where the FARDC are located” (Field notes, November 2014). Residents' suspicions subsided over time, as they observed members of the two groups greeting each other at the market and even sharing a meal or a beer at one of the restaurants. During this period of co-governance, the APCLS was dependent on community members' daily support and contributions.

### *Food Collection Systems*

According to several respondents, the APCLS developed food collection systems, designed to collect food on a daily or weekly basis, which were subsequently revised over time by community leaders to “reduce the burden” on the local population. Access to food was not a major concern when the APCLS first arrived in Nyabiondo, as the Congolese government provided the APCLS with food supplies and tin roofing for their huts as part of their initial agreement. But these supplies quickly ran out and were never

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<sup>12</sup> The exact number of APCLS combatants sent to Nyabiondo is unclear. When I asked respondents, they were unable to provide concrete estimates. Only Bouvy (2014), who visited Lukweti and Nyabiondo during the “co-governance” period, provides some concrete information. According to his account of his September 2013 visit, the FARDC were vastly outnumbered by the APCLS. A UN report (2013) estimates there were 300 APCLS soldiers in Kitchanga, but does not mention Nyabiondo.

replenished, meaning the APCLS needed to find other ways to feed its soldiers. APCLS soldiers started to collect food from the various households; they would go door-to-door with a measuring cup to collect residents' "contributions". This food collection system, however, did not last long.

Some participants found this system placed too much of a burden on the community, many finding the daily contributions too tiring. Others found the system to be not only intrusive, but also dangerous. According to a female trader, "The problem was that when the people would give their cassava flour, the soldiers would say that it was not enough ... [In other cases] the soldiers would start beating people if they didn't have anything to contribute" (Interview October 2014). While most participants recognized that "it was impossible to live with unfed soldiers" (Interview November 2014), the door-to-door food collection system was not sustainable for community members.

In response, the *mutembo*, *condifa*, and *kiroro* developed a rotational system. Each sub-village within Nyabiondo contributed to the food collection on one designated day per week, ensuring that all sub-villages were participating. Under the previous system, the soldiers tended to target the villages closest to their base, resulting in inequitable collection. The system was also modified to minimize potentially troublesome conversations and interactions between civilians and soldiers. Instead of having the soldiers collect food from each household, the *condifa* and *kiroro* became responsible for collecting food from the population, and bringing it to the APCLS base.

When community leaders became responsible for food collection in the sub-villages, the soldiers received less food. As a result, the APCLS deployed soldiers to

collect food from individuals coming back from their *chamba* (fields) in the afternoon. The soldiers would stand on paths or bridges commonly used by women (and sometimes men) to reach their fields (see Chapter 6 for a discussion on gender roles). As they returned home, the women would inevitably encounter these soldiers and give them part of their produce. In the words of one male elder, “They [APCLS] had one or two soldiers on the road and those who come back from the field can put some of their produce in their basket” (Interview November 2014). The APCLS also collected flour from the windmills, where residents grind their cassava in the early evening. After residents finished using the windmill, they would give some of their flour to the APCLS.

When discussing these various food collection systems, most participants insisted, “You didn’t have to [contribute food] if you didn’t want to. People were not forced to do this” (Interview November 2014). Given the liminal socio-economic status of most respondents, the emphasis on the voluntary nature of these food contributions was perplexing (see Bouvy (2014) for a corroboration of these findings). However, the fact that the APCLS had to rely on a variety of food collection systems to elicit full cooperation, often involving placing soldiers in strategic locations as described, demonstrates a certain reluctance by the community to participate. While the next chapter provides in-depth analysis of participants’ interpretation and portrayal of their responses to these food collection systems, it is important to highlight that several respondents blamed the Congolese government for their creation. According to a local administrator,

The food collection system is the fault of the government. They invited them, but they did not give them any food supplies. They only took care of them for the first month, but not for the rest. The government thinks that when APCLS starts to harass the population [because they need food] the population will no longer support them. This is why the Chief of Locality developed a food collection system, to avoid this problem. This way the soldiers couldn’t loot or steal (Interview November 2014).

Similarly, a member of a grassroots organization stated, “The food collection was mainly at the mills and barriers. These orders came from the administrators because the government stopped providing them with food. They are humans, they need to eat” (Interview July 2015).

### *Barriers and Salongo*

In addition to various food collection systems, the APCLS also collected money by establishing several road barriers. A key barrier was set up on the main road in Buhama, mainly targeting vehicles traveling from Masisi to Walikale.<sup>13</sup> A local administrator explained, “In Buhama there was a barrier so they [the APCLS] could buy their basic necessities.... It was only for cars, but they would not stop NGO or missionary vehicles. It mainly targeted traders” (Interview November 2014).

While participants generally agreed on its purpose and location, there was disagreement about who controlled this barrier. Some participants believed it was controlled by the APCLS, while others thought it was shared by the APCLS and the FARDC. A female beer trader explained, “The APCLS and FARDC were sharing barriers, meaning that the money they got there would be split between both groups” (Interview November 2014). When I asked the local administrator referenced above to clarify, he said, “The APCLS was the owner of the barrier but they gave some of the money to FARDC” (Interview November 2014).

Regardless, most participants noted that the barrier remained in Buhama after this period of co-governance, and is now controlled by the FARDC. I also observed this during my visits to Nyabiondo in 2014 and 2015. As will be discussed in Chapters 6 and

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<sup>13</sup> Located next to Masisi, Walikale Territory includes several diamond mines, a possible explanation for the location of the APCLS barrier.



7, the barriers are less tolerated by community members when erected by the FARDC than by the APCLS, because the FARDC is supposed to receive a salary, albeit an amount often insufficient to cover basic expenses. The notorious delay in payment of FARDC salaries further exacerbates the situation. Nevertheless, during the co-governance period, tensions existed over which armed force was officially on the payroll, resulting in verbal disputes between the APLCS and the FARDC. Respondents noted that FARDC soldiers would mock APCLS soldiers by referring to them as “no payees,” while the latter would respond by referring to the former as “no trainees,” a reference to their failure to provide adequate security for the population.

The APCLS also set up road barriers on Fridays and Saturdays, the market days in Nyabiondo, designed to tax both the market vendors and their customers, often coming from neighbouring villages. The amount of taxation the market vendors were charged is unclear; the amount seems to have been partly determined by what the vendor was selling, and the type of payment varied. The vendors would sometimes be taxed in cash, while others handed over some of their merchandise. The APCLS soldiers collected about 500 Congolese Francs, approximately US\$1, from each customer wanting to enter the market.

Some Nyabiondo respondents also discussed the manner in which the APCLS took over the organization and management of *salongo* (community labour), normally supervised by state officials on a weekly basis. Like in Sebele, community members were mobilized to help clear the field at the APCLS base, where the soldiers built their houses. At times, residents would also have to help clear the main road in Nyabiondo or help carry supplies for infrastructure (e.g., the building of the school). However, it does not

appear that the APCLS was regularly involved in *salongo* activities, as only a handful of participants mentioned it, and mainly in reference to the construction of the base. When I asked other participants if the APCLS was involved in *salongo*, they said they did not know.

### *Conflict Resolution*

In various Kivu communities, including Nyabiondo and Sebele, the customary chiefs<sup>14</sup> and the police<sup>15</sup> are generally responsible for resolving any conflict among local family or community members. The severity of the conflict determines which party resolves the conflict, namely whether a penal crime is alleged. According to an elder, “The *mutembo* is involved in some matters and not in others. Issues that involve the *mutembo* are usually debt, land disputes, conflicts between a husband and wife, and petty stealing. [The] issues that involve the police include if a house is burnt, if there is a physical fight and someone is injured, homicide, and rape” (Interview November 2014). Additionally, several NGOs have established alternative conflict resolution mechanisms to address specific issues prevalent in some communities, as discussed in the following section.

In both Nyabiondo and Sebele, I was often told, “the population does not know where they are supposed to take their conflicts” (Field notes, November 2014). Given the various actors and venues available for conflict resolution, this confusion is understandable. However, a closer analysis of the situation also reveals the nuanced ways community members advance their interests using these different actors and venues.

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<sup>14</sup> Vlassenroot et al (2016) note that, since 2003, state law no longer recognizes customary courts; however, they still operate (see also Verweijen 2016b).

<sup>15</sup> This depends on whether there is a police station near or in the community. Nyabiondo and Sebele both had small police stations.

Individuals make strategic decisions about how to resolve a given conflict, depending on their own interests, and sometimes exploit the situation (see Chapter 6).

During the co-governance period, most residents agreed, community members had a choice as to where and how to resolve their disputes: “If you had a problem, or if you made a mistake, or if someone accused you of something, then you had a choice of where to complain. ... Overall people went to APCLS” (Interview November 2014). Although the protocols were interpreted differently, most respondents emphasized the various ways customary chiefs and the APCLS worked together on these cases. The APCLS tried to replicate a *baraza*-style (public meeting place) conflict resolution process, wherein the affected parties would come together to resolve the issue. Notwithstanding various “reinventions of the tradition” (see Dunn, 2016), the *baraza* tradition and process dates back to the pre-colonial era, and is commonly followed by customary chiefs. While most participants noted that the individual ultimately determined where and how to resolve their dispute, others explained that the APCLS sometimes imposed itself upon community members. A local administrator went as far as to note, “Sometimes the APCLS would go to the police [detention centre] and pick the [detainees] and take them to their own base to be judged. We stayed like this with them. Swallowing our pride” (Interview November 2014).

According to some respondents, the APCLS would only be involved in a dispute if the *mutembo* was unable to find a suitable solution: “People could start with the *mutembo* and if the problem is not resolved they go to APCLS” (Interview November 2014). Others observed that most residents would bypass the *mutembo* and go straight to the APCLS, who would in turn consult the customary chiefs. Additionally, the *mutembo*

might act as a witness or character reference for an injured party. Reflecting on this period, a *mutembo* explained, “When people complained to APCLS they invited the *mutembo* to help them resolve the conflict. They can’t resolve the problem without our presence” (Interview October 2014). Residents’ decisions to either involve or bypass the *mutembo* or the APCLS were also closely linked to changing power dynamics in the community (discussed in Chapter 6).

Some respondents criticized the APCLS for monopolizing the conflict resolution process. A *condifa* recalled, “The APCLS became the main judges – the *mutembo* couldn’t say or do anything. They transformed from combatants to judges overnight” (Interview November 2014), an indirect reference to a major problem with the APCLS involvement in the conflict resolution process: lack of training, resulting in flawed judgments. Other participants criticized the APCLS’ motives: “The APCLS needed money and this is why they arrest [people] for any small mistake. The authorities talk to them in a gentle way and say that the problems need to be resolved by the *batembo*” (Interview July 2015).

Participants also offered inconsistent testimony about compensation given to the APCLS for its involvement in conflict resolution. According to some participants, “People paid the APCLS because the national police also asks for money” (Interview November 2014). However, the income generated for the APCLS by this process caused tensions with the police. According to one respondent, “The police knew that some of their cases were being brought to the APCLS because they move faster than the police trials. The police were mad but they couldn’t show it in public. The national police could no longer get money because cases were not being brought to them” (Interview July

2015). In addition, the police were lacking the collaborative relations with the customary chiefs enjoyed by the APCLS.

While residents will likely continue to dispute their true motives for being involved in conflict resolution, the fact that the APCLS was so actively sought out by injured parties indicates that many people were satisfied with the results. Notably, “getting justice” is seldom achievable for people in the eastern DRC.<sup>16</sup> Because of geographic location and cost, formal courts are often inaccessible to the rural population (see Chapter 6), heightening the significance of the APCLS' ability to perform this governance service.

#### *Battle on Market Day*

Despite the peculiar nature of the arrangement between the APCLS and the FARDC, most Nyabiondo respondents experienced a tense calm during the co-governance period. Several respondents even explained that it had been several years since they had felt this sensation. While several disagreements between soldiers took place during this period, usually followed by a round of insults (discussed above), respondents were astounded that these opposing forces never pointed their guns at one another. Therefore, many respondents were caught off guard when, on one seemingly ordinary Saturday in Nyabiondo, the two sides started firing at each other near the market, during its busiest time. According to a *mutembo*,

We didn't know that the fight would take place when it did. It was a Saturday morning and we had all gone to the market, like we always do. The FARDC showed up with lorries carrying the supplies for their soldiers, and then they began to demand that the APCLS surrender. There were soldiers inside the lorries that came. They tried to force the APCLS to surrender but they refused. Then they turned their arms on each other and people began to run away... This is how the fight began. The APCLS called for more soldiers and so did the FARDC (Interview November 2014).

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<sup>16</sup> Like many other public records, information regarding the number of cases being resolved by the *batembo* or the police is nearly impossible to access. Most of these cases are not officially recorded and are usually resolved in an informal manner.

Participants' confusion and lack of awareness with respect to how the APCLS-FARDC truce collapsed can be attributed to the fact that the market incident was largely related to events occurring at the other APCLS assembly camp in Kitchanga (see Appendix 6 for map). While tensions between the APCLS and the FARDC in Nyabiondo were relatively contained during the co-governance period, the situation in Kitchanga was quite different.

The source of the problem in Kitchanga was twofold. First, the FARDC regiment was largely composed of Banyarwandan soldiers, many of them former CNDP fighters and therefore long-time enemies of the APCLS. Second, Colonel Mudahunga, head of the FARDC regiment, was collaborating with the M23. According to the UN Group of Experts report (2013), Mudahunga and his deputy, Muhire, were actively recruiting for the M23 and had established a base for the movement in Kitchanga. They were also protecting land owned by M23 commanders in the area. When the APCLS soldiers deployed in Kitchanga became aware of this situation, they began patrolling the town and arresting individuals with suspected links to the M23. Mudahunga demanded that the APCLS disarm, but they refused. Tensions quickly mounted on February 26, 2013,<sup>17</sup> when an APCLS major was executed by the FARDC. In retaliation, the APCLS attacked the FARDC base, an action which quickly turned into a civilian massacre. As a 2013 report by the UN Group of Experts states, "According to two FARDC soldiers serving under Mudahunga, he ordered his soldiers to 'kill everybody without distinction in Kitchanga' because he considered all the ethnic Hunde to be APCLS supporters" (p. 28).

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<sup>17</sup> There are conflicting dates given for this event. Some sources cite February 16, 2013 (see Radio France Internationale, 2013; Mueller, 2014).

Furthermore, the UN also found that Mudahunga had distributed weapons to Banyarwandan youth and herders in Kitchanga and Kahe, a neighbouring IDP camp, and incited them to attack the Hunde. An investigation by the Congolese government found that twelve FARDC and five APCLS soldiers had been killed, in addition to 206 civilian died and 191 wounded (cited in Radio France Internationale, 2013). Substantial parts of the town of Kitchanga, including 518 houses, were burnt down and destroyed during these events.

While most participants in Nyabiondo<sup>18</sup> were unaware of the reasons for the dissolution of the peace agreement, they were aware of which armed force had first raised arms. They largely blamed the FARDC for attacking the APCLS, and the Congolese government for failing to uphold their end of the agreement, endangering the local population. According to a *condifa*, “The government called the APCLS to come and live here because they were going to integrate but unfortunately the FARDC attacked the APCLS in the end, and it was a danger for civilians” (Interview July 2015). Respondents were not only distraught by the armed confrontation, but also by the lack of integration by the APCLS into the FARDC, as initially planned. A trader explained,

It’s the government fault that they did not integrate because they brought them here and APCLS gave them their demands and said that they were ready to join FARDC. They had to wait for the process and group themselves in Nyabiondo and Kitchanga, and then the FARDC came to fight them. This is why it’s the government’s fault. The government should do [all that it can] to see how they [APCLS] can leave the bush and be integrated into the FARDC (Interview November 2014).

Furthermore, while some of the APCLS' demands were seen to be unrealistic, such as the demand that Janvier have full control of the FARDC battalions in North Kivu, the local population tended to be in agreement with the APCLS' claims.

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<sup>18</sup> Specifically, a couple of participants spoke about the events in Kitchanga without going into the details described here.

A local administrator I interviewed several times was more astute in his observations and analysis, explaining that the longer the APCLS lived among the population, the greater support it received. To end this cooperation, the FARDC attacked the APCLS. In his words, “It's because of this jealousy [of civilian support for the APCLS] that the FARDC fought the APCLS. At that point the M23 had already been defeated. They fought them [APCLS] even though they had called them to surrender. The civilians were the ones that suffered” (Interview November 2014).

According to some respondents, APCLS Commander Dunia, head of the forces in Nyabiondo, ordered his troops to retreat from the market and return to their base to prevent civilian casualties. Accounts of the duration of the fight between the APCLS and the FARDC varied; some respondents claimed it lasted for a few days, others for weeks. During the fighting, some people managed to flee the area, while the majority sought refuge, either at the MONUSCO base or the MSF-run health clinic, both located in the middle of Nyabiondo.

Respondents noted that the fight ultimately came to an end when the APCLS retreated to the bush, interpreted as a move to prevent further suffering and casualties. A female shopkeeper explained, “The APCLS resisted, but then Janvier [APCLS leader] told his soldiers to leave to avoid civilian deaths... He did this because he felt pity on the population. I know that they [APCLS] were strong because I saw many FARDC soldiers die” (Interview July 2015). Similarly, a teacher observed, “The FARDC attacked the APCLS but Janvier did not like the fight here because civilians could get hurt and retreated” (Interview July 2015), while another respondent noted, “The APCLS left [Nyabiondo] because they wanted to avoid collateral damage” (Interview August 2015).



### *The Aftermath*

Once the APCLS retreated from Nyabiondo, many participants described deterioration in security conditions. As discussed further in Chapter 7, the FARDC had a reputation for punishing civilians when their soldiers fought groups “supported” by the local community, especially if the FARDC lost the battle. In an interview about co-governance period, a MONUSCO official noted, “We hear daily reports of human rights abuses at the hands of the FARDC in former APCLS-held areas” (cited in Mueller, 2014). Respondents explained they felt they were “being punished” by the FARDC for their fight with the APCLS.<sup>19</sup> An individual living in an IDP camp explained, “When the FARDC finished fighting the APCLS, they turned against the population” (Interview November 2014). A female beer trader had similar views: “People suffered when APCLS left because we were targeted. This didn’t happen during the joint governance period” (Interview July 2015). These findings are perplexing, since the actual battle between the APCLS and the FARDC seemed to pose the greatest risk to the population.

### *Chasing the APCLS*

After the fight that took place in February 2015 in Nyabiondo, a joint FARDC-MONUSCO operation involving the Force Intervention Brigade (FIB) (see Chapter 4 for background on the FIB) was launched, wherein the FIB set up a base in the town, separate from the existing MONUSCO base.<sup>20</sup> Unlike the M23, the FDLR, and the ADF-NALU, all perceived to be “foreign” armed groups, the APCLS was one of the few “local” armed groups targeted by the FIB. According to one source, “The brigade fought

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<sup>19</sup> These accounts are corroborated by Mueller (2014), who notes that the “Congolese army did not behave well following the operations.” He cites an interview with a MONUSCO official, who stated, “We hear daily reports of human rights abuses at the hands of the FARDC in former APCLS-held areas.”

<sup>20</sup> The FIB base was operational during my first visit to Nyabiondo but closed before my second visit.

the APCLS with mortar and 40 mm grenade fire and highly effective runs from two Rooivalk attack helicopters” (cited in Mueller, 2014). The joint operation was successful at weakening the APCLS and dislodging it from areas it previously had exclusively controlled, like Libwio and Lukweti. However, the fact that the APCLS managed to endure the FARDC-MONUSCO operation also reinforced the widely held perception that the APCLS is a stronger force than the FARDC, even with the help of MONUSCO’s elite forces. Furthermore, the “singling out” of the APCLS raised community members’ suspicions about MONUSCO’s selectivity.<sup>21</sup> Some respondents considered the joint FARDC-MONUSCO operation to be “unfair,” as it gave the FARDC additional equipment and capacity, which it would not have had without the assistance of the FIB, and this additional support posed a great danger to the community. MSF described the situation as “untenable,” as they provided refuge to approximately 700 people in their small mobile clinic during this period (see MSF, 2014).

Respondents identified two additional, major concerns. First, respondents were concerned about the FIB’s overall conduct, before and after armed confrontation. With noisy, disruptive helicopters arriving and departing daily, the FIB base was located near a primary school. Participants were also offended by the way FIB soldiers presented themselves and acted. For instance, during a visit to the market, my translator and I saw a FIB soldier walking around shirtless. My translator said, “It is hard to tell the difference

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<sup>21</sup> Interestingly, the FIB also targeted and dislodged the NDC, an archenemy of the APCLS, from their previous stronghold in Pinga. Participants often noted that the particularly predatory and abusive behaviour of the NDC, towards even the Nyanga (who have the same ethnic ties as the NDC) warranted such a response. However, participants also criticized MONUSCO for failing to arrest Cheka, the NDC leader, who was found responsible for inciting mass rapes in Luvungi, involving 387 civilians (300 women, 23 men, 55 girls, and 9 boys) (UN, 2010). Disturbingly, Cheka ordered these attacks to garner public attention. Given the NDC’s infamous reputation, respondents said they “understood” why the FIB was targeting the NDC, and believed the APCLS’s behaviour was not comparable.

between these soldiers and the Mai Mai” (Field notes, November 2014).<sup>22</sup> In addition, FIB soldiers often hired sex workers, considered offensive by community members supposedly relying on the soldiers for protection.<sup>23</sup> Second, the joint FARDC-MONUSCO operation glossed over antagonisms among ethnic groups in the region. In an analysis of the Nyabiondo operations, Mueller (2014) writes, “Worryingly, MONUSCO’s relationship with the Hunde community as a whole has soured in light of the fighting. Unfortunately, the mission does not fully appreciate the dynamics between Hutu and Hunde in Masisi and has largely failed to reassure the Hunde community of the mission’s neutrality vis-à-vis ethnic groups.” Although Nyabiondo is predominantly Hunde, there are Nyanga and Hutu living in the community. Underlying tensions between the Hunde and Hutu were exacerbated during the FARDC-MONUSCO operations, as accounts state the Nyatura was also supporting the FARDC-MONUSCO in the operation (see Mueller, 2014; Vogel, 2014).

After the FARDC-MONUSCO operations, another fight occurred in Nyabiondo in March 2015, while the FIB was preparing to leave. Participants gave different reasons for the cause of the fight: some claimed that, since being attacked the previous year, the APCLS needed to retaliate and show its strength, while others claimed there had been renewed confrontation between the APCLS and the FARDC, when the FARDC was on patrol in Libwio. Most informants agreed that the APCLS launched a coordinated attack in four to six places (the number varied among respondents) in March 2015. A male

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<sup>22</sup> I was told Mai Mai combatants wore only leaves as clothing when they fought, intended to be a sign of their ferocity.

<sup>23</sup> The only “violent” episode I witnessed during my fieldwork was a fight between Goma and Masisi sex workers. Since the FIB soldiers paid more, they were followed from Goma to Nyabiondo by a group of sex workers, creating tensions with sex workers in Nyabiondo and Masisi Centre, who believed they had a right to service the soldiers in their area. Since my field research was conducted, FIB soldiers, particularly those from South Africa like the contingent based out of Nyabiondo, are being investigated regarding allegations of sexual abuse and exploitation (see Defence Web, Oct 17 2017).

youth noted, “The APCLS fought in five places at the same time [during this particular fight]: Libwio, Kilambo, Lukweti, Kinyumba, and Nyabiondo. This was APCLS revenge” (Interview July 2015). A truck driver recounted, “The APCLS attacked four places at the same time: Libwio, Nyabiondo, Lukweti, and Kasheberi. These places were all attacked at the same time and 12 of the FARDC soldiers died, including a major that was in charge of operations” (Interview July 2015). During the attack in Nyabiondo, both the FARDC and FIB bases were targeted.<sup>24</sup> According to MONUSCO, three FIB peacekeepers were wounded and another six FARDC soldiers were killed (cited in Mueller, 2014). A MONUSCO official called the attack “very bold,” stating that the “APCLS continues to have very good intel[ligence] even though they got to be weak these days” (cited in Mueller, 2014).

In addition to the reasons for the fight, participants also differed in their recollections of the events. According to several respondents, the APCLS managed to abduct three FIB and six FARDC soldiers during the attack, bringing them to Mount Sinai, where General Janvier resided. Upon their arrival, Janvier slaughtered a goat, and washed and ironed his captured soldiers’ uniforms, dirty from the battle. Then, the APCLS soldiers killed three of the FARDC soldiers but spared the other three. Before releasing them, Janvier told the surviving FARDC soldiers that he and his armed group did not have a problem with Congolese soldiers, but rather that he worried only about soldiers who are not Congolese (i.e., Banyarwandan). I informally approached MONUSCO about the story, having heard it several times, as the FIB were no longer in Nyabiondo during my second visit. The MONUSCO official remembered the APCLS attack, but claimed neither FIB nor FARDC soldiers had been abducted. I then asked

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<sup>24</sup> Interestingly, the MONUSCO base, which was separate from the FIB base, was not targeted.

why, if it had never happened, people were telling me differently. According to the MONUSCO source, “It’s because they [the local population] support the Mai Mai, they want to make sure that they look good” (Field notes, November 2014).

The FIB and FARDC abduction story is filled with rich symbolism, providing insight into some of the views commonly held by community members. Civilian agency in complex “no peace—no war” contexts often involves disrupting the “official” version of events, to make room for unofficial versions that resonate more with their perceptions. In the abduction story, Janvier is portrayed as a good man who wants to ensure that even those fighting the APCLS are well-fed and looked after in his captivity. Participants often compared Janvier’s moral conduct to that of a “pastor,” referring to his “ability to forgive people”.<sup>25</sup> In this story, Janvier shows good judgment, distinguishing “right” from “wrong,” sparing the FARDC soldiers not considered a threat, and slaying the others. The underlying social connections between the Mai Mai and the local population are complex and difficult to fully understand. APCLS soldiers receive considerable support and collaboration from the local population, who commonly refer to them as “our children”. Strategically, portrayals of the Mai Mai are reflective of the local population's agentic tactics (see Chapters 3, 6, and 7).

### **Sebele**

Sebele is a large rural community located in northeastern Fizi Territory, about 30 kilometres from Baraka (see Appendix 4 for map). One of Sebele's greatest advantages is its access to Lake Tanganyika. According to one of the customary chiefs, approximately 30,000 residents lived in Sebele at the time of my research, and the population is growing

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<sup>25</sup> Several respondents also explained that Janvier is quite religious and carries a bible with him at all times. See also Bouvy (2014) for a corroboration of these accounts.

annually. As is common throughout Fizi Territory, the largest ethnic group in Sebele is the Bembe, although there are also some Bifuliro and Banyamulenge. The two main economic activities are agriculture and fishing, which are highly gendered, with women responsible for the former and men the latter. Other residents are involved in petty trade and commerce activities, primarily facilitated by the large market. On Tuesdays, market day, traders, and consumers from Kabimba, Kimbe, and even Monnja come to Sebele. Although Mukabola is home to the largest Fizi market, some people claim the market in Sebele has a greater variety of goods.

Unlike Nyabiondo, whose existence dates back to colonial rule, when it served as the site of a Belgian plantation factory, Sebele is a relatively new community. While most of its residents claim to be from Sebele, the majority have only been living there since the early to mid-2000s. During the first and second Congolese wars, most people in Fizi took refuge in Tanzania, located on the other side of Lake Tanganyika. While some residents came back after the AFDL overthrew Mobutu, they subsequently returned to Tanzania when the war with the RCD broke out. Most people only returned to Fizi after the end of the second war. According to one elder, who claims to be among the first to return to Sebele,

When we came back [from Tanzania in 2006] things were very bad. No one was here, everyone had fled to Tanzania. People needed things [to restart their lives] and we needed to re-open the market. We took a common agreement with the Chief of Locality and the Chief of Sector to build a market. There was nothing here it was only forest at that point. Then they gave us this space [pointing towards the market], where people could sell their things. We asked the traders of Baraka to bring their goods here, at that time those from Uvira were too afraid to come. ... We [then] told UNHCR that we would like for more people to come to Sebele and so they agreed to sensitize the refugees [in Tanzania] and told them they would help them come back. Then we slowly started to build the schools, water wells, health centre, and a football field for the young boys. Then they send a message through BBC radio to the refugees in Tanzania telling them to come back. [Following this] 15,000 refugees registered (Interview May 2015).

Other respondents stated that they came to Sebele because of NGO assistance they received while they were in Tanzania to help them move back. One individual learned how to make bread in Tanzania, and learned that Sebele had a big market where selling their bread might be possible (Interview June 2015). Other respondents were simply too scared to go back to their communities, and needed a fresh start somewhere else. A couple of individuals even told me that they came to Sebele because it was close to the lake, which made them feel safer, as they could use it to flee back to Tanzania if war erupted again.

Prior to my field research, Sebele had recently changed its administrative structure to better accommodate its “newcomers”. Like Nyabiondo, Sebele has a Chief of Locality, who has three or four assistants known as the *kapita*. In 2014, the Chief of Locality created the *nyumba kumi*, commonly referred to as the “small chiefs”. These men, and a couple of women, are elected for a defined term and are responsible for about 10 to 15 houses each. When asked how many *nyumba kumi* Sebele had, respondents gave varied answers, with most estimating somewhere between 30 and 60.

When questioned about the armed conflict, most participants talked about the tension and distrust between the Bembe and Banyamulenge. Community relations between these ethnic groups had been tense since the 1980s, one of the underlying sources of tension being that the Babembe are agriculturalist and the Banyamulenge are pastoralist, and Banyamulenge cattle often graze in Babembe fields. Like for the Banyarwanda in Masisi, disputes about citizenship rights are a major source of tension for the Banyamulenge, who were excluded from elections in 1982 and 1987 and the 1991 census because of *nationalité douteuse* (doubtful citizenship). These underlying tensions

were exacerbated when the Rwandan Patriotic Front (RPF) started to recruit Banyamulenge youth prior to the 1994 genocide.<sup>26</sup>

After the genocide, the Banyamulenge youth recruited into the RPF returned to the eastern Congo during the AFDL war. According to one respondent, “The first war was because of liberation, but that wasn’t known by all the people here, it thought it was an ethnic conflict” (Interview May 2015). When the AFDL reached Uvira, a local Mai Mai group from Fizi formed under the leadership of Kabusenge and Sofeles. The Mai Mai blocked the AFDL’s advance to Katanga, a story that is often told to demonstrate the strength of the Mai Mai (see Stearns et al., 2013b). When the RCD war started, Laurent Kabila began to use the Mai Mai as a proxy against the RCD, and Kabila’s support helped to mobilize and strengthen the Mai Mai groups’ legitimacy (see Chapter 4). The Mai Mai group in Fizi, then referred to as the *Forces d’autodéfense populaires* (FAP, Popular Self-Defence Forces), operated under the leadership of Dunia Lwendama Dewilo (Verweijen, 2015).

The prominent Mai Mai group continuing to operate in Fizi, now referred to as the PARC-FAAL, still has some members who first joined during the AFDL and RCD periods, including its current leader, William Amuri Yakutumba, who served as a captain under Dunia, before taking control in 2007 when he refused to undergo military integration. Yakutumba had several incentives for founding an armed group. First, armed Banyamulege groups posed a continued threat,<sup>27</sup> refusing to integrate into the FARDC. Second, Yakutumba felt he deserved a higher ranking in the FARDC, especially as

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<sup>26</sup> Unlike Masisi, Fizi was not flooded with refugees after the Rwandan genocide, but had previously received Burundian refugees.

<sup>27</sup> The armed Banyamulenge groups advocated for the restoration of Minembwe Territory, which had been declared unconstitutional in 2003 (see Verweijen, 2015).



former Banyarwandan combatants who had worked with the RCD and the CNDP had secured more prestigious titles. Third, Yakutumba had the support and encouragement of the Fizi elites, including Dunia (for further analysis of these motives, see de Heredia, 2013; Verweijen, 2015). These support networks subsequently expanded to include national politicians in Kinshasa opposing President Kabila (see UN 2011; Verweijen, 2015).

The PARC-FAAL commonly adopts anti-government rhetoric in its writings and speeches. In an interview, Raphael Looba Undji, president of the PARC, noted, “The group is committed to combating the pillaging of natural resources, corruption, injustice, the unequal distribution of revenues and poor management of the national armed forces” (cited in Verweijen, 2015; 167). The FARDC's ongoing failure to provide adequate security to the local population provides ample justification for the PARC-FAAL, and other Mai Mai groups, to take up arms. In 2009, these dynamics intensified in Fizi when newly arrived FARDC troops were dominated by newly integrated former combatants from the PARECO<sup>28</sup> and the CNDP, with a leadership largely composed of former RCD fighters (Verweijen, 2015). The FARDC's composition afforded the PARC-FAAL yet another example of “foreign occupation” within the state apparatus. To make matters worse, FARDC soldiers engaged in criminal activities, causing security in the region to deteriorate.

Despite its harsh criticism of the FARDC, the PARC-FAAL was also involved in criminal activities, including taxation of mining sites in Misisi and Mukera, and hijacking

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<sup>28</sup> As explained in Chapter 4, the PARECO recruited members primarily from Hunde, Hutu, Nyanga, and Tembo ethnic groups. However, the soldiers that came to Fizi were Hutu.

of ships on Lake Tanganyika (UN, 2011b).<sup>29</sup> In addition to these activities, the PARC-FAAL also formed an alliance with the Burundian *Forces nationales de liberation* (FNL, National Forces of Liberation) and with the Rwandan FDLR, which helped to sustain the PARC-FAAL for a few years (Stearns et al., 2013b). However, these partnerships also resulted in a backlash from Fizi residents, who resented the presence of foreign combatants (Verweijen, 2015).

According to the UN Group of Experts (2014a), the PARC-FAAL and the Congolese government entered a series of “off-and-on” talks in 2012. Some analysts note that the PARC-FAAL's renewed interest in negotiations surged as its partnership with the FNL broke up, weakening the group (Stearns et al., 2013b). In December 2012, the PARC-FAAL sent a letter to Kabila outlining its proposal for peace negotiations. The PARC-FAAL requested an area to assemble its troops, the means to gather these troops, and amnesty (UN, 2014a). Initially, the Congolese government had proposed that the PARC-FAAL assemble at a FARDC base in Nyamunyunyi, near Bukavu. However, the PARC-FAAL refused and, according to the UN Group of Experts, gathered its soldiers in Sebele. Although this was not the first time the parties had entered talks, many people in Sebele felt a glimmer of hope. Unlike the APCLS, the PARC-FAAL did not have a territorial stronghold prior to the co-governance arrangement (see Appendix 7 for map of the PARC-FAAL's zones of influence).<sup>30</sup>

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<sup>29</sup> According to the UN Group of Experts report (2014a), the PARC-FAAL sent a letter to the president of the Shipowners Association demanding US\$500 for the passage of each ship on the lake.

<sup>30</sup> I also followed Stearns and Vogel's (2015) criteria of zones of influence for this map. See footnote 13 in this chapter for an explanation.

## *Temporary Peace*

Between February and August 2013, the PARC-FAAL maintained an assembly camp in Sebele with about 250 combatants, estimated to be half of its total troops at the time (Stearns et al, 2013b). The assembly camp was located in a hilly area of Sebele, near the end of the village, on the road to Kazimia. The camp consisted of a series of houses, some vacated by their owners prior to the PARC-FAAL's arrival and others built for the occasion. Unlike other occurrences of rebel governance, the PARC-FAAL's arrival had been previously arranged,<sup>31</sup> and took place in a celebratory manner. In fact, when asked about the PARC-FAAL's arrival, many participants recalled the welcome ceremony organized for Yakutumba. As a female community leader described,

You missed it! It was a very big ceremony. Even the FARDC commanders from Baraka and Uvira attended. People sang songs and played the drums. Everyone was happy saying "This is our saviour." ... They said this because when he came there was peace, and [we] could not hear gunshots during that time. The first day they arrived, they held a meeting and told us "to live in peace and avoid conflict among ourselves." Then we could go to our fields without difficulties (Interview May 2015).

Members of the FARDC and PARC-FAAL made speeches during the welcome ceremony, reiterating their commitment to reaching a peace settlement. Many of the individuals I spoke with vividly remembered Yakutumba's speech, which reinforced the idea that the PARC-FAAL fighters were the main protectors of the Bembe community. According to one respondent, "When the Mai Mai arrived they said we come not to disturb you, but to protect you because this is our role" (Interview May 2015). Another informant noted, "Yakutumba explained their objective to the population which is to fight against the control of the Rwandans for their land. He said, 'If we spend time in the forest

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<sup>31</sup> The UN Group of Experts (2014a) report implies that PARC-FAAL soldiers showed up unexpectedly in Sebele. However, participants in Sebele tell a different story, noting that they had known for weeks that the PARC-FAAL was going to assemble in their community as part of the peace talks.

it is to protect ourselves and land” (Interview June 2015). Yakutumba’s speech addressed both supporters and critics within the community. And, aware that the spotlight would remain on him, he was careful “not to let the soldiers spoil the name of the Mai Mai” (Interview June 2015), one informant explained. In fact, Yakutumba supposedly outlined rules his combatants were meant to follow, and the consequences should they disobey.

Yakutumba was also showered with gifts during the welcome ceremony, receiving livestock and basins full of flour and vegetables. As per his request, he also received a new land cruiser from the Congolese government to collect the remainder of his troops. According to several informants, his outings in the new vehicle were used for the opposite purpose, as he could move around freely and mobilize new soldiers. Yakutumba had an interest in inflating the number of combatants, as he had previously claimed to have 11,000 troops (UN, 2014a). Several participants noted that Yakutumba also promised each new recruit US\$20,000 per year, the estimated wage being negotiated with the FARDC. However, as the peace negotiations faltered, many new recruits deserted the PARC-FAAL and retreated to the “bush”.

The PARC-FAAL not only mobilized new soldiers during this period, but also held "sensitization meetings" with the local population at the base. These meetings targeted individuals in relatively influential positions within the community, such as teachers or pastors. At these meetings, Yakutumba would explain the PARC-FAAL's objectives, in order to attract supporters and collaborators, revealing his attempts to build networks to assist him, if and when he returned to the “bush”.

During the co-governance period, the PARC-FAAL demonstrated its influence by dominating key socio-economic spheres affecting civilians' daily lives, including a wide range of administrative rules governing the market, roads, curfew, *salongo* (community work), and conflict resolution. Unlike the APCLS, the PARC-FAAL did not introduce new administrative norms or procedures; it mainly reversed existing policies. In particular, it “put an end” to several corrupt policies routinely implemented by government officials - strategic action aimed at reinforcing the claim that protection of the Bembe community was its main priority.

#### *Market Taxation and Food Collection*

The PARC-FAAL’s boldest move was to change the taxation practices at the market. Upon the group's request, market administrators cancelled three of the four taxes collected on a weekly basis from the vendors.<sup>32</sup> The remaining market tax was conveniently collected by and redirected to the PARC-FAAL. The majority of respondents noted that “the government put these taxes to make people suffer” (Interview June 2015), as community members did not perceive any benefits. Apart from a couple of individuals, most did not criticize the PARC-FAAL for their hypocritical move, with many respondents viewing the tax collection as a way for the PARC-FAAL to “help” the population.

In fact, most respondents often overlooked the remaining tax being collected by the PARC-FAAL. According to a new father, “Before there were so many taxes in the market but they [PARC-FAAL] removed them. They wanted people to feel free and not mistreated. This was fine because it benefited the people. Once they left the taxes and

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<sup>32</sup> Respondents had different accounts of the existing taxes, with some taxes being considered illegal, others legal.

barriers [discussed below] resumed. We couldn't do anything but accept it" (Interview May 2015). Similarly, a female respondent explained, "Yakutumba forbid it [market taxes] because the people here are poor and why is the government imposing these taxes. Taxes restarted [after PARC-FAAL left] but only some of the barriers have returned" (Interview June 2015). While residents in Sebele benefited from these "tax breaks," in other areas, such as Misisi,<sup>33</sup> the PARC-FAAL collected taxes for "war efforts" (UN, 2014a). Raeymaekers (2013) explains that it is not unusually for armed groups to carry out "economic looting in one place with development of more stationary economic enterprises in another – usually their operational headquarters" (p. 612)

Unlike Nyabiondo community members, Sebele residents were not critical of the food collection process established by the PARC-FAAL. Most participants explained that food collection took place at the market while some observed house-to-house food collection, but this practice happened less frequently and in fewer villages, and was not frequently discussed. Since the PARC-FAAL had cancelled most of the market taxes, most respondents did not complain about having to hand over part of their food merchandise. According to a female respondent,

I don't remember the first day they [PARC-FAAL] arrived, but I saw them collecting food at the market. ... it was not an obligation to give food, people would do it willingly. I did. People would give willingly because they like to live in peace and know that if the soldiers are hungry they could mistreat the population, but if their bellies are full, then they will not mistreat people (Interview May 2015).

The fact that the APCLS was in Nyabiondo for a longer period than the PARC-FAAL remained in Sebele is one factor that might explain this difference. In Nyabiondo,

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<sup>33</sup> Misisi is home to significant mining sites, which explains why the PARC-FAAL would have collected taxes there. However, I was also told that the PARC-FAAL has been collecting taxes from this area for a long time, so this might not necessarily have been a "new" policy put in place by the PARC-FAAL when they were in Sebele.

community members quickly organized to reduce the “burden” of the soldiers, whereas in Sebele, extensive food collection systems were not yet established.

Several other participants also recalled seeing PARC-FAAL soldiers buying food at the market, perhaps using some of the tax money they collected to buy supplies for the troops. According to a male respondent, “It was like the market was for them [PARC-FAAL]. All of the taxes stopped going to the government and instead went to them. There was also food collection, but they also bought a lot of food. Like, tons of food. They also collected fish at the lake” (Interview May 2015). Having access to fish from the lake provided the PARC-FAAL with an additional food source unavailable in Nyabiondo, which may have allowed it to avoid creating a formal food collection system, and perhaps explains why it reversed the policy closing Lake Tanganyika (discussed below).

#### *Road Barriers, Night Curfews, and Lake Policy*

In addition to changes to market taxation, the PARC-FAAL was perceived to have helped influence the removal of road barriers and night curfews established by the FARDC. Each time they passed a barrier, civilians usually paid approximately 500 to 1,000 Congolese Francs, the equivalent to US\$0.50 to \$1.<sup>34</sup> Failure to pay these barrier fees commonly resulted in temporary detainment or arrest by the FARDC. Barriers were one of the most prevalent forms of harassment perpetrated by the FARDC, who strategically rotated barrier locations depending on the market days of surrounding communities. For example, on market day in Sebele, the FARDC would erect barriers on the roads leading to Sebele from neighbouring communities like Nemba and Kazaka to maximize profits for the FARDC. Some informants even joked about the pervasiveness

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<sup>34</sup> The barriers function like a toll system but are referred to as barriers throughout the Kivus.

of barriers: “There are so many barriers in this territory, even if you want to go to latrine you find a barrier” (Interview May 2015).

It is doubtful that the PARC-FAAL ordered the FARDC to remove these barriers — the FARDC most likely removed them independently to avoid possible altercations with the PARC-FAAL. A female farmer noted, “When the Mai Mai [PARC-FAAL] were here they stopped FARDC barriers and some taxes in the market because they were not useful for the population. They could not tolerate corruption, especially if the government is not being punished” (Interview May 2015). A male respondent had similar views:

Before they [PARC-FAAL] came there were many barriers, both ways by FARDC but then they were cancelled. People would be forced to pay and if you don’t then you get accused of being a Mai Mai. But people were free [at that time]. There was a lot of freedom. The population could move more freely because there was no fighting and also because the barriers were removed. The barriers have now resumed, most of them (Interview May 2015).

The removal of taxes and barriers also resulted in increased economic activity during this period, which bolstered support for the PARC-FAAL (discussed in Chapter 6).

Prior to the co-governance period, community members had complained to the Chief of Sector about these barriers, and demanded they be removed, but without much success. According to one participant, “They [FARDC] have barrier ... The Chief of Sector came and asked them to stop but they don’t. Once the authority leaves, they continue with the barrier” (Interview May 2015). Local authorities’ inability to permanently prevent the FARDC from using barriers in the region has not only affected their credibility among the broader population, but also enhanced the PARC-FAAL’s legitimacy during the co-governance period. The perception that the PARC-FAAL could stop these abuses reinforced the notion that they were there to protect the local community, and that they might even be more capable than the Congolese government. A female youth captured this perception: “Everything went on as usual when the Mai Mai



[PARC-FAAL] were here, but the people from Kazaka did not have to face the FARDC barrier. When Mai Mai was here they removed it. I don't know why they did this maybe because FARDC was afraid" (Interview May 2015). The removal of the barriers ultimately illustrated to residents which party was "looking out" for their best interests and could make these changes.

The PARC-FAAL also lifted the night curfew established by the FARDC in Sebele. To my knowledge, the curfew was an unsanctioned, informal policy, but most people had learned to respect it because the consequences of being caught out in the community at night could be quite severe. A male youth noted,

If you are out after 7 p.m., then FARDC take you and say that you must be a rebel. This happened to me personally. I was coming from home and going to work and they started calling me Mai Mai. I was with them for three hours, two other people were also arrested and we had to pay 10,000 francs to be released. Last week they were trying to do it again to people even though rebels are not here, but they do it because their salary is delayed and they need the money (Interview May 2014).

This scenario is typical and was recounted by several respondents. Some participants even told me about a case where a father was taking his child to the outdoor latrine and was subsequently arrested for being out at night, illustrating the extreme forms of harassment people were subjected to by the FARDC.

Night curfews affect a wide range of Sebele residents, although the youth, and especially young men, who like to stay out late and watch movies at the theatre, are most concerned, as they are easy to target and accuse of belonging to rebel groups. In addition, farmers, fishermen, traders, and miners often get up early or work late into the night. Given the ongoing challenge of curfews in Sebele, Yakutumba addressed the issue directly during his welcome ceremony speech. According to a carpenter, "During this time the government gave an order that people should not be out beyond 10 p.m. but

when Yakutumba came he said that ‘this is our country and we should do as we wish.’ The population was confused because the FARDC would say ‘no’ but Yakutumba would say ‘yes,’ but people were moving” (Interview May 2015).

In another challenge to government policy, the PARC-FAAL reopened Lake Tanganyika to fishermen. Every few months, the lake is closed for a couple of weeks to preserve fish stocks. As a fisherman explained, “But when Mai Mai [PARC-FAAL] was here they open the lake even when it was closed for a period. But Mai Mai said that it has to be opened. It is closed to protect the fish, so they can grow before we catch them. People were happy because they can’t gain [profit] from the field” (Interview May 2015). Reopening the lake was a strategic move, as it not only bolstered the PARC-FAAL’s popularity among the fishermen, but also provided it with access to another food supply.

### *Conflict Resolution*

The co-governance period provided an additional venue where civilians could resolve communal disputes or conflicts. Like in Nyabiondo, disputes or conflicts among Sebele residents are generally resolved by customary chiefs or the police, depending on the severity of the conflict and whether a crime has allegedly been committed. Several NGOs have also set up conflict resolution programs to address the most prevalent conflicts in the community. In Sebele, CARE opened an office where people could discuss land conflicts, specifically focusing on land rights and field demarcation. In Fizi, tensions over land were particularly high when individuals were returned from Tanzanian refugee camps. Another conflict resolution forum was set up by IDAPEA, focusing on disputes between agricultural and pastoralist communities,<sup>35</sup> and an additional venue was

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<sup>35</sup> See Verweijen and Brabant (2017) for an analysis of these issues.

created by the UNHCR (CIC) focusing on general issues, although it mainly addressed conflicts arising between spouses, family members, or neighbours.

The PARC-FAAL was also involved in conflict resolution during the co-governance period. Most participants agreed that it was up to individuals to decide where to bring their conflicts for resolution. Like the APCLS, it was difficult to establish whether civilians had to pay the PARC-FAAL to resolve their conflicts, common practice with customary chiefs, and the police.<sup>36</sup> Some individuals claimed there was no cost involved to get a conflict resolved by the PARC-FAAL, while for others, conflict resolution was just a way for the group to make money. Most participants did agree, however, that the PARC-FAAL resolved conflicts in an efficient manner. In a context where the notion that “justice delayed is justice denied” resonates strongly with civilians, the provision of a parallel venue delivering results in a timely manner was welcomed. Nonetheless, while most participants claimed the process was conducted in a fair manner, some concerns were raised about the influence of personal contacts with the PARC-FAAL on the decision-making process. According to one informant,

People tried to snatch the opportunity when the Mai Mai were here and brought their claims to them. For example, there was this man and his brother was in the Mai Mai and he brought him a case of debt, and the people were forced to pay and sell part of their land ... People knew that if they had a family member or a friend they could win the conflict whether it was right or wrong (Interview May 2015).

However, the same type of manoeuvring is common among the various patronage networks in the Kivus, which does not justify such practices, but rather recognizes that they are established and not only carried out by the PARC-FAAL.

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<sup>36</sup> I was told that opening a police investigation ranges in price from 10,000 to 20,000 Congolese Francs, depending on the case, and an ongoing investigation requires further payment by the parties involved. According to Babembe custom, customary chiefs receive either a chicken or its equivalent, about 5,000 Congolese Francs, to resolve a case.

There were also disagreements among participants over the “punishments” that were administered. As one participant explained,

It was free and it took a short time, this was true. But if you were found guilty you would have to endure a time in the [underground] prison and beatings ... They did it to both men and women because I remember one of our colleague's wife was quarrelling with another woman and she received something like 30 whips (Interview June 2015).

Others viewed these forms of punishment as excessive:

They lived peacefully with civilians but if you do something wrong then they can take you. For example, if you steal or fight with someone, or if there is a misunderstanding, and then there is a complaint. The guilty would be beaten. We could hear the people being beaten from over and we could do so much pity for them (Interview June 2015).

Other respondents perceived these punishments as justified and acceptable: “People want to go to [get their conflict resolved by] the ‘people in the bush’ [PARC-FAAL] because they are always very severe with punishment in comparison to others which only give you advice” (Interview August 2015).

### *The Aftermath*

As quickly as the peace agreement between the PARC-FAAL and the FARDC came together, it fell apart. Many respondents recalled that PARC-FAAL combatants were on their way to Uvira to receive training when they were attacked by the FARDC. Similar to the residents of Nyabiondo, Sebele community members largely blamed the Congolese government for failing to honour the integration process of the PARC-FAAL: “The government wanted to take Yakutumba and bring him to Kinshasa, it was like an ambush” (Interview May 2015). Another resident noted,

Then one day around 3 p.m. we heard the there was going to be a fight near the bridge. The FARDC were waiting for them and ready to fight. I don’t know why this happened. Then they returned to the bush up to now.... We think the government is responsible for what happened. They didn’t want to leave but the government fought them so they left” (Interview May 2015).<sup>37</sup>

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<sup>37</sup> Interestingly, the Group of Expert frames these events the opposite way: “Consistent with his past behavior of claiming he would integrate but failing to do so, on 8 August, Yakutumba launched attacks against several villages and FARDC positions in Fizi Territory” (UN, 2014a; 93).

According to Stearns and his colleagues (2013b), once the Congolese government realized the assembly camp was being used to recruit new soldiers, rather than gather existing ones, they declared the process a failure. After an initial confrontation in Sebele, fighting between the PARC-FAAL and the FARDC continued in the neighbouring communities of Malinde and Katanga over the following days. Eventually, on August 13, the PARC-FAAL infiltrated and attacked Baraka, targeting FARDC positions. Its efforts were largely unsuccessful, as the FARDC managed to push the PARC-FAAL out of the town and capture 70 combatants (UN, 2014a).

Like in Nyabiondo, residents in Sebele also noticed that the PARC-FAAL retreated as soon as the fight broke out, interpreted as a move to protect the community: “When the Mai Mai and FARDC had their misunderstanding, the Mai Mai said they couldn’t fight [back] because of the population. They decided to leave themselves” (Interview May 2015). Similarly, abuses by the FARDC increased after the PARC-FAAL left: “After they [PARC-FAAL] left, people were being accused of being Mai Mai, but we would say ‘the Mai Mai were here and you didn’t do anything to them!’ I think the FARDC did this because of poverty, they are always trying to take things from civilians” (Interview June 2015).

## **Conclusion**

This chapter provides an analysis of the co-governance arrangements established between opposing armed factions in Nyabiondo and Sebele. In particular, the complex ways in which the APCLS/PARC-FAAL absorb, contest, and even reform norms and practices of governance are illustrated. In many respects, the APCLS established a more exploitative and extractive system than the PARC-FAAL. The APCLS developed various

forms of food collection, erected road barriers, and benefited from *salongo*, whereas the PARC-FAAL reduced the market taxes, reversed the lake policy, and was perceived to have removed road barriers. Interestingly, the PARC-FAAL's track record shows it has generally been far more active in "income-generating" activities (e.g., taxation of mining sites, piracy activities) (see Stearns et al., 2013b; UN, 2011b; Verweijen, 2015), compared with the lack of evidence of the APCLS' economic interests and agenda.<sup>38</sup>

Despite the almost contradictory approaches developed by these armed actors, the similarity in respondents' positive impressions of the co-governance period in both communities is striking. I point to three factors that help to explain community members' reactions. First, an improvement in security conditions was widely perceived to have taken place during this period. Most participants in both communities attributed the improvement to the APCLS/PARC-FAAL, perceived to have contained the FARDC's abusive and predatory behaviour. Second, and related, the notion that the APCLS/PARC-FAAL are the "true protectors" of the population was reinforced by the increase in abuses by the FARDC after the co-governance agreements ended. These abuses were portrayed as part of a common pattern of behaviour by the FARDC. Third, these positive impressions of the co-governance period point to the idealized associations held with respect to the Mai Mai groups. These factors will be examined in more detail in the following chapter.

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<sup>38</sup> Far less literature exists about the APCLS than the PARC-FAAL, which could explain the lack of evidence of the APCLS' economic activities. However, existing sources (e.g., Bouvy, 2014) confirm the APCLS has not been involved in as many economic activities as other armed groups. The only source alluding to APCLS involvement in the mining sector is a report commissioned by the Enough Project (see Bafilmeba & Mueller, 2013). The Enough Project has been largely criticized by scholars for "overplaying the greed" thesis in the DRC.

## **Chapter 6: Reluctant Compliance and Restrained Resistance During Co-Governance Arrangements**

### **Introduction**

The literature on rebel governance has revealed the complex ways armed groups exercise authority and regulate socio-economic sectors in communities that come under their control (Arjona, Kasfir, Mampilly, 2015). Even though armed groups are positioned outside of and against the state, scholars have demonstrated the paradoxical ways in which these groups adopt prevailing norms and practices which are relied upon by the state to govern (Hoffman & Vlassenroot, 2014; Lund, 2006). The existing scholarship has shown that armed groups depend on state-based norms and practices to exercise their own authority. For instance, some rebel groups replicate the same practices used by the state to evoke symbols of legitimacy (see Hoffman, 2015; Mampilly, 2015). Other rebel groups strategically alter these practices, demonstrating that they operate differently than the state but nevertheless implicitly relying on variations of state practice (see Förster, 2015; Wickham-Crowley, 2015). Despite these insights, the literature has largely overlooked the role of the local population in these contexts. This is a critical gap, as “rulers” cannot function without some degree of acquiescence by their “followers”.

Understanding civilian responses within these contexts is important as they shape the governing practices adopted by armed groups. For example, armed groups’ behaviour, especially their use of violent and extractive repertoires, is partially influenced by whether civilians comply, subvert, defy, and/or resist. The existing literature has overlooked these complex dynamics as it has largely failed to consider the ruler and ruled relations and interactions that emerge among civilians and armed groups (see Chapter 2).

Compliance is commonly assumed to be the dominant response because of the underlying forms and levels of coercion that typically arise in these contexts. Resistance is considered to be far more limited due to possible lethal consequences. However, an overreliance on coercion is often considered unsustainable, meaning that armed groups need to make certain compromise in order to discourage resistance, which is likely to continue or increase if coercive practices persist. What is missing from these debates is that compliance is not only motivated by coercion in contexts of non-state armed governance. Like in other governance situations, compliance is also derived from certain beliefs about the appropriateness of the ruler and the rule that is being enforced (see Podder, 2017). This raises questions about the legitimacy of armed groups and their governing practices.

I argue that examining the interplay between compliance and resistance requires us to be attentive to the underlying logics that civilians adopt in these complex situations. These underlying logics are important because they provide critical insights into how “order” is being imagined and practiced by the local population. Contrary to what we may expect, the co-governance arrangements under review were often perceived to have improved the living conditions of the community’s residents.<sup>1</sup> While respondents had varied observations and experiences that led them to this conclusion, they often drew upon the following logics to justify these positions.

First, participants would often compare their situation with previous experiences in relation to armed groups. In particular, they would look to the levels of abuse and

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<sup>1</sup> Interestingly, respondents from both Nyabiondo and Sebele shared similar perspectives and experiences, even though these co-governance arrangements occurred for different lengths of time and in areas that are fairly remote from each other. These findings demonstrate that there is a real crisis of authority in the Kivus, which largely stems from the lack of public goods and services that are expected from the state.



exploitation committed by the APCLS/PARC-FAAL and compare it to the FARDC's behaviour. These insights served as reference points for what would be accepted and tolerated, or not. Second, participants explained that daily life was more predictable under co-governance. Although these contexts were still marked by abusive and exploitative undertones, the organized and routine manner in which this occurred (e.g. food collection and road barriers), made it more tolerable and sustainable. Third, co-governance arrangements gave them an opportunity to subtly express their grievances towards the FARDC. Respondents were symbolically challenging the authority and legitimacy of the FARDC. They were, as de Heredia (2013) brilliantly puts it, "taming the military".

The following chapter begins with a discussion of the complex intersection of compliance and resistances that emerge in the context of non-state armed group co-governance. In doing so it primarily conceptualizes and analyzes civilian-combatant relations that are underpinned by ruler-ruled dynamics. This is followed by an analysis of the main modes of regulation utilized during co-governance, which include food collection and road barriers, conflict resolution, and security provisions. To offer a more nuanced understanding of the co-governance arrangements, the chapter illuminates multiple rather than singular perspectives and experiences from respondents. This approach is also congruent with the interpretative methodological design that guides this study.

### **The Intersection between Compliance and Resistance**

Issues surrounding the relation between compliance and resistance in the context of governance have been widely studied among political scientists (see Dahl, 1961; Weber, 1978). For these scholars, an effective government apparatus requires that

compliance not be solely obtained through coercion, but that it also includes legitimacy from the population, if it is going to be sustainable. A strong focus in the literature has been on how compliance becomes a routine or habitual practice to particular sets of norms and rules. While this scholarship has been largely based on Western experiences with democratic and capitalist states, the suggestion that legitimacy is important in the context of governance is difficult to dispute, even when it comes to armed groups (see Kasfir, 2005).

Previous research asserts that armed actors have an advantage in generating compliance from the population because they have soldiers carrying weapons that can be used to intimidate and retaliate against civilians (see Stoll, 1993). While these tactics may be effective at the beginning, however, they are not sustainable in the long run (Podder, 2017). First, coercive tactics to ensure mass compliance involve a great deal of time and effort, and are not easy to sustain, even for armed groups (Arjona, 2015). Second, an overreliance on coercive tactics can damage the reputation of armed groups, and ultimately compromise loyalty, support, or collaboration from the local population (Kasfir, 2005; Kaplan, 2013a).

When it comes to compliance, Podder (2017) outlines a spectrum, including voluntary, quasi, or coercive compliance (see Chapter 2). She argues that the nature of compliance largely depends on the armed group's use of violence. Less violence is likely to generate voluntary compliance, whereas increase violence will result in coercive compliance. When it comes to resistance, Arjona (2015) identifies partial and full resistance. The former entails opposition to specific decisions or actions by rebels, whereas the latter entails opposition against rebel rule altogether. She points to two

factors that determine civilians' willingness and ability resist: the quality of pre-existing local institutions, and the intrusion or intervention by the rebels in local affairs. What these two scholars have in common is that they consider use of violence to be a critical factor in shaping compliance and resistance, which is undeniable factor that shapes these responses. However, it is not the only factor that shapes these responses, and it is critical to consider other factors to get a more nuanced understanding of civilians "lived experiences".

Violence is also highly subjective in contexts of prolonged armed conflict, which requires attention to the symbolic understandings and framings of violent repertoires. By the subjectivity of violence, I mean that the violent behaviour of armed groups is often compared to how other armed groups behaved. These comparisons served as reference points for what would and would not be accepted and/or tolerated. I argue that these comparisons reveal a complex hierarchy of violence that is implicitly observed by the local population. The type of relations that armed actors have with civilians also factor into this hierarchy of violence. Armed groups, like the APCLS and the PARC-FAAL, which have a shared identity with community members, commonly self-portray and are portrayed to be "protecting" their communities. The perception that these armed groups are broadly serving or advancing the interests of the community complicates the notion of compliance and resistance because it will often tolerate certain types of abuses.

This chapter explores the blending of reluctant compliance and restrained resistance, whereby both compliance and resistance involve complicated trade offs, calculated risks, and short and long-term compromises by respondents. I examine how these responses are conceived and practiced in Nyabiondo and Sebele by dissecting the

underlying logics that civilians adopted when responding to the various modes of regulation used by armed groups.

### **Food Collection and Road Barriers**

Respondents in both communities had mixed perspectives about how they understood food collection systems and road barriers. At one end of the spectrum, participants stated that compliance with these modes of regulation was mandatory as they were coercive and abusive practices imposed upon them by the armed groups. A female respondent observed, “People say nothing about this [food collection and road barriers]... People give willingly because they couldn’t say no if they didn’t want to” (Interview May 2015). Similarly, a male informant stated, “People have to accept it whether they like it or not. There was no discussion, you could not say yes or no because we were scared. They had guns” (Interview June 2017).

At the other end of the spectrum, respondents insisted that food collection was not obligatory, but enforced by their own will (see Bouvy 2014 for a corroboration of these perspectives). “People would give food by their will, it was not by force” (Interview October 2014), claimed a teacher. Likewise a farmer disclosed, “It was not an obligation but based on my own will. If you go to your farm or to the mill, [and you see them] then you can give them some. You could refuse if you passed by. ... No one that I know was punished for passing by [without contributing]” (Interview November 2014). Given these types of responses, the binary conceptual and analytical frames of compliance versus resistance that are common in the literature were not useful for capturing people’s experiences during these periods. Despite the perception of these participants, the only episodes of violence that I documented during this period were related to food collection

and road barriers, which reveal the underlying and perhaps unspoken tensions and coercive nature of these governing practices (discussed in subsequent section of this chapter). The fact that there were so many food collection systems (e.g. household, on the road, and at the flour mills) also shows that the population did not participate as willingly as they might have claimed.

Beyond the mandatory versus voluntary debate, other respondents framed food collection and road barriers as a form of taxation. Respondents that narrated this perspective usually based it on two premises. First, they would point out how the APCLS/PARC-FAAL's basic needs, such as feeding their soldiers, should have been covered by the Congolese government during the co-governance period. After all, it was the Congolese Government that had brought the APCLS/PARC-FAAL to their respective communities. This view was shared by a wide cross-section of individuals within the communities, including state authorities, community leaders, shopkeepers, and farmers. As a police officer in Nyabiondo observed, "The APCLS came here to be demobilized and integrated into the FARDC. Sometimes the APCLS have some small advantages [like food collection] because the [Congolese] government did not help them" (Interview November 2014). Similar views were also expressed in Sebele, "Food collection was because they [PARC-FAAL] don't get money from the government and this is why the population gave them food" (Interview May 2015). The Congolese government's failure to adequately provide for these armed groups ultimately triggered the local population's willingness to step in on their behalf, a response which is common within the Kivus (see Chapter 1).

Second, respondents would commonly explain that the APCLS/PARC-FAAL did not receive a salary, which also justified why they collected food and money at the road barriers. By providing these basic supplies, community members were trying to prevent these combatants from misbehaving, which made them slightly more tolerant of these practices. A tailor in Nyabiondo put this into context,

The APCLS barrier could be tolerated because they don't have a salary, but with the FARDC, we should be denouncing it, but we can't because people could get arrested ... Authorities are known by the government and get salary by the government so this is why it's a form of harassment. The barriers have been here since the APCLS left, we have been complaining to MONUSCO but nothing happens (Interview July 2015).

As will be discussed below, false accusations resulting in arbitrary arrests by the FARDC are often attributed to delays with their salary.

The implicit “social contract” that emerged between the local population and the APCLS/PARC-FAAL was an exchange of goods (e.g. food and money) for services (e.g. basic level of security). Respondents would commonly say, “it is difficult to stay with an armed group that is not eating” (Interview November 2014). In turn, daily food rations and money contributions were commonly interpreted as a way to “contribute to the soldiers' costs” (Interview November 2014). A shopkeeper in Nyabiondo disclosed that:

When people returned from the market they would give 500 [Congolese] Francs so they could get [supplies]. It was painful for us, but we have to do it and we were conscious that [it had to be this way]. [In return] the soldiers were not allowed to mistreat or steal from the population and if they did, they would be punished. The APCLS soldiers respected [this rule] so much (Interview July 2015).

As long as the soldiers were willing to hold up their end of the bargain, community members were willing to accept food collection and road barriers. In Sebele a widow wisely explained, “It [food collection] was to calm the tension and avoid bad things to happen to the population” (Interview May 2015). Compliance in these contexts is thus far more strategic than is typically acknowledged in the literature.

Although the majority of participants viewed compliance towards the APCLS/PARC-FAAL as securing a form of protection, they attached different meanings to what protection meant in these contexts. For some participants protection involved *preemptive actions* taken that would deter possible abuse or exploitation from APCLS/PARC-FAAL. A *condifa* in Nyabiondo noted, “We do this [food collection or pay at the road barriers] to avoid harassment. Once a commander gets these things then no one could be harassed” (Interview November 2014). A beer-maker had a similar view, “We give them [APCLS] food and this is how we avoid being mistreated by them. If not they could be very severe with civilians” (Interview July 2015). For other participants, protection involved actions taken to *reward or compensate* the APCLS/PARC-FAAL for their good behaviour. A male respondent in Nyabiondo claimed that, “People were giving voluntarily because there was no looting. This is how they justified it” (Interview July 2015), while a female respondent noted that, “The APCLS have good behaviour with civilians and this is why we give them food” (Interview July 2015).

Both of these interpretations of protection, whether it was based on *preemptive* or *reward*, point to the informal ways civilians have learned to negotiate with and influence the behaviour of armed actors. They are what Kaplan (2013b) refers to as “nudging armed groups”. However, these small actions go a long way in the daily lives of individuals of liminal socio-economic and political status. Compliance with the APCLS/PARC-FAAL also gave some leverage to community leaders, whereby they could be better positioned to “push back” with armed actors. A female respondent in Sebele explained, “With both FARDC and the Mai Mai [PARC-FAAL], the big strategy is to give them food. Because we know that they are hungry and once we do this we can

start talking to them” (Interview June 2015). The different reflections and recollections that participants shared demonstrate that compliance is not necessarily automatic but also strategic. According to a female respondent in Nyabiondo, “Through the *mutembo* they [APCLS] could get food and so when they advocate for civilians they could say this” (Interview July 2015).

Providing food has become a way for people to mitigate potential the abuse and exploitation by armed groups. The underlying logic is that if civilians provide the basic needs of the combatants then they are guaranteed a certain level of security. This type of reasoning is complex because on the one hand it implies that individuals consider that there is a certain level of suffering that they must endure, given their situation, while on the other hand, it suggests that there are limits to how predatory and abusive the behaviour of the APCLS/PARC-FAAL can be.

*Failure to Comply: Lethal Consequences of Overt Opposition*

While respondents did not appear to have any difficulties discussing the predatory and extractive behaviour of the FARDC, there was a greater hesitancy to do so when it came to the APCLS/PARC-FAAL. In several incidents, I found that respondents were strategically creating a positive image of these armed groups. There are many reasons for this; it could be because respondents have certain loyalty towards these groups that is linked to a shared identity based on kinship ties, or as a way for the participant to protect herself/himself from possible reprisals, if our conversation was ever shared with the armed actors. A young man claimed, “There were many abuses by the Mai Mai [PARC-FAAL] towards civilians, but many people cover for them because they want to protect their family or friends” (Interview June 2015). As explained by this and other individuals,



there was an interest among several respondents in withholding critical observations about the APCLS/PARC-FAAL (see also Chapters 3 and 7).

Kinship ties not only played a role in covering up, but also in excusing the abuse of the APCLS/PARC-FAAL. When I asked why some individuals continue to support the APCLS/PARC-FAAL even when they “misbehave” towards the local population, a female respondent in Sebele explained, “It’s because they are our children, and we have the same blood. If your child is a thief you cannot abandon them, [instead] you feel pity. It’s the same with the Mai Mai” (Interview July 2015). In Nyabiondo respondents also drew upon similar parent-child analogies to make their case. A chief argued that, “We have given birth to these children [APCLS combatants], but not all children turn out the same. Some of them drink beer and insult others, and then a difficult period is created, but if your child does bad things, you still have to love them” (Interview November 2014). The strong allegiances and loyalty that respondents have towards the APCLS/PARC-FAAL make it difficult to denounce the Mai Mai’s “bad behaviour”. Despite this general reluctance, I did document a couple of incidents of transgression.

The few violent incidents that participants spoke about during the co-governance period were related to residents’ refusal to comply with food collection or road barriers. In Nyabiondo, a *condifa* I met was particularly critical about the APCLS, even during our first meeting, which was unusual for most participants. During our first meeting she revealed that,

Women obeyed [to food collection] because we didn’t have it any other way. We had no choice. For example there was this time that the APCLS needed some wood to make a fire. The soldiers asked one of the mamas [carrying wood from her farm], but she refused. The APCLS soldier took a branch and hit her on the head. She fell down when he hit her (Interview November 2014).

During our second meeting, I expressed an interest in learning more about how the APCLS behaved towards civilians during the co-governance period. The *condifa* told me about her nephew, who had been shot at one of the road barrier, and had to have his leg amputated as a result of the gunshot injury. After she told me this story she made arrangements for me to meet her nephew. Although he had agreed to meet with my translator and I previously, he appeared nervous when we began our conversation. When I gently eased into the co-governance period, I was shocked that his initial reflection on this period was that, “the APCLS governed us in a good way” (Interview November 2014). This was surprising since we had previously been talking about how he was no longer able to go farming, as it was too difficult for him to reach the fields due to his injury. Given the limited socio-economic opportunities in his community, his inability to farm is having serious repercussions on his livelihood. As we continued with our conversation, we reached a point where he began to share his version of events. He recounted that, “The APCLS use to beat and injure people who could not pay [at the road barriers]. I arrived [at the barrier] and they asked me for money but I couldn’t give them any and they shot me. I was transferred to Masisi Centre” (Interview November 2014).

This story reveals the almost intuitive and habitual responses that some individuals have when speaking about the APCLS. “The governed us in a good way”, he initially stated without second thought, a respond that relates to Scott’s notion of the public transcript, where individuals create the illusion of subscribing to a public transcript for one own safety. The perplexing part is that in the region, *muzungus* are generally known to be documenting and advocating against the abuses of armed groups. In other

words, my identity should have biased my respondents against endorsing these types of views (see Bateson, 2017 for a similar experience in Guatemala).

A different young man in Nyabiondo explained that even local chiefs were not immune from APCLS punishments if they failed to comply with their requests. He illustrated this point through the following story:

The APCLS does not have a problem with civilians, the only problem is food and you need to find a way collect it... A former mutembo was killed because the APCLS came and found that they had not yet collected food. These soldiers were drunk. The Chief of Collectivity could do nothing [about the situation]. Here I can say that a chicken has more value than a human. If a human dies, we have nowhere to go, but if you kill a chicken, the owner can go to the person and the person will have to buy a new chicken. (Interview November 2014).

The lethal punishment that individuals received when they openly refused or disobeyed the demands of APCLS most likely deterred other residents from adopting the same behaviours. However, this reluctance was seldom expressed, as it could be conceived as disloyalty towards the armed groups.

Moreover, publicly complaining about or condemning food collection or barriers was dangerous for community members. “We were trying to protect ourselves by controlling our tongue” (Field notes, July 2015) was an expression that I often heard. With time I came to understand that this expression was referring to the subtle ways that residents learnt to “keep quiet” in order to protect themselves.

#### *Hidden Transcripts: Subverting and Defying Food Collection*

Although I often heard that “there is no resistance in the face of weapons” (Interview July 2015) there were subtle ways that individuals avoided or subverted the food collection systems that were put in place in Nyabiondo. For instance, a male youth told me that his mother would hide the food when she saw APCLS soldiers coming towards their house to collect it. He noted that it was much harder to conceal their food once the soldiers started collecting from the mills. In fact, he was under the impression

that the APCLS only started to collect food from the mills, instead of the household, because these forms of subversion had become widespread among community members. The same youth also told me about his neighbour, a young woman around his age, and how she started taking hidden paths in order to avoid giving food to the soldiers at the road barrier upon her return home (Field Notes, October 2014). Although these subtle and sporadic responses did not directly challenge the food collection system in a substantive way, these tactics were important because that made “daily life more sustainable” (Thomson, 2013).

The involvement of the *mutembo* and *condifa* in the food collection systems in Nyabiondo might have also prevented collective and overt forms of resistance. Although participants did not directly mention this, once the *mutembo* and *condifa* became involved in the food collection process, resistance to these procedures would have partially been a response towards them rather than the APCLS. This idea was reflected in the ways that some respondents would speak about the APCLS’s food collection or road barrier systems. Respondents would commonly say that the APCLS “received permission” or “had the right” to carry out food collection and road barriers because of the agreements they reached with the local authorities. An informant emphasized this point:

[When the APCLS arrived] they introduced themselves to the *mutembo* and asked if they were allowed to collect things from the market. The *mutembo* knew that there was no other way for them to get food, and allowed them so they [wouldn’t] pillage. People give them willingly because they do not like it when [armed groups] take things by force (Interview November 2014).

Similar to compliance, resistance in contexts of coercion takes complicated forms, which are not easily detectible. They may also serve different purposes or outcomes that are associated with these tactics. In Nyabiondo and Sebele, it was about reducing the burden of daily life and making life more tolerable.

## Conflict Resolution

In comparison to other communities within their respective territories, Nyabiondo and Sebele are located near major towns, such as Masisi Centre and Fizi Centre, which is where formal courts are housed. Although these formal courts are relatively close, they are seldom used because they are commonly perceived to be arbitrary or corrupt. To be fair, these institutions do not receive the operational and infrastructural support needed to carry out their responsibilities, which in part explains why they function in the way that they do (see Eriksson Baaz & Olson, 2011). Given the capricious nature of these formal institutions, conflicts that emerge in rural communities are commonly resolved by customary chiefs or the police, depending on the nature of the incident. Law enforcement processes usually require both the police and judicial systems; however, these institutions often operate separately from each other in many rural parts of the Kivus.

With limited options, individuals have found different ways to resolve conflicts in order to attain some form of restitution or retribution. Individuals are increasingly relying on armed actors, including both state and non-state, which often adopt a more forceful solution (see Eriksson Baaz & Verweijen, 2014; Laudati, 2013). For instance, the FARDC is commonly sought after to serve as a mediator in civilian disputes because it is difficult, if not impossible, to dispute the proposed settlements.<sup>2</sup>

These alternative processes towards justice demonstrate two important trends. First, there are high levels of social conflicts, which vary from quarrels with family, friend or neighbour, to land disputes, commercial competition, or debt payment. Without the appropriate institutional mechanisms to resolve them, these social conflicts can easily

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<sup>2</sup> In other incidents, violent extra-legal justice, often referred to as *justice populaire* (popular justice) has been on the rise (see Verweijen, 2016b).

flare up, at which point a more forceful solution seems to be an appropriate and warranted response. Second, the manner in which social conflicts are being resolved is also a reflection of a wider crisis in authority. This is related to the eroding power or influence of customary chiefs, which were previously more active in conflict resolution.<sup>3</sup>

The following analyses of conflict resolution processes during periods of co-governance in Nyabiondo and Sebele need to be situated within these broader dynamics of the region. Participants' attitudes and perceptions demonstrate changing conceptions of how justice is understood and pursued in a context of increased militarization. In particular, they show how armed actors, who are commonly associated with chaos and insecurity by scholars and practitioners, are purposely sought after by community members to bring about some form of restitution.

*Judgments by the APCLS/PARC-FAAL: Faster, Cheaper and More Effective?*

When asked about the conflict resolution process during the co-governance period, participants commonly noted that they had a choice of where they could bring their cases. Although they were not coerced into bringing their cases to the APCLS/PARC-FAAL, many participants preferred to bring their cases to these armed groups because it was considered to be faster, cheaper, and more effective than existing avenues. A truck-driver in Nyabiondo explained,

To be honest, the one that was working in a good way were the 'people from the forest'. They want to eliminate corruption. For example, if someone stole they follow up on the case until it's resolved.... Even if people [support] the government they still [prefer] APCLS because they have the right way to resolve problems. The APCLS' judgments were fast and it avoided corruption (Interview July 2015).

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<sup>3</sup> The suppression of customary courts and the creation of the Tribunal de Paix, known as Tripaix, is often attributed to the decreasing power of the customary chiefs. The Tripaix is a lower-level court that focuses on crimes that are punishable by up to five years in prison. As Verweijen (2016b) notes, "while the establishment of the Tripaix was intended to 'bring justice closer to the people', and to increase accountability, in practice it has made justice less accessible and the judgment of customary matters more difficult to control" (p. 3).

In Sebele, a male respondent who volunteered with a local NGO disclosed,

Conflict resolution also take place with the Mai Mai [PARC-FAAL], this is true. They use to do it all the time so people could finish their problems. It was free and it took a short time. If you were found guilty you would have to endure [underground] prison and beatings. It was both for men and women. One of our male colleague's wife was quarrelling with another woman and received 30 whips (Interview June 2015).

During one of the “walking tours” where I went to visit the APLCS and PARC-FAAL's former bases, the individuals who took me there pointed to the remnants of the underground prison. “Can you imagine being stuck in there without any food or water?” asked one the guides. Although the horrific conditions of these prisons were prevalent among respondents, some informants also justified these actions.

The expedient manner in which the APCLS and PARC-FAAL resolved conflicts was commonly discussed among participants. In fact, it was one of the few outcomes of these processes that most respondents agreed upon. A young man in Sebele explained that during the co-governance period, decisions of where to bring your conflict were pretty straightforward: “Most people went to the Mai Mai [the PARC-FAAL] because their cases would not be delayed” (Interview May 2015). Similarly in Nyabiondo, a male elder commented that, “Most people complain to the APCLS even though there was the police. It's because the APCLS was faster with cases and able to get solutions and this is why people preferred them” (Interview November 2014).

In many parts of the eastern DRC, social conflicts are not only prevalent but can easily escalate and turn violent if not addressed in a timely manner. Several respondents were concerned about how “justice delayed often turns into justice denied” in their communities. A volunteer with a grassroots organization in Nyabiondo captured the complex ways in which the dysfunctional justice system is contributing to armed violence:

The APCLS were preferred because they were faster – if you were arrested one day you would be judged the next day. Whereas with the national government it can easily take one month, or longer ... The slow process of resolving conflicts is a real problem and can really escalate [the situation]. For example, let's say there is a land conflict between a Hunde and a Hutu. If you spend 8 months with these tensions, they can begin to kill each other if it is not resolved quickly. This didn't happen in Nyabiondo, but I've seen it happen in other villages [in the area] (Interview November 2014).

Although most respondents in Nyabiondo agreed that the “APCLS was faster and able to get solutions” (Interview November 2014), they identified different factors that facilitated this. Some individuals attributed APCLS's success to their close ties and relations with the community. A male participant noted,

[The] population went to the one that can resolve their problems quickly. The APCLS [was] able to respond more quickly because they could respond to the cases when they were presented and did not have to follow a specific procedure... The APCLS also had relationships with the local population and could get a solution after 2-3 days versus the national police, which takes very long, 1-2 months (Interview November 2014).

However, not all participants viewed the pre-existing social ties and relations between the APCLS and the population to be a positive factor. In both communities, these relationships were at times perceived to result in unfair results. “People brought them their problem because they had their family in the APCLS and could get their way. That's why they brought [their cases] there,” observed a male respondent (Interview July 2015). Other participants went further, insisting that community members “snatched the opportunity” by taking advantage of their networks to gain influence or achieve revenge. In Sebele, a male resident noted: “People knew that they had a friend or family [in the PARC-FAAL] and had to win conflict whether it was right or wrong. The other were afraid and had to accept it like that” (Interview May 2015). In Nyabiondo, a female respondent revealed that, “Some people would lie to the APCLS. If you have a relative, and say that the person has done wrong, they oblige that person to pay money [for their mistake]” (Interview October 2014). However, other informants also explained that if



individuals were caught in the lies the repercussions were lethal, as it could tarnish the reputation and legitimacy of the APCLS.

Other individuals attributed the success of the APCLS/PARC-FAAL, especially in finding a speedy resolution, to the severity of the punishments that were administered. As was pointed out by several respondents, if a civilian was found guilty, the APCLS/PARC-FAAL would administer the following punishments: (1) a firm warning to comply with the agreed upon ruling; (2) a physical punishment; or (3) being placed in the underground prison. Informants had ambivalent reactions towards these violent punishments. According to some participants the severity of the punishment is what led to a quick resolution among conflicting parties. This was particularly relevant when it came to settling outstanding debt among community members.

A young man in Nyabiondo explained, “People preferred to go to the APCLS because the problem, for example debt, would be resolved faster because if not [the person] would be beaten” (Interview October 2014). Similarly, a young woman in Sebele stated, “People go there because of debt, for some you get your solution in a shorter time with the beatings” (Interview May 2015). However, other participants considered the short time period individuals were given to pay back debt to be unreasonable.

A female respondent in Nyabiondo disclosed that, “Judgments were not fair because they didn’t allow the person to have time to pay back their debt. You had to pay it back right away” (Interview July 2015). Individuals took great measures to avoid being punished by either the APCLS/PARC-FAAL. A male respondent in Sebele remembered that, “There was this man and his brother was in *Mai Mai* [PARC-FAAL], and he brought him a case of debt and the person was forced to pay. He had to sell part of their land [to

get enough money]. Their punishments are painful, they have underground prisons” (Interview May 2015). By contrast, customary chiefs usually allow for more dialogue and negotiation among the affected parties when resolving conflicts in the *baraza*.

Expediency and effectiveness were often considered to be the main benefits of having the APCLS/PARC-FAAL’s involved in conflict resolution. These are relatively reasonable expectations to have in any conflict resolution process, which demonstrates the difficulties that individuals have in attaining any form of retribution for their injustices through state-based or traditional channels.

*Severe Sentences: Necessary or an Exaggeration?*

Participants noted that the different actors and venues involved in conflict resolution tended to administer certain types of punishment, which influenced where they brought their cases. Most commonly, the customary chiefs and NGOs were associated with lenient punishments often involving a dialogue and negotiation while the APCLS/PARC-FAAL and the FARDC were known for their severe punishments. Unless the case was quite severe, involving homicide, the police were seldom approached, as they were commonly perceived to be less reliable and easily influenced by money. A farmer in Sebele explained the different types of punishments that were available during the co-governance period,

If someone is misbehaving they call these people [the PARC-FAAL] and give them a punishment. For example, if someone had a debt and didn’t want to pay it back he reported it [to the PARC-FAAL] and they got the money back. People want to go to the people in the ‘bush’ because they are always very severe with punishment in comparison to CMC [local NGO], which only gives you advice. If you bring [the accused] to the police they tell you that it’s not a big deal” (Interview May 2015).

Although quite vocal about the topic, participants had ambivalent views regarding the severity of the punishments that were administered, which is commonly the case in

any society. Some respondents were more tolerant and accepting of this, while others found this deeply troublesome. A teacher in Sebele captured these different positions:

It was fine with the Mai Mai [PARC-FAAL] because they did for the country the same of what the FARDC does. But if someone was found guilty by the Mai Mai they were given a ‘big’ punishment. They would beat people so badly, worse than the FARDC. Some people would say that the Mai Mai was exaggerating with their punishment and others would say its good because they are only punishing the guilty (Interview June 2015).

Part of the reason why some residents sought the APCL/PARC-FAAL when resolving disputes was because they *did* administer strict and severe punishments against those that were found guilty. While these individuals recognized that these punishments were harsh, there was also an underlying sense of acceptance or tolerance regarding the severity of the punishment. Participants’ disposition towards severe punishments stems from their frustrations with existing conflict resolution mechanisms, which are largely perceived to be insufficient or inaccessible. This view was not only evident among those seeking justice but also among those involved in administering justice. For instance, a chief in Sebele complained about how the PARC-FAAL and FARDC’s involvement in conflict resolution falls outside their prerogative. At the same time, he was also able to recognize that many community members often deemed the existing alternatives to be insufficient or inadequate,

When they [community members] brought their cases to the Mai Mai [PARC-FAAL], and they don’t want to pay [the debt or fine], they beat them. It’s the same with the FARDC. The people are the ones bringing the cases to them. It’s because they thought that if they bring to the kapita [chief] or the police, they won’t do anything (Interview June 2015).

The idea that existing conflict resolution mechanisms do not work because “they won’t or don’t do anything” resonated with several respondents. The lack of confidence that residents have in existing conflict resolution processes dissuades individuals from pursuing these options. The situation is so grave that community members will often forsake these existing processes because they are believed to be a waste of time.

Dissatisfaction with conflict resolution processes comes from both the illusion that the existing system will not be adequate, and the actual experience, that the type of punishments are not enough or are too lenient. It is within this context of unadorned disillusionment that some residents took the opportunity to obtain “real justice” by turning to the APCLS/PARC-FAAL.

The increasing involvement of armed groups in resolving social conflicts in the Kivus is starting to change understandings and practices of what justice means. As armed groups’ involvement in conflict resolution gains prevalence, alternative processes by the chiefs of the police are becoming more frivolous. A teacher in Nyabiondo explained, “People complain to those who carry weapons. The *batembo* [chiefs] have lost their importance because of this” (Interview November 2014). A chief in Sebele lamented the situation, “I feel sad telling you the truth. In front of soldiers the chiefs are no ones. But it wasn’t like this before... They [local population] don’t respect us [anymore]” (Interview May 2015). This chief then continued to tell my translator and I about how he had been recently detained for refusing to pay at a road barrier by the FARDC, an incident which illustrates how his authority is constantly being undermined.

The gradual yet steady decrease of the chiefs’ influence within their community was considered an important reason why community members turned to the APCLS/PARC-FAAL when they had the opportunity to do so. A female resident elaborated further:

The APCLS could intervene in cases if civilians ask them to do it. Maybe people no longer respect the *batembo* and this is why they bring [their problems] to the APCLS. Or it could be because the other person could be scared of soldiers. ... The majority of *batembo* are of low level and this is why people neglect them and do not respect them (Interview July 2015).

Raeymaekers (2014) writes that the normalization of violence in the eastern DRC, which is witnessed in the preference for severe punishments and the manner in which conflicts are being resolved, does not necessarily mean that there is an indifference towards this, but simply that it is widespread. In fact, there were several other respondents in Sebele and Nyabiondo that were alarmed by the severe nature of these punishments. A respondent that lived near the PARC-FAAL's base during the co-governance period recalled,

They [PARC-FAAL] lived peacefully with civilians but if you do something wrong then they can take you [arrest you]. For example, if you steal or beat someone, or there is a misunderstanding, and there is a complaint to them. The guilty would be beaten. We could hear the people being beaten from over here and you could feel so much pity for them. So many people were punished and also his soldiers (Interview June 2015).

The PARC-FAAL's fame for severe punishments spread quickly around the community and it was not uncommon for participants to share and compare horror stories. "There was a man beaten by the Mai Mai [PARC-FAAL] and [he] could even pee blood after these beatings from the Mai Mai. This was Mai Mai justice," explained a female respondent in Sebele (Interview June 2015).

In Nyabiondo, respondents explained that individuals who brought their case to the APCLS did so out of hatred or revenge. "To complain to APCLS is to give someone a lesson. [Its] so this person shuts his[/her] mouth and doesn't do it again" (Interview November 2014). Another male respondent revealed, "Some people wanted to get revenge which is why they like to get their enemies torture and bring the cases there [to the APCLS]" (Interview November 2014). As these participants expressed, bringing a case to the APCLS was often intended to "make people suffer" because of the severity of the punishments that they were exposed to.

## **Security Conditions During Co-Governance**

One of the most important findings is that both the APCLS and the PARC-FAAL were largely perceived to have improved the security conditions during the co-governance period. However, it is also evident that neither of these armed groups provided additional measures to improve security conditions in Nyabiondo or Sebele. The security changes that occurred in these communities were largely perceived to have occurred because of two factors. The first was that the presence of the APCLS/PARC-FAAL deterred certain behaviours by the FARDC; and the second was the ability for APCLS/PARC-FAAL soldiers to exercise restraint. Several respondents talked more about what the APRCL/PARC-FAAL did not do, but could have done (e.g. loot, pillage, harass, rape), rather than what they actually did. Respondents are intimately aware of how armed groups can behave, and the fact that the APCLS/PARC-FAAL did not display this behaviour was commonly interpreted as a sign of protection. Moreover, when soldiers from the APCLS/PARC-FAAL did misbehave, they were often disciplined and held accountable for their actions—something that seldom occurs with the FARDC.

### *Changes to the FARDC's Predatory and Extractive Practices*

When asked about changes during the co-governance period, the majority of respondents spoke about significant changes to the FARDC's conduct, which was largely attributed to the presence of the APCLS/PARC-FAAL. In particular, informants emphasized how abuses that are normally committed by the FARDC, such as false accusation of being a Mai Mai and arbitrary arrests stopped during this period. As a chief in Sebele explained,

Before the Mai Mai [PARC-FAAL] came here there were so many difficulties with the FARDC. If anyone makes a mistake they accuse him of being a Mai Mai... But when Mai Mai came this challenge stopped. The Mai Mai have come here twice and this behaviour of the FARDC finished

[during this period]. And this is why people say its better to live with the Mai Mai (Interview May 2015).

In Nyabiondo, a tailor made similar observations, “Since *mixage* [integration of armed groups into the FARDC] there has been total insecurity: rape, pillage and stealing. Recently things have gotten a bit better ... FARDC stopped this behaviour when the APCLS was here. This is how they [APCLS] protect us” (Interview November 2014). On a later date, the same participant elaborated further, “The APCLS helped so much because you could feel there was order then. Before you were not arrested but now you are arrested for anything [by the FARDC]” (Interview July 2015).

Although most informants attributed changes in the FARDC’s predatory practices to the presence and influence of the APCLS/PARC-FAAL, they also recognized that the APCLS/PARC-FAAL did not take any direct actions to change the FARDC’s behaviour. Rather, they identified different reasons why the presence of the APCLS/PARC-FAAL restrained the behaviour of the FARDC. Some participants pointed to how existing social relations and links between community members and the APCLS/PARC-FAAL influenced the FARDC’s behaviour. A male respondent in Sebele stated,

I don’t think that the Mai Mai [the PARC-FAAL] did anything to influence the FARDC but when the Mai Mai came they had their relatives here and they were the ones that are victims of FARDC harassment. And so when the Mai Mai and the FARDC are living together it is very hard for the FARDC to harass because the Mai Mai does not allow for this to happen (Interview May 2015).

In Nyabiondo, a male respondent made similar observations. He claimed that the APCLS’s main interests are the Hunde and used the following analogy to convey his point, “Its like a chicken and his eggs. If you make trouble for the population, [then] you make trouble to him [General Janvier]” (Interview July 2015).

Other respondents pointed out how that the FARDC could no longer use their usual excuses to detain the population. In particular, informants explained that the

FARDC could no longer accuse civilians of supporting or collaborating with the APCLS/PARC-FAAL, which is the most common excuse that the FARDC soldiers used when detaining civilians, especially young men. These accusations could no longer hold in the co-governance context because the APCLS/PARC-FAAL were living within their communities. A male respondent in Sebele observed,

There were lots of changes during that period. People were not able to be accused of being Mai Mai by the FARDC, but now we can [be]. It hasn't happened to me but I know of many others who it has happened to. The purpose [of these accusations] is to get money. Yes you can report it to the chief but he can't do anything. We can't report it to the FARDC Commander because he's the one you see when you are arrested (Interview May 2015).

In addition to arbitrary and predatory behaviour, respondents also explained that the FARDC's additional income generating activities were suspended during this period. These commercial activities (e.g. making charcoal, selling wood) are commonly criticized by residents who have to compete with these soldiers, but will often give them certain advantages in these activities because they are too intimidated by these soldiers. In Sebele, respondents noted that the FARDC was no longer making or selling wood and charcoal, an activity which FARDC "has no right" to participate in because they are receiving a salary.

Similarly other participants pointed out how the FARDC also put an end to their extractive activities, which would include road barriers or food collection. A female resident in Sebele reflected on changes during this period: "The difference is that when the Mai Mai [the PARC-FAAL] is not here, they [the FARDC] mistreat the population. For example, when you go to Nemba [neighbouring village] there is a barrier and people have to pay 500 Francs. It was gone but it has now returned" (Interview May 2015). In Nyabiondo, the FARDC stopped collecting meat from the market, an activity that was supposedly not tolerated by APCLS. As a trader explained, "When the APCLS was here



the FARDC did not collect meat. The FARDC did it before the APCLS came and then stopped when the APCLS was here, and then continued after the APCLS left” (Interview November 2014).

Changes to the FARDC’s behaviour created or reinforced the perception that the APCLS/PARC-FAAL has a certain degree of influence and leverage over the FARDC, perhaps more so than the FARDC over the APCLS/PARC-FAAL. A male informant in Sebele claimed,

The FARDC is afraid of the Mai Mai [PARC-FAAL] and this why the FARDC soldiers behave well when Mai Mai was here. I don’t know why the FARDC is afraid of them. The Mai Mai are people from this territory and their objective is to fight against those who mistreat us” (Interview June 2015).

A female respondent in Sebele observed, “Everything went on as usual when the Mai Mai [the PARC-FAAL] were here. There was an FARDC barrier on the way to Kazaka, but when the Mai Mai was here they removed it. I don’t know why they did this—maybe because FARDC was afraid” (Interview May 2015).

Changes to the FARDC’s behaviour during the period of co-governance, as a result of the influence of the APCLS/PARC-FAAL, was one of the most commonly agreed topics by participants in both communities. This is what largely gave participants a positive perspective with regard to the co-governance periods.

#### *Discipline and Accountability by the APCL/PARC-FAAL*

The ability of the APCLS/PARC-FAAL to restrain the abusive and predatory behaviour that armed groups are commonly associated with was also widely discussed. Based on their previous experience with other armed factions, participants are aware of the type of abuses that these groups can often “get away with,” if they wanted to. In fact, many of them would compare the APCLS/PARC-FAAL with the FARDC to illustrate

their point. A male respondent in Sebele that volunteers for a local NGO described it in this manner,

When the Mai Mai [PARC-FAAL] were here, the FARDC could not mistreat the population, this is why it was good. The FARDC copied the behaviour of the Mai Mai. But after the Mai Mai left, FARDC harassment continued” (Interview June 2015).

In Nyabiondo, a male respondent that is also an NGO volunteer made a similar point,

The only thing is that APCLS has [a certain] discipline that other rebel groups do not have. The APCLS is forbidden to steal, they do not pillage, they cannot do things without their authorities knowing [about it]. If they find out that you have committed sexual violence, they beat you. FARDC have discipline, but it’s less than the APCLS. This is my appreciation of the APCLS (Interview November 2014)

Several participants considered the ability for the APCLS/PARC-FAAL to exercise restraint as a paradoxical form of protection. In Nyabiondo a chief noted, “When civilians say ‘they protect us’, [they see that] APCLS life is very hard but they never harass. They [APCLS] die for the population and this is why we say that” (Interview August 2015). A widow in Sebele also stated, “The Mai Mai [PARC-FAAL] has no problem with the population. They are good people. I can even say they give good protection to the population. For me, I saw there was no mistreatment or looting and this is why I saw there is good protection” (Interview May 2015).

In addition to having good discipline, respondents also explained that if APCLS/PARC-FAAL combatants did misbehave, they would be held accountable for their actions. There were mixed responses when speaking about the APCLS/PARC-FAAL’s accountability measures. First, participants explained that they were able to meet and report these abuses to the commanders of these armed groups. In Sebele, a respondent disclosed that, “The Mai Mai [PARC-FAAL] had no rules [over the population], but if the Mai Mai does something wrong, then we can report that soldier [to the commander]. There were many cases. The soldiers were punished when this

happened” (Interview May 2015). Being able to approach and negotiate with APCLS/PARC-FAAL commanders was important for respondents, who often explained that they were unable to do this with the FARDC. According to a local administrator in Nyabiondo, “When low-level soldiers commit abuse to civilians you have to talk to the commander very gently. Janvier on his own does not like to see his soldiers misbehave. He’s ready to kill them if they abuse civilians” (Interview July 2015). Respondents often conveyed a deep urge to be “listened to” or be “taken seriously,” which is closely related to the wider crisis of public authority in the Kivus.

Second, respondents expressed greater leniency or at times even empathy for the consequences that these soldiers would endure. A shopkeeper in Sebele explained:

If the Mai Mai [PARC-FAAL] tries to harass people, they could report it to Yakutumba and he would give them a punishment. It happened to lots of soldiers. It’s easy for them to report it. The Mai Mai call themselves the ‘soldiers of the population’ and people feel free to report it. There was no consequence for the people who reported it. When complaining to the FARDC there is no solution, so it’s not the same. (Interview May 2015).

Residents living in Nyabiondo held similar views:

Some [of the APCLS] soldiers could commit errors but Janvier was very severe and would punish them. For example there was this one soldier [insert name] that made a mistake and [Janvier] removed his grade. This soldier stole from civilians and he stayed 6 months without any movement (Interview July 2015)

The ability for the APCLS/PARC-FAAL to exercise restraint and limit abusive and extractive behaviour was impressive for several respondents. Even more so, participants were astounded that soldiers were punished when transgressions did occur.

### **Increased Economic Opportunities and Reduction in Criminal Activity**

General improvements to the security conditions also resulted in increased economic activities and opportunities for various respondents. Several respondents noted that they could access their fields, some of which were located in distant and remote areas, since they did not have to worry about being caught in possible crossfire among

opponents. For some, their ability to access these fields, which increased their food production, also made them more tolerant of food collection systems. An elderly woman explained, “People may be poor but they are not missing food because they had access to their fields, especially at that time. Now it may be harder because many people can’t go to their fields [due to insecurity]” (Interview July 2015). Similarly, a tailor noted, “When the APCLS was here there was no fighting so people could go to their fields and this is why people could share their food” (Interview July 2015). These respondents justified their daily food contributions because they had good enough security to access their fields.

However, not every household has access to a farming field. Some people rent fields, usually from someone who has inherited or purchased more than one field. There are others who are traders and do not have the time to farm. Food collections, whether they be at the household level or at on the road to the farming fields, were more difficult for individuals who did not own their field. As one of the youth stated, “Those who didn’t like it [food collection] was because they would have to buy cassava and would find this difficult because it costs money, and then they would have to give some to the APCLS” (Interview November 2014).

Better security conditions were also observed in nearby communities. Informants often spoke about how they had “free movement” during the co-governance period. This phrase has a double meaning as it refers to their ability to move around freely where and when they want, which is sometimes constrained by poor security conditions, but it also speaks to the fact that they did not have to pay at barriers that are deployed throughout the area. The various road barriers that traders and customers are normally exposed to

when trying to carry out their activities in the markets are commonly viewed as major obstacles to economic activity and growth. The “free movement” that residents experienced permitted customers and merchants from nearby villages to also come to their weekly market. One shopkeeper in Sebele recounted, “People used to be afraid to bring their things here to sell. But not during this period [co-governance], you saw so many more people during that period. Those who had taken their business to Baraka and Fizi Centre were coming back here because they thought the situation was fine” (Interview May 2015). In Nyabiondo, a restaurant owner also benefitted from increased market activities. She explained, “When the APCLS and the FARDC were here, my [restaurant] activities were good because I could cook a whole goat and sell the whole thing, but now it is very difficult to finish a whole goat in one day. It [now] takes me three days to sell a whole goat” (Interview October 2014). For this and other restaurant owners, the increased number of merchants and customers, some of which were coming from neighbouring communities, was profitable.

Respondents also observed a decline in criminal activity, which often prevents economic activities. A chief in Nyabiondo stated, “Between Nyabiondo and Masisi [Centre] there were many bandits, but they all ran away because of the APCLS” (Interview November 2015). Similarly in Sebele, a chief explained,

The situation was calm [during co-governance]. Before on Tuesdays [market day] there were so many thieves. But when the Mai Mai [PARC-FAAL] was here there were no thieves. People were also not scared to make movement. These thieves stopped their activities because they were very scared of the Mai Mai judgment, it’s very severe. The Mai Mai had a prison in their camp, an underground one. People would spend three days there (Interview May 2015).

The related increased economic activities that emerged due to the improved security conditions were observed and lamented by several respondents in Nyabiondo and Sebele.

Although the APCL/PARC-FAAL did not provide additional measures to increase this security, they were indirectly praised for fostering these conditions.

### **Speaking Out Against Injustice**

The FARDC's abusive and exploitative behaviour towards the population has generated tremendous indignation among residents in Nyabiondo and Sebele. At times respondents claimed they were disheartened that their own armed forces behaved in these ways, recognizing that issues related to poverty influence the soldier's decisions, while other participants were furious that there are no limits to their abuse and exploitation. One of the most frustrating aspects of the situation is that respondents often felt that they were unable to change these situations. As discussed previously, reporting to chiefs, the police, and the FARDC is often considered to be futile. This has generated a tremendous accumulation of resentment, which at times came out in unexpected ways. According to a chief in Sebele,

The population has lived with the FARDC for a long time and they did bad things to the population. But people were not scared when the Mai Mai [PARC-FAAL] was here. After drinking they could publically say that they were glad that the Mai Mai is here now and that they are free. For example, for one person it was like a song, he could say 'you the FARDC you use to accuse me of being an Mai Mai and now they are here, what are you going to do?' He would say it in front of the FARDC and he knew that they couldn't do anything about it (Interview May 2015)

Being able to publicly criticize or shame the FARDC was perceived to be a way to respond to previous injustice. This broadly relates to what Wood (2003) refers to the "pleasure of agency," which is being able to act for the sake of acting in a context where this was not previous option. Furthermore, displaying any sign of support for armed groups, whether it is verbal or physical, can easily raise suspicion and reprisal by the FARDC. Symbolic gesture or displays of support do occur, often in subtle ways, and in certain circumstances. For instance, I was told of cases in Nyabiondo were women lay down *pagne* [wax-print cloth] on the ground for soldiers to walk on when they visited,

which is a sign of respect. In a separate instance, in Nyabiondo I heard about a priest praying for the Janvier and his soldiers during Sunday mass –who was subsequently punished by the FARDC. The different ways that individuals expressed their preferences or grievances could be construed as a sign of “everyday resistance”, as discussed by Scott (1985). I consider it to be a form of resistance because it legitimized, to a certain point, the important role of the APCLS/PARC-FAAL.

In addition, some respondents framed civilians’ decision to bring their cases to the APCLS/PARC-FAAL as an explicit sign of support towards these groups. According to a female respondent in Sebele, “The Mai Mai [PARC-FAAL] had more influence because most people brought their problems to them. The fact that you bring one or the other your problem shows who you support” (Interview May 2015). Similarly a male respondent stated, “The majority of the people were for the Mai Mai [PARC-FAAL] but some for FARDC, and this shaped where people brought their conflicts” (Interview May 2015).

These actions could therefore also be interpreted as a form of subtle subversion or defiance towards existing systems because they are intended to defy existing norms and unspoken rules. The male respondent cited above indirectly alluded to this as we continued our discussion, “It was a competition because both groups [FARDC and PARC-FAAL] wanted to be seen in this position by the population, and this is why both were doing justice... Both groups wanted to show that they were ruling the population in a good way” (Interview May 2015). Civilians’ decisions on where they brought their case, was therefore not only a sign of backing for one group but also a sign of reluctance to approach the other group and a sign of hidden resistance.

## **Conclusion**

In general, when asked how and why their daily lives improved during co-governance periods, respondents in Nyabiondo and Sebele commonly attributed this to two main factors. First, there were more actors and venues involved in the provision of public services, which gave residents some choice as to how their needs and desires could be addressed. The opposing forces that co-governed in Nyabiondo and Sebele wanted to demonstrate that they were adequately equipped to govern the local population. The competition that emerge among opposing armed groups improved the quality of public service provisions.

Second, security conditions improved during this period, which created new opportunities for some residents. Several respondents claimed that they did not have to worry about listening for “gun shots” and could “sleep better at night,” since a temporary ceasefire had been reached. In turn, some individuals went farming in more remote and distant fields, or expanded their commercial activities, as the roads were considered to be safer. Other respondents went even further, claiming that “order” was restored during these periods in which the opposing sides were forced to behave in a relatively good way in front of each other. These armed actors were reported to have restrained abusive behaviour and kept each other in check. As shopkeeper explained, “Each force wanted to show that they don’t mistreat the population. The Mai Mai would say that they are fighting for the population and couldn’t mistreat them. [If they the did, then the] FARDC could accuse them that if they are fighting for the population then why do they behave like this. Both sides would do this to each other” (Interview June 2015)



This chapter has examined the different ways participants interpreted and portrayed the co-governance periods in Sebele and Nyabiondo. While this analysis focuses on these specific time periods, the following chapter will look at civilian strategies before and after the co-governance period. In doing so, it shows how civilian decision-making and strategies evolve over time and are based on different security and governance configurations.

## Chapter 7: Daily Life After Co-Governance Arrangements

*As my translator and I walked to the market in Sebele during the morning, several individuals were gathered in small groups by the side of the road. The atmosphere was tense; they cautiously looked in both directions, as they whispered among themselves. During breakfast, we learned that there had been a break-in at the market the previous night. Two armed men managed to make their way through the main gates at the market. At gunpoint, they forced one of the kiosk owners to open the door to his shop and forced him to hand over his merchandise. The assailants fled the scene and there is little hope that they will be caught and brought to justice. As we passed the concerned groups of individuals, my translator turns to me and says, “Do you want me to tell you what these people are saying?” I nodded. “They are saying that if the security conditions continue deteriorate in the community, the Mai Mai [PARC-FAAL] will have to come and protect them” (Field notes, June 2015).*

The excerpt above begins to capture some of the concerns that individuals experienced after the breakdown of co-governance arrangements discussed in Chapters 5 and 6. Participants identified two factors that made daily life more unpredictable in the period following the collapse of the co-governance arrangements. First, since the peace truce had been revoked there were concerns that there could be possible armed confrontation among the opposing factions, which continued to operate near their communities. Second, changes to the co-governance arrangements disrupted the previous norms and rules under which these armed groups had been operating. When living in the same community, each armed group was reported to have restrained abusive and exploitative behaviour to show that they were capable of “ruling in a good way”. These operating logics no longer applied for these armed groups. Since Nyabiondo and Sebele were left under the control of the FARDC, most respondents were primarily concerned about predatory behaviour by the FARDC. Many participants described how they experienced constant suspense and tension as the FARDC would find ways to “create

faults” among the community members, in order to extract money from them. These two concerns largely informed the decisions and strategies that respondents adopted in remaking order during this period.

Participants in Nyabiondo and Sebele would often express a deep sense of fear and despair regarding the prolonged nature of armed violence. “We are living by avoiding to be killed” (Interview July 2015), noted a respondent in Nyabiondo, while an informant in Sebele stated, “This is the Congo. People are suffering” (Interview June 2015). However, underneath this anguish, there were also sophisticated understandings of the actors and patterns of violence, which informed a series of strategies aimed at mitigating the variety of threats participants encountered. This involved developing tactics to assess indirect and direct threats, negotiating with and influencing the behaviour of armed actors, and exploiting the presence of opposing armed actors to manipulate threat perceptions. These tactics, which are a form of order reinvention, are the focus of this chapter.

In the following chapter, I demonstrate that prolonged and recurring armed violence in “no peace—no war” contexts shape civilian strategies in two important ways. First, civilians often develop a sophisticated understanding of the actors involved and the patterns of violence that unfold. Second, civilians often learn what strategies are most likely to be successful, typically through trial and error. Although it is unrealistic to expect civilian strategies to radically alter the broader context and actors involved in armed conflict, these strategies can influence specific relations with armed groups and repertoires of violence, thus critically shaping the micro-dynamics that sustain and constrain armed violence.

This chapter analyses the daily security concerns that informants identified, and the varied responses that were used to either prevent or address these challenges. In doing so, it primarily examines relations and interactions that are underpinned by victim-perpetrator and coercion-persuasion dynamics. I demonstrate that civilians not only navigate precarious conditions within armed conflict, but they also exploit these conditions to improve their security situation. The first section of this chapter examines the different ways local communities understood and exploited the leverage they have over armed actors. This is followed by a discussion of specific tactics, including assessing violent confrontation; negotiation tactics; and the exploitation of armed actors presence and possible attacks by opponents.

### **Civilian Support, Collaboration, and Leverage Over Armed Actors**

Scholarship on armed conflict has examined the different ways civilians support, collaborate, or participate with armed groups (see Chapter 2). Civilians can provide armed groups with basic supplies, such as food, clothing and medicine, as well as logistical support by finding a safe place for them to stay or hide, or by collecting or withholding information. Clandestine networks are often formed to facilitate support and collaboration (Parkinson, 2013), often requiring high-levels of commitment and coordination among participants. Despite the dangers that come when one participates in these clandestine networks, there are multiple reasons why civilians offer their support; civilians could be persuaded by the broader objectives and tactics of the armed group, be driven by ideological or moral motives, or have material incentives. Coercion also serves as a motivator (Stoll, 1998), but it is usually not the only one, especially if armed groups are trying to gain sustained support and collaboration.

Discussions with participants in Nyabiondo and Sebele corroborated the different ways civilians support and collaborate with armed groups, and some of the reasons for doing so. However, the extant theories have largely failed to consider the complex social relations that exist between the Mai Mai and local communities. The manner in which the Mai Mai are socially embedded within communities critically shapes the type of interactions that emerge. In Nyabiondo, a participant whom I interviewed on several occasions explained the different ways he covertly supports the APCLS, by providing material supplies and information. When I asked why individuals, like him, continue to support the APCLS for so many years, he noted, “You cannot see your children being attacked without telling them” (Interview November 2014). Similarly in Sebele, an informant, who I also managed to interview on several occasions, stated, “They [PARC-FAAL] are our relatives, although they live in the ‘bush’. Many of us use to live near the forest where the Mai Mai stays. The fact that the population has moved does not mean it has broken the links with them” (Interview May 2015). These individuals were quick to justify their actions based on pre-existing social relations. As discussed earlier, social ties also played a role in covering up and, to a certain extent, excusing the abuse committed by the APCLS/PARC-FAAL (see Chapter 6).

Social relations in the Kivus not only involve family members, but also extend to the broader ethnic community (see Chapter 4 for the territorialization of ethnicity in the region). Accordingly, there is a strong interest in having the Mai Mai gain political power in the state apparatus, as it is perceived that it will help increase the representation and interests of ethnic groups. My conversations with the individuals cited above also revealed these political interests and manoeuvring. On a later occasion, the same

participant in Nyabiondo noted, “If we don’t help them [APCLS], then all of those in the ‘bush’ will die. With them will die the Hunde influence over the government” (Interview November 2014). Another individual stated, “You can’t neglect them [APCLS] because they are the children of this community. We want to see them get power because we are scared of those who have power” (Interview October 2014). Political change in the region is increasingly dependent on armed resistance, a perspective that is shared not only by the elite but also by the non-elite population.

Conversations with participants also showed that they recognize that they have a certain amount of leverage over the APCLS or the PARC-FAAL, which was also factored into their continued support and collaboration. There were two main sources that respondents identified as sources of leverage over these armed groups. First, is the reliance that armed groups have on the local population for basic supplies and information about the FARDC. Second, is the fact that these armed groups need to be responsive (or at least appear to be) in order for them to validate their cause. Some individuals went so far as to claim that the APCLS/PARC-FAAL “cannot survive” without the moral, material and intelligence support of the local population. “It’s true that people protect the APCLS because they are living in the ‘bush’ and don’t have anything, so people bring them food, supplies, etc,” explained one respondent (Interview July 2015).

Participants emphasized the type of material and informational support that they provided to the APCLS or the PARC-FAAL can give them some leverage when they are trying to influence the armed groups’ behaviours. In Sebele, informants explained how keeping the PARC-FAAL’s secrets (e.g. location in the “bush”) not only gave them a

certain advantage in the battlefield, but it allowed these groups to survive. According to a teacher, “If people did not like ‘the people in the forest’ they [could] destroy them [if they wanted to]. Because civilians could tell the FARDC how and where to finish them” (Interview May 2015). While the claim to destroy the PARC-FAAL may seem a bit extreme, another participant who spent several months in captivity with the same armed group reiterated how much the PARC-FAAL depends on the local population. He recalled how one of the biggest challenges while he was in captivity was the need to constantly move when they received information about the FARDC. “When we would hear that the FARDC was coming we had to move, it didn’t matter if it was day or night. ... They [PARC-FAAL] have their people and they have their phone number... this is why it will be impossible to ever catch them” (Interview June 2015).

Similarly in Nyabiondo, some participants also discussed the critical support and intelligence that they provide for the APCLS. According to a tailor, “Civilians protect the APCLS and it’s not a bad thing. For example, they give them information, if you know where the APCLS is hiding, but know that FARDC are close by. Or when the APCLS and FARDC are fighting, the APCLS will run into [hide among] civilians” (Interview July 2015). A respondent who is an active supporter and collaborator with the APCLS explained how these clandestine networks operate, “We verify information for the APCLS, we check [the validity of the information that is provided to them] by consulting different sources. ... For example, we tell them when the FARDC is going to attack them” (Interview November 2015).

In addition to intelligence, participants from both communities spoke about the material support that they provide to these armed groups when they are in the “bush”. As

one of the chiefs in Sebele stated, “The *big* strategy that we use is provide them with food” (Interview June 2015). While this chief was referring to the provision of food supplies when armed groups arrive in their community, this strategy also applies when these armed groups are in the “bush”. In Nyabiondo, a couple of participants explained how they organize food collections on behalf of the APCLS, “We say it [food collection] is for the church or for a visitor in order to hide it from the FARDC” (Interview August 2015). Once the food has been collected the APCLS will ask for one of their supporters to deliver it to their hideout or send someone on their behalf to collect it from the community. In Sebele, an informant told me about money collections that were organized by some neighbours, “There are secret money contributions for them, this initiative came from the people. We can’t let ANR [state intelligence officer] know about this. I have seen it twice. It is not an obligation, you give willingly, but it is top secret” (Interview May 2015). Given the chronic levels of poverty, it would be more difficult for community members to provide monetary contributions, but perhaps it is more feasible with basic food supplies, especially if it is for food staples that are harvested in their fields (see Chapter 6 for different interpretations on the “cost” of food). Respondents also critically emphasized that when the customary chiefs “advocate” for the population (i.e. try to negotiate abuse or exploitation), they would also emphasize the “contributions” that they make towards their cause (negotiation tactics are discussed in the subsequent section of this chapter).

When living under the control of armed groups participants noted that if abuses get to be insufferable, and they are unable to negotiate with these actors, they either flee or threaten to flee, as a last resort. In Nyabiondo, respondents spoke with tremendous



distress about the period in which their community was controlled by the FDLR (see Chapter 5). Many described this to be the “worst of times” as there appear to have been no limits to the level of exploitation or abuse committed by the FDLR. The situation became so dire, that community members decided to flee and hide in the “bush”. While this was a difficult choice, exposing these individuals to grave dangers, it also gave community members some leverage over the FDLR. As an informant explained,

The FDLR could not live without civilians because they could not get “soap”<sup>1</sup> and so they wrote a letter to us [when they were hiding in the forest] so that we would meet with them. For those of us living in the forest we were also suffering [from lack of food and disease]. But the FDLR was also suffering without us. The meeting was like reconciliation because the FLDR had to persuade us to return. Once we return, they could carry out their commerce activities... The FDLR had done so many bad things to us, but they said that they would no longer rape or loot us. Civilians had to trust them because we could not continue living in the forest. We had no choice because the government was not here. When we returned there was a sign of change from the FDLR. For example, the FDLR had their own field where they could [harvest and] sell their produce to the population. Although they took this field by force, we tolerated it. (Interview November 2014).

Leaving or threatening to leave has become an important tactic that local populations use, often as a last resort as there is a high degree of danger involved. Previous scholarship has examined how staying behind, as opposed to fleeing, is sometimes a deliberate strategy adopted by civilians, despite the risks involved (see Masullo 2015; Steele, 2009). However, the literature has not yet considered how threatening to flee an area that is under the control of an armed group is also a strategy employed by civilians in armed conflict. As highlighted by the respondent above, this strategy shows the degree to which some armed groups are reliant on local population to carry out their operations.

### **Assessing the Possibility of Violent Confrontation Among Armed Actors**

Participants were continuously actively monitoring and evaluating the possible occurrence of armed confrontation among armed factions in or near their community.

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<sup>1</sup> A commonly used expression used in the Kivus referring to basic supplies.

Being aware of possible armed confrontation is important for several reasons. First, individuals wanted to avoid being caught in the crossfire, which they averted by either staying inside their homes when fighting broke out, or by fleeing to nearby communities. If armed confrontation was considered to be moderate, most participants preferred to “stay put” as they feared that their belongings would get looted if they fled. Second, security conditions often regulate the type socio-economic activities that individuals can carry out to sustain their families. For instance, they determine whether women can go farming in their fields, or whether they can travel by road to a nearby village to carry out commercial activities. Third, there are often serious repercussions for the population in the aftermath of armed confrontation. Several participants noted that they felt like they were punished for any military losses or casualties endured during the fighting.

Being aware of when and where armed confrontation is likely to occur helps to mitigate these security concerns. Respondents developed several tactics for gathering information about whether an armed group was planning a possible ambush, which could result in armed confrontation. The tactics participants used were contingent on the type of relations community members had with the armed faction. Below, I discuss the different strategies respondents used for each armed group.

When it came to assessing the possibility of armed confrontation, participants noted that they were generally in a disadvantaged position when it came to the FARDC. Respondents did not have the same level of access or trust to obtain information from the FARDC. The close ties that exist between the APCLS/PARC-FAAL and the respective communities could also dissuade the FARDC from divulging sensitive information. Despite these obstacles, participants tried to distinguish whether the FARDC movements

were regular patrols or preparations for combat. To determine this, participants learned to closely monitor the daily routines and habits of the FARDC, which was feasible because they were stationed on the outskirts of their community. Anything out of the ordinary, including the arrival of new soldiers or weapons, or visits by higher-ranking commanders, was taken note of. Although some individuals did serve as spies and collected this information for the APCLS or the PARC-FAAL, most individuals were simply trying to calculate the probability of armed confrontation to avoid being trapped between the “two lions”. According to a female respondent, “We know the behaviour of the FARDC. When they are going to fight with the APCLS, they can kill anyone within sight, so we have to flee before. The *mutembo* are sometimes [warned by the FARDC] so they can tell civilians [if there is going to be a battle]” (Interview August 2015). While it is likely that this female respondent was exaggerating about the FARDC’s predisposition to “kill anyone in sight,” her observations suggest that these soldiers are more tense and irritable before combat. These are the types of subtle yet critical observations that individuals make to assess security conditions.

To determine whether the APCLS /PARC-FAAL was planning an attack on the FARDC participants adopted a different set of strategies. To begin with, respondents claimed that if the APCLS/PARC-FAAL were preparing an attack, they would warn the community beforehand. This belief reinforced the notion that the Mai Mai are a source of protection for the community. In Sebele, a farmer noted, “The Mai Mai [PARC-FAAL] warn us before they fight. They tell us so we can leave and protect ourselves ... when they meet people who were going to their fields, they would tell them to come back to take care of their children because there is going to be a fight” (Interview July 2015).

This farmer continued to explain that when fighting broke out between the PARC-FAAL and the FARDC in August 2013, it was his sister who was first to be warned by the PARC-FAAL that there was going to be a possible fight with the FARDC. Upon learning about these events, his family was able to take refuge in Kazake, a neighbouring village.

In Nyabiondo, a shopkeeper explained similar tactics, “If there is going to be a fight, they [the APCLS] warn civilians. They meet people in their fields and tell them to spread the news to others, or one of them will come to the village to deliver the message to the *mutembo*, who [is tasked with] telling others. Sometimes this information can be wrong, but when the *mutembo* hear this information they can help verify” (Interview May 2015). As this shopkeeper explained, rumours about possible armed confrontation can quickly spread in the Kivus, circulating not only within communities, but also making their way to neighbouring communities. This makes it difficult to distinguish from “early warning” signs that the APCLS/PARC-FAAL may be trying to send to the community.

When participants did hear of a possible attack by the APCLS or the PARC-FAAL they had different ways to verify this information. As noted above, some individuals turned to customary chiefs, while others relied on other social networks. Many of the APCLS/PARC-FAAL combatants have family or friends that live in either Nyabiondo or Sebele.<sup>2</sup> The APCLS/PARC-FAAL remained in contact with their family or friends, mainly through text messages or calls, but also through impromptu visits. Disguised in civilian attire, members of the APCLS and the PARC-FAAL frequently come to Nyabiondo or Sebele during market days where they can easily blend in, and replenish basic supplies for the group. During the co-governance period, the

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<sup>2</sup> For instance, different respondents told me that one of General Karairi’s brothers lived in Nyabiondo, and that General Yakatumba’s bodyguard has his family was in Sebele.

APCLS/PARC-FAAL's family and friends were criticized for receiving privileges, especially in tainting the outcomes of conflict resolution processes due to their close links with these armed groups (see Chapter 6). However, in the post-co-governance period these individuals served as an important resource by providing early warning of escalating tensions between the Mai Mai and the FARDC.

Respondents' ability to verify information was contingent on the type of relations they had with the APCLS/PARC-FAAL's family or friends. If they were close to these individuals they could directly approach them and ask them to verify the information they had received. According to a male youth in Sebele, "They [PARC-FAAL] are in the forest but their relatives are here, and they would tell them if they are serious or not [about coming to fight in Sebele]. We turn to these people for information" (Interview June 2015). If a participant does not have access to the APCLS/PARC-FAAL family or friends, then she/he could simply observe them to decide whether they should flee or not. A woman in Nyabiondo explained,

[We] listen to what is going on. Before [armed confrontation] we usually have some rumours ... If [an APCLS] Commander plans to make an attack he cannot leave his relatives to die ... In case you hear these rumours you observe neighbours who have relatives in APCLS to see what they do. You [may not be able to ask] them directly, but if you observe them [to] confirm [what is occurring] (Interview August 2015).

Once information about a possible armed confrontation was confirmed, some participants claimed that they were able to persuade armed groups to change the timing or location of their proposed attack. Respondents explained that this was feasible with the APCLS/PARC-FAAL because they did not want to be "blamed" for casualties. In fact, some respondents insisted that these armed groups would purposely avoid fighting the FARDC in or near their communities because of the dangers that this would place on the population. A teacher in Sebele stated, "They [PARC-FAAL] are very strong and they

could chase out the FARDC out of Fizi but they don't do it because they feel pity on civilians who may die during the fight" (Interview June 2015). In Nyabiondo it was explained, "The APCLS only fights when the FARDC go and provoke them. They cannot come here and fight" (Interview June 2015).

When asked to provide an example of when the APCLS/PARC-FAAL has demonstrated restraint in armed confrontation, several respondents pointed to the end of the co-governance periods. In particular, they noted that when previous ceasefires with the FARDC fell apart during the co-governance period (e.g. February 2014 with the APCLS and August 2013 with the PARC-FAAL), these groups retreated to avoid inflicting harm on the population. According to a female youth in Sebele, "When the Mai Mai [PARC-FAAL] and the FARDC had their misunderstanding, the Mai Mai said they couldn't fight [in Sebele] because of the population. They decided to leave by themselves" (Interview May 2015). A male teacher had similar observations,

When the Mai Mai [PARC-FAAL] were about to fight in Sebele, their parents and relatives asked them: 'Are you really able to fight FARDC? You are not strong enough'. And this is why they [PARC-FAAL] stopped. The Mai Mai use to stay in the 'bush' because if they come here the population would tell them that we don't need you here because if you are here you will start fighting with FARDC. This is why they live in the 'bush' (Interview May 2015).

In Nyabiondo, there was a lengthier confrontation among the armed groups, but participants interpreted events similarly:

It's hard to explain how it all started, but the FARDC attacked the APCLS... The 'big fight' lasted for three days. It started on Saturday and continued until Monday. The APCLS resisted at first, but then Janvier [leader of APCLS] told his soldiers to leave to avoid civilian deaths. They went back to the forest... He [Janvier] did this because he felt pity on the population. I know they were strong because we saw lots of the FARDC die (Interview July 2015).<sup>3</sup>

Of course, it is quite possible that the APCLS and the PARC-FAAL retreated from these communities because they did not have enough soldiers, weapons or ammunition to

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<sup>3</sup> Accounts regarding the length of the fight between the APCLS and the FARDC varied; some respondents explained that it lasted for a few days while others noted that it lasted for weeks (see Chapter 5).

continue fighting with the FARDC. However, the manner in which these actions were interpreted and portrayed by participants from both Nyabiondo and Sebele is important because they demonstrate common perceptions that these armed groups are “protecting” their respective communities. Many participants insisted that the Mai Mai either refrained from coming to their communities or quickly retreated so that the population would not be caught in the crossfire. If an attack was scheduled, participants perceived themselves as having some leverage over the armed groups that could be used to prevent civilian casualties. This also shows that participants perceived that they have some leverage over these armed groups in ways similar to those that has been explored in other case studies in Colombia and Syria (See Kaplan 2013b).

When it comes to patterns of armed confrontation, participants paid close attention to which armed actor initiated the fighting and how the other armed group responded. In explaining this, respondents demonstrated that they shared certain collective norms and beliefs concerning appropriate conduct in armed conflict. In general, informants claimed that the Mai Mai normally sought to prevent civilian casualties by purposefully avoiding fighting in populated areas, as explained above. However, there were certain incidents when the Mai Mai were perceived to be justified in responding militarily. In Nyabiondo, a mother explained, “The APCLS only fight when the FARDC go and provoke them. The APLCS [will then] have to make revenge and when the APCLS meet people on the road they can tell them that they are coming” (Interview July 2015). Similar observations were made in Sebele, “The Mai Mai [PARC-FAAL] came from the ‘bush’ to fight the FARDC because they provoked them, but the civilians told them no, if you come we will die” (Interview June 2015). The narration of these stories

often purposely attributed responsibility for the loss and suffering that was incurred during the fight to the FARDC.

Paying attention to which actor initiated the fight is important because of the repercussions that occurred in the aftermath of armed confrontation. Several respondents explained that they felt like they were being “punished” after armed confrontation. “Your children are making us suffer,” was an expression that was repeated to me on several occasions, which was a reference to military losses that the FARDC endured in armed combat with the APCLS/PARC-FAAL. Because exploitation and abuses by the FARDC tend to increase after armed confrontation (also see Chapter 5), some participants were critical of the purpose and overall timing of Mai Mai “visits” to their communities. A male youth residing in Sebele explained, “When the Mai Mai [PARC-FAAL] come [to our community], some [people] do not like it. Especially if they only come for a short time and then FARDC harassment increases afterwards. [The FARDC will say] ‘Your brothers came and you were happy’” (Interview June 2015).

#### *Negotiating with Armed Actors to Curtail Predatory Behaviour*

Discussions with the participants in Nyabiondo and Sebele revealed varying levels of success when trying to negotiate with either the FARDC or the Mai Mai. Participants explained how they utilized different types of resources, both symbolic and material, to influence armed groups. The type of resources individuals used was largely dependent on the type of relationship that they had with the particular armed group, and the degree to which the armed group was concerned about its reputation. To understand the challenges of negotiating with the FARDC, it is useful to situate these challenges in relation to the different opportunities that existed in relation to the Mai Mai. In this



section, I therefore I also look at some of the negotiation tactics participants adopted when living under the control of the Mai Mai.

In previous chapters, I have discussed the different ways that some participants purposely portrayed glorifying images of the APCLS/PARC-FAAL. Discursively, they would commonly refer to them as our “saviours” or as our “protectors”. To varying degrees, participants also took certain actions to convey this image. This involved avoiding or refusing to discuss any abusive or exploitative behaviour committed by these armed groups, or trying to situate these abuses in a broader context by comparing them favourably to other armed groups so they appear to be relatively less severe. Some respondents confirmed these strategies that I was observing. They told me that those that have family and friends within the APCLS/PARC-FAAL will often “cover” for them in order to protect them (see Chapters 3 and 6).

Beyond the allegiances that some individuals have towards these armed groups, there are also high levels of fear and distrust in these communities, which could also make them more hesitant to speak negatively about these armed groups. According to a male respondent in Sebele,

Civilians also report to the Mai Mai [PARC-FAAL] that this person was saying these bad things of you and then this person will be taken. They do this because maybe they don't like that person or maybe because they are such fanatics of the Mai Mai that they want to eliminate their enemies. In most cases it is true. Even now you have to be prudent when to talk about Mai Mai because you don't know who will bring information to them (Interview May 2015).

Many individuals feared that if they spoke negatively about these armed groups, the groups would find out and they would have to face the consequences. Respondents would often say, “even if a snake walks at night, you will see that it was there in the morning” referring to the sneaky ways different spies, supporters or collaborators operate within their communities.

Other respondents went even further, trying to provide me with “false evidence” about the atrocities of the FARDC in order to justify the presence of the APCLS. During the time of my field research, there had been several massacres in Beni, located in the north eastern part of North Kivu, carried out by the Allied Democratic Forces-NALU<sup>4</sup> (ADF-NALU) and the FARDC (see Conflict Research Group, 2017; Human Rights Watch, 2014; UN, 2016). While my translator and I had been in Sebele from May to June 2015, there was a video that was being circulated via text-message about the decapitation of several community members, which was supposedly carried out by the ADF-NALU. While I could never bring myself to watch, my translator, like many others, had seen the video with tremendous horror. When we went to Nyabiondo from July-August 2015 the same video was being circulated among community members. One respondent that I had met on my previous trip in 2014 was trying to make the point that the APCLS was still very much needed because it protected the people from the FARDC. “Let me show you what the FARDC are capable of,” he said. “This is a video of a recent massacre that the FARDC committed here in Masisi, just outside Nyabiondo,” he continued. He pulled out his phone and began to play the same video that took place in Beni. Again, I refused to look at it, but my translator told me afterwards that it was indeed the same video that he had seen in Sebele.

Referring to the Mai Mai as “saviours” was not only done to create certain appearances about the role of these armed actors in their communities, but it was also utilized when negotiating with these armed groups, particularly when they were becoming increasingly abusive towards the community they claim to protect. One of the

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<sup>4</sup> For a background on ADF-NALU see Fahey, 2016; Scorgie, 2011; Tamm, 2016; Titeca & Vlassenroot, 2012.

chiefs in Nyabiondo explained, “The APCLS say that they are here to protect civilians and their property. And when we advocate [speak against] their abuses, we utilize this sentence” (Interview October 2014). A participant in Sebele witnessed similar tactics, “Success in negotiations depends on how the chief talks to them [PARC-FAAL]. [They can say] ‘If you don’t change, then I’m going to tell the civilians to leave.’ This would mean that the Mai Mai would not be here for the protection of the population and this is why they would leave” (Interview June 2015). Reminding armed groups that their main objective, which is supposedly to protect the population, is an important strategy employed to prevent or dissuade violent behaviour. As Verweijen (2015) explains, the local population needs to believe in the Mai Mai discourse for it to be effective. The Mai Mai will occasionally give in to civilian requests to maintain their reputation among the civilian population. Individuals are aware of these dynamics, and deftly use them to their advantage.

Respondents also explained that it was easier to negotiate with the APCLS/PARC-FAAL than the FARDC, because the Mai Mai were more sympathetic towards the suffering that the local population faced. In Sebele, a woman that sells produce at the market stated, “The Mai Mai [PARC-FAAL] collect food and try to make it an order... There was a time that if food collection delayed they would take food by themselves [from the market], but the chief insisted that they stopped” (Interview May 2015). Similarly, if an individual had been detained by the PARC-FAAL, the chief could use the same strategy. According to one of the chiefs,

It’s much easier for the chiefs to plea with Mai Mai than the FARDC. They can ask for forgiveness for the person. [They can say] ‘Can you look at the situation, the people here are suffering in this country. How can you detain this person?’ Before the person is released, that individual can help build a small house if he doesn’t have money [to pay for his crime] (Interview June 2015).

Some individuals attributed this general compassion and sympathy for the local population to the shared social relationships and identities.

Other participants stressed that to be successful in negotiations with the Mai Mai, one needed to provide material contributions. As explained earlier, material and intelligence support gave community leaders and members a certain amount of leverage. This was particularly the case when they were trying to negotiate with these armed groups. A shopkeeper in Sebele said, “When you talk to the [PARC-FAAL] commander, you bring food to influence his decisions” (Interview June 2015). However, other individuals considered these material contributions to be exploitative. A hairdresser in Sebele explained, “I know the Mai Mai work for the population but they also mistreat the population...For example, they collect food... [or they] take things from the population without asking” (Interview May 2015). After decades of armed violence, it was not surprising that many participants experienced “war fatigue” (see also Verweijen, 2015). While some considered these material contributions as a relatively easy way increase their safety, others were fed up and viewed this as form of exploitation. One of biggest challenges identified by participants was that they were constantly “starting over,” when they lost their belongings as a result of fleeing or being looted, which kept them in a chronic state of poverty.

When asked about their ability to influence the behaviour of the FARDC, participants often recalled relying on individuals in leadership positions, such as a customary chief or a local government official, to advocate on their behalf. However, these external interventions were not often successful, for two main reasons. First, the respect and influence of the chiefs has diminished in the context of increased

militarization (see Chapter 6). Because of this, several respondents noted that the chiefs are unable “to do anything” and there was no point in reporting these abuses to them. Second, the extortionist practices by the FARDC are often an important source of income (see also Lauditi, 2013; Verweijen, 2013). It was often explained that, the FARDC will “create faults” with the population to extract money from them, especially when their salary was delayed. It was only when there was concerted pressure from multiple sources—the chiefs, the local government, and possibly MONUSCO—that the FARDC would sometimes suspend these practices. However, the FARDC often resumed their activities when this pressure eased.

Although negotiating with the FARDC was perceived to be more difficult than with the Mai Mai, it was not impossible. Most participants noted that to be successful a material exchange was necessary. In Sebele a female respondent noted, “They [the chiefs] need money to succeed. If you don’t have money you can’t succeed. They [the FARDC] don’t care about justice [or about] who is right or wrong. They only care about money” (Interview June 2015). As highlighted by some respondents, the APCLS and the PARC-FAAL were also influenced by material offerings during negotiations. However, compared to the FARDC, the Mai Mai groups offered more room for negotiation and were more amenable to different tactics – both symbolic and material.

As these examples show, daily negotiations that occur between civilians and armed groups in the Kivus and elsewhere (see Kaplan 2013b) are critical to our understanding of war dynamics and repertoires of violence and nonviolence alike. However, the scholarship on peacebuilding has primarily focused on formal peace negotiations between armed groups and the state under the auspices of international

actors, without looking at the informal negotiations and compromises that civilians most affected by war undertake on a daily basis.

*Exploiting the Presence of Armed Actors and Possible Attacks*

As demonstrated in the previous sections, participants in Sebele and Nyabiondo recounted many difficulties in negotiating with the FARDC. Changing the FARDC's behaviour often required third party intervention, but even this was not always effective. At the time of my research, civilians' concerns about and exposure to FARDC abuses was much higher than Mai Mai abuses, as the FARDC was deployed within their communities, whereas the Mai Mai were in the "bush". To curtail the predatory and abusive behaviour of the FARDC, individuals also used deception as a strategy. One of the most salient examples of this was found in Sebele.

Participants in Sebele spoke with tremendous pride about the PARC-FAAL's protection of their community. When I asked how the PARC-FAAL could protect the community from the "bush," several participants told me about letters that were sent by the PARC-FAAL to warn the FARDC of their "bad behaviour". According to these respondents, there was a period when abuses committed by the FARDC escalated to a point that was no longer tolerable. Young men were at constant risk, arbitrarily detained on a regular basis; at worst, they were accused of being members of PARC-FAAL, while at best they were accused of collaborating with them. It was recalled that during this period, community members awoke one day and found letters scattered around the community. These letters were directed towards the FARDC, and warned that if they did not stop mistreating the youth, the PARC-FAAL would come and attack them in Sebele. Some respondents claimed that the FARDC became fearful of a possible confrontation

and subsequently changed their behaviour, at least for the short term. Several participants considered this a concrete example of how the PARC-FAAL managed to protect their community even when they were not living in it.

After hearing this story, I asked other participants about it. After sharing the story with my friend “Therese,” she told me that I had been fooled. She explained that I needed to hear the “real” story behind these letters. Therese confirmed that for a time the FARDC had been particularly abusive towards the youth, and that letters had been scattered around the community warning the soldiers about their bad behaviour. However, she (and others later) insisted that these letters had not been sent by the PARC-FAAL, but rather by a group of youth from the community, to intimidate the FARDC. Nevertheless, many of the community members appeared to believe that these letters had been sent by the PARC-FAAL.

This anecdote shows the innovative ways that individuals try to “reinvent order” in their daily lives. The presence of opposing armed forces creates tremendous risk for civilians in the Kivus; however civilians have also learned to take advantage of these risky and uncertain conditions to advance or at least protect their own interests. In fact, several respondents in Nyabiondo and Sebele noted that the clandestine networks that they have established are also responsible for observing and reporting how the FARDC is treating civilians. This reiterates the notion that the presence of the Mai Mai, even if they are in the “bush,” can “put limits” on what the FARDC is able to do (see Chapter 6). By leveraging the presence and potential for attack by the PARC-FAAL, civilians were able to constrain some of the extortions and predations committed by the FARDC. In a context

of “no peace—no war”, individuals creatively utilize all available resources and tactics to assess and navigate responses to threats.

## **Conclusion**

This chapter has examined prevalent security concerns among participants in Nyabiondo and Sebele in the period following the co-governance arrangements discussed earlier. In doing so, it has analyzed different strategies they pursued to prevent or mitigate these risks. This includes assessing prospects for violent confrontation, negotiating limits to abusive and exploitative behaviour of armed groups, and using deception as a strategy of last resort. I argue that the prolonged nature of armed violence has shaped their strategies in two ways.

First, civilians have a comprehensive understanding of the actors involved and the patterns of violence that unfold in their communities. They were able to identify particular periods and conditions under which predatory and abusive behaviour is likely to increase (e.g. when the FARDC’s salary is delayed or when they lose in battle). Second, civilians often learn what strategies are most likely to be successful, typically through trial and error. For instance, they learned that “threatening to flee” can often increase their leverage over armed groups.

These strategies provide critical insights into how civilians navigate violence in areas where the state and/or the international community are not commonly relied upon for protection. International missions working in areas of prolonged violence need to consider how best to support and integrate these strategies into existing activities. However, we need to be careful that civilian protection strategies are not reduced to



another standardized checklist or toolkit used by the international community. Paying close attention to the micro-dynamics of armed conflict is one way to prevent this.

## **Chapter 8: Conclusion**

Despite having undergone a wide range of peacekeeping, stabilization, and peacebuilding activities, the eastern DRC remains trapped in a chronic state of “no peace—no war”. The proliferation and fragmentation of armed groups continues to disrupt the daily lives of individuals and communities in the region. The state’s lack of monopoly over the use of violence has created a situation of permanent competition, negotiation, and collusion with the various armed actors operating in the region, who actively compete over the exercise of public authority and deliver a range of basic services to bolster their legitimacy. As Vlassenroot, Mudinga, and Hoffman (2016) write, “Their eagerness to be seen as legitimate providers of security and protection reflects a larger struggle over the right to rule territory, to authority and to resources” (p. 42).

Sudden and erratic changes to administrative control of communities by armed actors are a major concern to many living in the region. These dynamics have resulted in two prevailing narratives of the armed conflict, which were widely evoked during my field research in Nyabiondo and Sebele (see Chapter 1). First, armed violence is no longer perceived as exceptional, but as a recurrent, commonplace event. For many people residing in this region, armed violence has become an expected part of daily life, whether it is actively occurring or an imminent possibility. The second narrative centers on a “certainty of uncertainty” about the future, due to widespread anticipation that armed violence could resume at any moment. As many respondents explained, they are living in a situation “where you can never know what will happen next”. These prevailing narratives concerning the armed context are important because they influence people’s

decisions and strategies. In particular, these narratives shape the calculations and risks that civilians are willing to take when they respond to armed actors and their violent repertoires.

Through political ethnography, involving eight months of field observations and interviews with nearly 200 participants, I analyzed the different ways in which individuals cope with, navigate, and, at times, exploit armed groups they encounter in their daily lives. Specifically, I examined fluctuating governance arrangements that emerged among opposing armed actors in Nyabiondo and Sebele, a focus which provided a more fluid, dynamic account of lived experiences in the region. As I argue, the instability and unpredictability of the eastern DRC has shaped civilian agency in two ways. First, participants often compared levels of abuse and exploitation carried out by the various armed groups, comparisons which served as reference points for what would and would not be accepted or tolerated. An implicit hierarchy of violence is revealed, varying according to the type of relations armed actors have with civilians. Second, participants value predictability in their daily lives, and tolerated certain levels of extraction if they became part of daily routines and it enabled the pursuit of economic activities and other aspects of daily life. For instance, respondents noted how difficult it was to recover from pillaging or looting, whereas they could at least prepare for food collection and road barriers.

The different narratives and strategies adopted by civilians in Nyabiondo and Sebele demonstrate the nuanced ways in which they constantly “reinvent order” in the day-to-day, a conceptual framework that I draw upon for my analysis. Often reduced to mere “coping” or “survival” strategies, these day-to-day practices can in fact be

considered expressions or forms of order reinvention and play a critical role in the lives of individuals of liminal socio-economic and political status. As some scholars explain, these strategies are often the only alternatives afforded to these individuals (see Larmer et al., 2013).

Importantly, the tactics and strategies used by civilians are informed by a sophisticated body of knowledge about the context and its actors. As such, these strategies have the potential to better inform peacekeeping, stabilization, and peacebuilding activities in the region, which have, in large part, produced meagre results (see Chapter 4). By analyzing these tactics and strategies, scholars capture not only how individuals acted within a given context and why but also what they thought they could do (see Vigh, 2008). As Kaplan (2017) explains, “Communities can only choose and implement strategies they know of and for which they have information to assess prospects for success” (p. 59). Kaplan refers to the “epistemic constraints”<sup>1</sup> faced by local communities, noting that “a calculation process underlies decision-making” in these contexts, whereby individuals and communities assess risk levels before adopting a strategy and weigh the “expected utility,” the probable benefits and constraints, of a given approach. An assessment of such strategic decision-making and outcomes provides scholars with critical insights into epistemic constraints and expected utility.

While it is ambitious to claim that the different strategies under review, played a major role in transforming actors involved in armed conflict or the broader context of the conflict, they did influence specific relations between communities and armed groups and their repertoires of violence, critically shaping the micro-dynamics that both sustain and constrain armed violence in the “everyday”.

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<sup>1</sup> Kaplan's “epistemic constraints” refer to the availability of ideas about different strategies.

## Ordering “No Peace—No War” Contexts

Four underlying aspects of a “reinventing order” framework influenced my initial conceptualization of how “order” is constituted and practiced. First, order is broadly defined as a fluid and dynamic *process*,<sup>2</sup> without a clear beginning or end; it is constantly being imagined and practiced, depending on power relations and dynamics. Second, the fluidity and dynamic dimensions of order among “ordinary” people often result in multiple rather than singular responses. As Trefon (2004) explains, the “[order reinvention] process is far from harmonious or uniform” (p. 2). Third, the framework opens the analytical space to being attentive to the innovation, ingenuity, and creativity of ordinary people typically excluded from our analytical gaze. Fourth, with a prevailing focus on ordinary people, the order reinvention framework is particularly useful for uncovering intuitive, habitual, and routine strategies that are methodologically difficult to observe, as they are so common to those practicing them they are seldom acknowledged or reported, even by the participants themselves.

While the reinventing order concept serves as an overarching framework, the evidence collected from participants in Nyabiondo and Sebele indicates the importance of examining different types of order reinvention. In particular, there are different practices of *order making* and *order contestation*, types of order reinvention that serve slightly different purposes, which I will further distinguish below. Analytical refinement of this conceptual framework is important, as scholars run the risk of interpreting every tactic,

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<sup>2</sup> Worrall (2017) explains that previous scholars tended to point to particular “ordering mechanisms.” For instance, Marx focused on economic relations, Durkheim on shared norms, and, lastly, Parsons on societal institutions, which are framed through culture (see p. 713). Giddens’s (1984) theory of structuration looked at the co-constitution of order through structures and agency.

strategy, or expression as way to “reinvent order.” Furthermore, scholars should not assume that ordinary people are only responding to situations of hardship (see Lubkemann, 2008 for a similar critique). I argue that, through their actions, ordinary people are also contesting the prevailing order, thereby showing elements of defiance and resistance.

In *order-making* situations, individuals are typically responding to gaps caused by the suspension or absence of public services normally provided by the state. Scholarship on the DRC has documented several examples demonstrating how critical services, such as health and education, are constantly being negotiated and implemented by non-state actors (see Chapter 1). *Order-making* practices are adopted to fill the gap and avoid further disruption of such basic necessities. However, this scholarship has primarily focused on the role of “service providers” rather than “service users” in these new organizational and institutional formations. Service providers often vary, from customary chiefs, religious leaders, civil society, or the police, to armed state forces or even armed groups (see Chapters 1 and 4).

In situations of *order contestation*, individuals are not sidestepping the state as they often do in *order making*. Rather, they are displaying subtle expressions of defiance and resistance toward those in positions of authority, in part, out of deep frustration and with the aim of inducing better forms of governance norms and practices. While *order contestation* practices usually avoid direct confrontation with authority figures, the varied expressions and actions employed do question the legitimacy of these actors. *Order contestation* practices bring to mind Scott’s (1985) notion of “everyday resistance” and Wood’s (2003) concept of the “pleasure of agency”. While Scott’s work focuses on

peasants in Malaysia, Wood looks at peasant insurgents in El Salvador. Although the communities studied by Scott and Wood differ in their use of violence, they have intersecting motivations. These scholars both found that a critical motive for their participants was the realization of some form of justice in the face of systemic oppression and exclusion.<sup>3</sup> Scholarship on the DRC offers fewer insights on such order contestation practices, especially from the perspective of ordinary people (for an important exception, see de Heredia, 2013, who focuses on everyday resistance against statebuilding).<sup>4</sup>

Another way to distinguish these concepts is to think of *order making* as means of restoring authority, whereas *order disruption* disrupts authority with the hopes of holding it more accountable. Both concepts, however, fall within the order reinvention rubric. A slight refinement of the “reinventing order” framework allows for a more inclusive and subtle analysis of the daily practices of ordinary people. To get a better understanding of how the different forms of order reinvention unfold, I will summarize and position my main empirical findings according to the notions of *order making* and *order contestation* described above.

### **Order-Making**

In Nyabiondo and Sebele, *order-making* practices are evident with regards to security and justice. The ways in which the attendant services were provided varied substantially during and after the co-governance period. Unlike existing scholarship, which primarily focuses on service providers, I focus on service users, indispensable recipients of service provision. While, for the most part, civilians themselves were not

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<sup>3</sup> Wood (2003) identifies additional motives, including building a more just world and having the courage to be involved in it, as well as simply expressing one’s identity as a combatant (p. 257).

<sup>4</sup> See also Eriksson Baaz and Stern (2017) for a brilliant account of the contestation of security sector reform by the Congolese armed forces, and Eriksson Baaz and Verweijen (2016) on the agency of army wives.

involved in service provision, the different ways in which civilians navigated and negotiated around basic services related to security and justice offers some evidence of *order-making* practices in these sectors. To be sure, the arrangements that emerged were far from adequate or sustainable. I agree with Meagher (2012) that the ensuing arrangements reinforced, to a degree, patterns of domination, exploitation, and exclusion typical of the state (see Chapter 2 for a discussion of her work). Drawing on case studies in the eastern DRC and Nigeria, Meagher distinguishes between governance arrangements “based on power without legitimacy” and those with “social legitimacy without power”. Building on Meagher’s analysis, I argue that the co-governance arrangements implemented by the APCLS/FARDC and the PARC-FAAL/FARDC create a blend of the two categorizations: social legitimacy with *circumscribed* power. These armed groups exercised authority and exerted their influence in key sectors, affecting the power of other authorities in the community, such as the FARDC, police, and customary chiefs, in addition to the general population (see Chapters 5 and 6). The armed groups were also able to exercise power in this circumscribed way due to the specifics of how co-governance arrangements were forged (i.e., peace negotiations and the promise of military integration). The other factor that played a key role was the presence of pre-existing social ties/relations between the APCLS/PARC-FAAL and local communities. Identities shared between combatants and community members facilitated support and cooperation. In sum, the armed groups’ coercive and extractive capabilities were not alone in influencing the manner in which they governed.

#### *Security Provisions and Protection Strategies*

There are stark differences in civilian strategies to mitigate risk and increase



safety during and after the co-governance periods. Most participants from both Nyabiondo and Sebele agreed that security conditions improved during the co-governance periods. As stated earlier, the opposing armed factions in Nyabiondo and Sebele restrained their abusive behaviour to illustrate they were “ruling in a good way”. Most markedly, the FARDC soldiers were perceived to no longer “do as they wished” in the communities. And while the behaviour of the FARDC was considered to have been influenced by the presence of the APCLS/PARC-FAAL, it was community members who played a more active role in ensuring that the APCLS/PARC-FAAL also controlled their own behaviour.

During the co-governance period, many participants attributed the APCLS/PARC-FAAL’s success in restraining abuses by their own troops, and thus providing security to the communities, to the disciplinary and accountability mechanisms employed by armed groups. However, as several incidents discussed previously have illustrated, many respondents’ interests were served by purposely portraying the APCLS/PARC-FAAL as “saviours” (see Chapters 3, 6 and 7). A careful analysis reveals that civilians had their own strategies to mitigate armed groups’ abusive behaviour when disciplinary and accountability measures failed. When negotiating with these actors, participants drew upon a combination of material and symbolic resources. Reminding the APCLS/PARC-FAAL that their main objective was to “protect” the community acted as a means of fostering accountability and responsiveness, and respondents would strategically refer to them as “our saviours” or “our protectors” during negotiations. In comparison to dealing with the FARDC, respondents claimed it was generally easier to negotiate with the APCLS/PARC-FAAL, who were more sympathetic to the “hardship” and “suffering”

endured by the communities. “Can you look at this situation?” a chief recalled asking the PARC-FAAL, while another reminded the APCLS that “we are already suffering” (cited in Chapter 7). These discursive tactics show the importance of symbolic gestures in daily negotiations in contexts of prolonged violence. These *order-making* practices were particularly successful because of the intricate ways in which the APCLS/PARC-FAAL are socially embedded within the respective communities. When dealing with the FARDC, community members found these symbolic measures to be less effective due to the greater degree of separation between the troops and civilians.

In terms of material resources for negotiation, although there were different arrangements in Nyabiondo and Sebele, providing daily or weekly food provisions to armed groups was an essential strategy that helped to “calm the tensions and avoid bad things to happen to the population,” as one participant astutely noted (cited in Chapter 6). While debate occurred about whether food collection was a mandatory or voluntary response by civilians, most people agreed that the population had to “cover the cost” of the combatants, which the Congolese government had failed to do when these arrangements were created. Thus, participants drew upon *débrouillez-vous* (fend for yourself) logics and practices, to which they were already so accustomed with respect to basic service provision, in order to manage security practices concerning armed groups in their communities.

After the unraveling of the co-governance arrangements, the power dynamics among the armed factions changed, impacting the strategies adopted by the local population. Security concerns experienced by respondents prior to the co-governance period resurfaced. In particular, participants worried about two things: possible armed

confrontation between the APCLS/PARC-FAAL and the FARDC, and civilian abuses committed by the FARDC, who remained present in their communities. The various strategies and responses adopted to mitigate these concerns are examples of *order making*.

As participants began to worry about armed confrontation, they assessed the possibility of this occurrence through a variety of tactics. They monitored the FARDC troops' behaviour to see if the soldiers were preparing for combat or simply going out on their regular patrols. Respondents paid attention to daily rumours circulating throughout the community, which often spread prior to an attack by the APCLS/PARC-FAAL. To verify the veracity of these rumours, respondents turned to individuals who had close familial or friendship ties to the APCLS/PARC-FAAL. If unable to speak with these individuals, participants observed them, to determine whether they were carrying out their daily activities or preparing to flee. Upon learning that an attack was planned, some participants went further, claiming that they could dissuade the APCLS/PARC-FAAL from fighting in their communities. "Are you really going to fight the FARDC? You are not strong enough," a father was reported to have said to his son, a PARC-FAAL member (cited in Chapter 7).

With respect to the concern about FARDC abuses, participants' worry increased when they felt they could no longer rely on the APCLS/PARC-FAAL to restrain the army. It was widely noted that the FARDC "created faults" within the population to extract money, a daily source of tension and suspense. According to some respondents, this behaviour was attributable to delayed salaries, which, even if received, were highly insufficient. Some studies have found that cooperating in "income generating" is a

strategy adopted by some civilians (see Laudati, 2013; Verweijen, 2013). While I did not find evidence of such arrangements in my own research, it is possible that they existed. I did find, however, that civilians may have played a cunning role in *order making* with respect to the FARDC. For example, when FARDC abuses seemed to increase to unprecedented levels, the youth in Sebele used deception as a strategy. They wrote letters on behalf of the PARC-FAAL, threatening to attack the FARDC if its behaviour went unchanged, appropriating the Mai Mai name and reputation to gain leverage against the FARDC.

#### *Resolving Communal Disputes and Seeking Redress*

Previous studies on the eastern DRC illustrate that armed actors play an ambivalent role in adjudicating conflict. Often imposing themselves on conflict resolution processes, armed actors will also be commonly sought out by local communities (see Eriksson Baaz & Verweijen, 2014; Vlassenroot, Mudinga, & Hoffman, 2016; Verweijen, 2016b). During the co-governance periods in Nyabiondo and Sebele, evidence suggests the local population would frequently rely on the APCLS/PARC-FAAL when seeking to resolve disputes among family, friends, and neighbours. The APCLS and the PARC-FAAL were often perceived to be more expedient and efficient at finding solutions than state actors, mainly because they administered severe punishments, involving the threat of or actual physical beatings or detention in underground prisons. Community members were divided over the armed groups' adjudication methods; some stated that severe punishments were necessary as existing mechanisms and processes did not generate speedy results, while others, despite agreeing with the critique of existing institutions, viewed the APCLS/PARC-FAAL penalties as heavy-handed.

Persistent dissatisfaction and disillusion with existing conflict resolution mechanisms, to a certain degree, has forced some individuals to seek alternative solutions, which can be considered a form of *order making*. Among the local population interviewed in this research, there was a certain degree of desperation to achieve some form of reliable justice and some people were willing to turn to unconventional actors and venues to accomplish it.

Notably, some respondents framed civilian decisions to bring their cases to the APCLS/PARC-FAAL as an explicit sign of support for the groups. A female respondent in Sebele, previously mentioned here, noted, “The Mai Mai [PARC-FAAL] had more influence because most people brought their problems to them. The fact that you bring one or the other your problem shows who you support” (cited in Chapter 6). Similarly, a male respondent stated, “The majority of the people were for Mai Mai [PARC-FAAL] but some for FARDC, and this shaped where people brought their conflicts” (cited in Chapter 6). According to these respondents, civilian decisions to bring their cases to the APCLS/PARC-FAAL could be interpreted as a form of subtle subversion or defiance towards existing authority figures and structures. Importantly, civilians’ decisions with respect to conflict resolution were not only a sign of support for a group, but also a sign of resistance toward other actors and, therefore, a sign of hidden resistance. This leads to a consideration of the ways in which *order making* could and sometimes did blur into *order contestation*.

### **Order Contestation**

In addition to these *order-making* practices, I also found a variety of *order contestation* practices, which were primarily subtle and covert. These practices are

unlikely to be disruptive in the long-run but, in the short-run, as Wood (2003) puts it, they provide a sense of pleasure in mocking or slandering authority figures. A comparison of the periods during and after co-governance shows the discrete *order contestation* practices adopted by civilians and shaped by the different power arrangements and configurations among armed actors.

As previously stated, during the co-governance period, armed actors were often on their best behaviour, to show they were “ruling in a good way,” which opened up some political space for community members to directly or indirectly express and redress grievances. This was especially the case with respect to the FARDC, which had accumulated outrage and indignation. The *order contestation* practices I observed concerning the FARDC varied in their levels of confrontation and explicitness. Some practices were cryptic, in that showing support or respect for one group could be interpreted as showing disrespect and opposition toward another. For example, it was reported that women laid down their finest *pagne*<sup>5</sup> for Janvier, the APCLS leader, to walk on when he arrived in Nyabiondo during negotiation meetings with the FARDC. In Sebele, a welcoming ceremony was organized for Yakutumba, the PARC-FAAL leader, with singing, dancing, and the offering of food basins and livestock. These symbolic gestures and performances conveyed support and respect for the APCLS/PARC-FAAL, an attitude that contravenes the position of the Congolese government and that of the international community, but is widely shared by large segments of the population.<sup>6</sup> Thus, while these actions are not directly confronting or protesting the situation, they are indirectly signalling contestation of the existing order.

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<sup>5</sup> *Pagne* is a wax-print fabric commonly worn as a single wrap or made into other clothing.

<sup>6</sup> See de Heredia (2013) for an analysis of the “desolidarisation” workshops carried out by the UN to try to diminish the local population’s support for the Mai Mai.

During the co-governance period, some individuals went even further by directly speaking out against injustices communities were subjected to by the FARDC. In Sebele, men began complaining publicly about the FARDC's accusations against the youth, of supporting or fighting for the Mai Mai, in order to extract money from them. A participant who observed these public criticisms being made noted one man's words sounded like a song, repeated over and over again. The contesting nature of these actions becomes more apparent when we examine later periods when the FARDC was the only armed faction in Nyabiondo and Sebele. For example, during this time, a Nyabiondo priest was physically punished by the FARDC for praying for the protection of the APCLS during Sunday mass. In Sebele, a fisherman complained about the unfairness of FARDC soldiers continuing to fish in Lake Tanganyika when it had been temporarily closed to the public. He was then arrested and detained for several days for criticizing the FARDC in public. As these anecdotes reveal, contesting "order" in the period after co-governance illustrates civilian attempts at retribution for the FARDC's persistent abuses and exploitation. Their actions resemble what Wood (2003) refers to as the "pleasure of agency".

However, *order contestation* practices were not only aimed at the FARDC, but also towards the APCLS. For instance, some people took different routes when returning home from their fields to avoid soldiers deployed on the roads, thereby also avoiding food collection points imposed by the APCLS. Other would hide their food, when they would see soldiers come around to collect food from the various household (see Chapter 6). These were covert, non-confrontational acts in keeping with Scott's notion of "everyday resistance".

## **Broader Implications of Dissertation Findings**

Empirical data collected during my research illustrates different forms of order reinvention, including *order making* and *order contestation*. Moreover, the varied practices adopted by civilians also provide further insights into some of the broader dynamics sustaining and constraining violence in the eastern DRC.

First, there is a major crisis in public authority in the eastern region, which in part explains the different practices individuals and communities adopt to “reinvent order”. The crisis of authority begins at the highest levels of government and permeates all the way down to the lowest. Most recently, President Kabila’s decision to delay national elections has received increasing criticism. Amid claims that the necessary preparations and arrangements for the elections require more time, scant progress is being made (see Reuters, 2017; UN, 2017) However, Kabila’s lack of legitimacy in the eastern region does not originate in these recent events but, rather, is long-standing (see Jackson, 2002). Participants in Nyabiondo and Sebele complained about the Congolese government’s negligence, evident in the region’s lack of public goods and services, most notably with regards to security and justice. The FARDC’s behaviour also fuels the negative perception of the Congolese government. Even with the presence of local government administrators and the police, the FARDC often plays a more influential role in local communities than other state actors. The FARDC’s predatory and extractive behaviour has become an expected part of daily life. A male respondent in Sebele captured this sentiment through the following analogy: “If a dog is running wild, eating things and destroying everyone’s property, then it is the owner of the dog that has to intervene. The



President is the one who controls the soldiers, but there are no investigations or punishments for the soldiers” (Interview June 2015).

As this individual noted, one of the biggest challenges posed by the FARDC is its lack of accountability and the ensuing difficulty in stopping abusive behaviour. The fact that the FARDC can “get away” with this behaviour compromises the legitimacy of other authority figures, such as local government officials, the police, and customary chiefs. Illustrative of this reality is the customary chiefs’ claim to have much less leverage toward and influence over the FARDC, in comparison to the APCLS/PARC-FAAL. Consequently, the legitimacy of the customary chiefs has eroded steadily, to the point where several participants asserted it was futile to seek assistance from the chiefs (see Chapters 6 and 7). The perception of lost legitimacy is grounded in respondents’ direct experiences with the chiefs. For example, I documented a couple of incidents in Sebele where the Chief of Locality failed to respond when called upon by community members detained by the FARDC. In the first case, the chief promised to come to the FARDC base where an individual had been detained to negotiate on their behalf, but never appeared, because it turned out he was in Uvira (a neighbouring town) at the time of the call. As the individual who had been detained later explained, “The big problem is that he [Chief of Locality] is really careless about the population” (Interview May 2015). In the second case, an individual paid 15,000 Congolese Francs to be released from the FARDC. Since he had been wrongly detained, the person wanted to launch a complaint. When he asked for the chief’s help, the chief responded by saying, “Since you are alive, you should keep quiet about the situation”. As this individual later stated, with utter rage, “Can you imagine? My *own* chief saying this to me” (Interview May 2015). The inability of local

authorities and chiefs to restrain FARDC's predatory and extractive behaviour indirectly reinforces the role and perceived primacy of the Mai Mai, who often appear to be the only set of actors capable of circumventing and/or effectively constraining the FARDC's abuses.

Some Mai Mai groups (e.g., PARC-FAAL) are cognizant of these dynamics and use them to their advantage, increasingly adopting a strong "anti-government" rhetoric and demanding that they be incorporated into the FARDC to protect their own communities from the government (see Stearns & Vogel, 2015). This demand is also a response to the current composition of the FARDC, where combatants associated with the RCD and the CNDP have managed to secure high-ranking positions. Kabila's decision to hold off on the national elections is unlikely to stem the increase in anti-government rhetoric among armed actors.

Second, and closely related, the militarization of daily life has become self-reinforcing in the Kivus. Armed actors, including the FARDC, are increasingly involved in the exercise of public authority by providing critical services to communities (see Eriksson Baaz & Verweijen, 2014; Lauditi, 2013). However, it should be noted that ordinary citizens are not alone in turning to and collaborating with armed forces. Customary chiefs also do so, further compromising their community legitimacy and influence in the process. Communities and their chiefs not only turn to armed, non-state groups (see Hoffman & Vlassenroot, 2014) but also to the FARDC (see Verweijen, 2013).

In Sebele, I was told about a recent period when the customary chiefs relied on the FARDC to help enforce *salongo* (community labour). Because community members

were often reluctant to participate, customary chiefs asked the FARDC to help enforce compliance. Consequently, individuals who did not participate were detained by the FARDC, a process which inadvertently began to sanction the soldiers' extortive practices. After community members complained, the customary chiefs reversed their policy and no longer asked for the FARDC's assistance with *salongo*, but experienced further erosion of their authority in the process. Evidently, customary chiefs also sometimes rely on militarized support to carry out their activities in the community. The militarization of daily life in the region has created dialectic tensions whereby individuals criticize the patterns but have also come to depend on them to "get things done".

### **Avenues for Future Research**

The findings of this dissertation open up avenues for future research in "no peace—no war" contexts. To begin, important questions have emerged regarding the role of social ties/networks and violence. Previous research has underscored the critical role that social ties play in mobilizing and recruiting individuals to participate in armed rebellion (Fujii, 2011; Parkinson, 2013; Wood, 2003). There has been a growing focus on how narratives and discourses on the notion of autochthony are strategically used to incite violence against communities in the eastern DRC (Bøås & Dunn, 2014; Geschiere & Jackson, 2006; Verweijen, 2015). However, findings from this dissertation suggest that social ties and networks can also play a role in *deterring or constraining* armed violence. The different narratives and strategies used by respondents when negotiating with the APCLS/PARC-FAAL were largely successful due to such social ties and networks. This area of analysis could be expanded in future research, examining whether social ties also play a role in the *demobilization* of armed combatants. Armed groups, like the Mai Mai,

who are socially embedded in local communities, are more susceptible to approaches that draw on social connections, as they are more dependent on local communities for support and collaboration.

Second, and related, additional research into non-state armed governance and the different relations and interactions that emerge between combatants and civilians is needed. Most of the research on non-state armed governance has focused on structures, rather than the dimensions of agency in these arrangements, resulting in only a partial understanding and analysis. In contexts of prolonged armed violence, civilian-combatant relations do not always begin or end during periods of armed governance. Understanding prior and subsequent relations and interactions is important because they shape how armed groups behave towards civilians when they come to govern, and how civilians respond. These dynamics are particularly pertinent to armed groups like the Mai Mai, who are socially embedded within the communities they seek to protect. Future research could build on these insights by looking at whether other types of social relations (e.g., those based on religion or ideology) also shape governance dynamics. Consideration of the role of pre-existing civilian-combatant relationships is also important because there is a continued tendency among scholars to compartmentalize civilian agency into standard relations and interactions (e.g., victim-perpetrator, coercion-persuasion, ruler-ruled), which correspond generally to the dynamics and patterns of armed violence. However, researchers must develop a more comprehensive approach to have a stronger understanding and appreciation for their lived experiences. As previously argued, civilians often experience *all* of these (and perhaps other) types of relations and interactions.

Third, the findings indicate that stronger efforts could be made to better connect civilian knowledge and experience to existing peacekeeping, stabilization, and peacebuilding efforts. One specific area of intervention could involve strengthening early warning and response. Participants in Nyabiondo and Sebele were very aware of when security conditions were likely to deteriorate or risks likely to emerge. For example, respondents identified the different ways the APCLS/PARC-FAAL “protected” the population, even when based in the “bush,” sending early warnings if they were planning an attack, to allow civilians to shelter inside their houses or flee, if able. Some respondents believed the APCLS/PARC-FAAL only attacked their communities if they were being provoked by the FARDC, in order to prevent civilian casualties. Likewise, participants were aware of when the FARDC was likely to increase predatory and/or extractive behaviour. If they lost during a battlefield encounter, FARDC soldiers were likely to take revenge on the local population, saying, “Your children [the Mai Mai] are making us suffer”. If the soldiers’ salaries were delayed, participants worried the FARDC would find other ways to generate income. In sum, community members’ insights reveal a sophisticated understanding of the common patterns and dynamics of the armed conflict. International actors, such as MONUSCO, could strive to better link their own responses to these indicators.

The eastern DRC is notorious for its long history of domination, exploitation, and brutality (Dunn, 2003). These practices are still prevalent features of the daily lives of many people living in the region. However, the danger exists that these praxes could become the “single story” of the region. As Adichie (2009) convincingly explains, “The single story creates stereotypes, and the problem with stereotypes is not that they are

untrue, but that they are incomplete. They make one story become the only story”.<sup>7</sup> This dissertation attempts to provide a more nuanced perspective and analysis of what is occurring in the region by examining the narratives and experiences of those who live in “no peace—no war” conditions. In doing so, I demonstrate the complex ways in which order is constituted, sustained, and/or contested by individuals and communities.

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<sup>7</sup> Although Adichie is speaking and writing about the “dangers of a single story” in literary fiction, her argument is also salient in the study of civil war.

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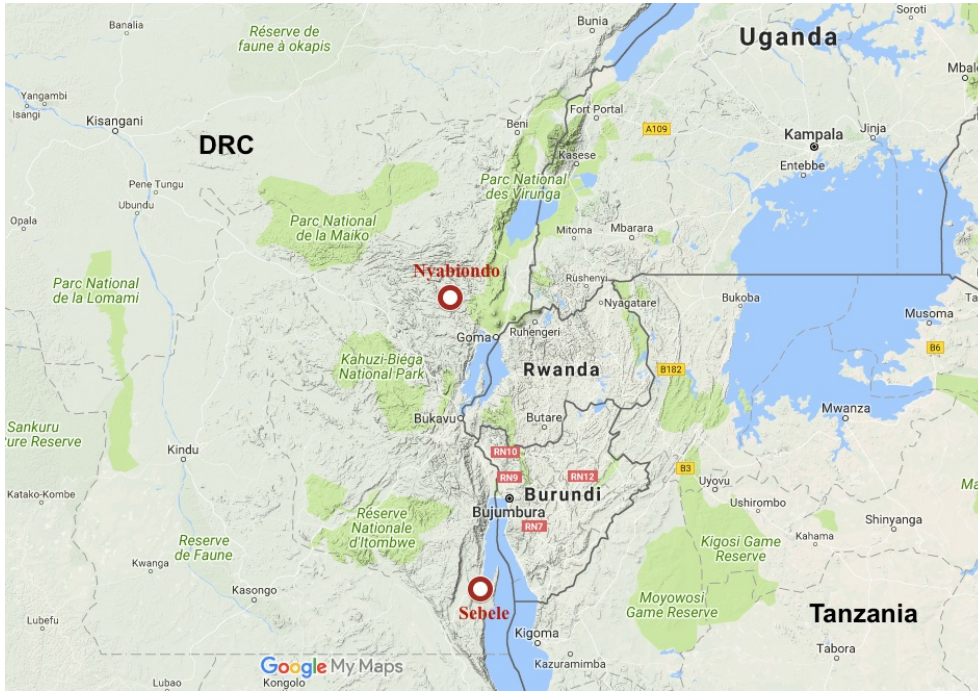
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## Appendix 1: Map of the Kivus



## Appendix 2: Map of Nyabiondo and Sebele

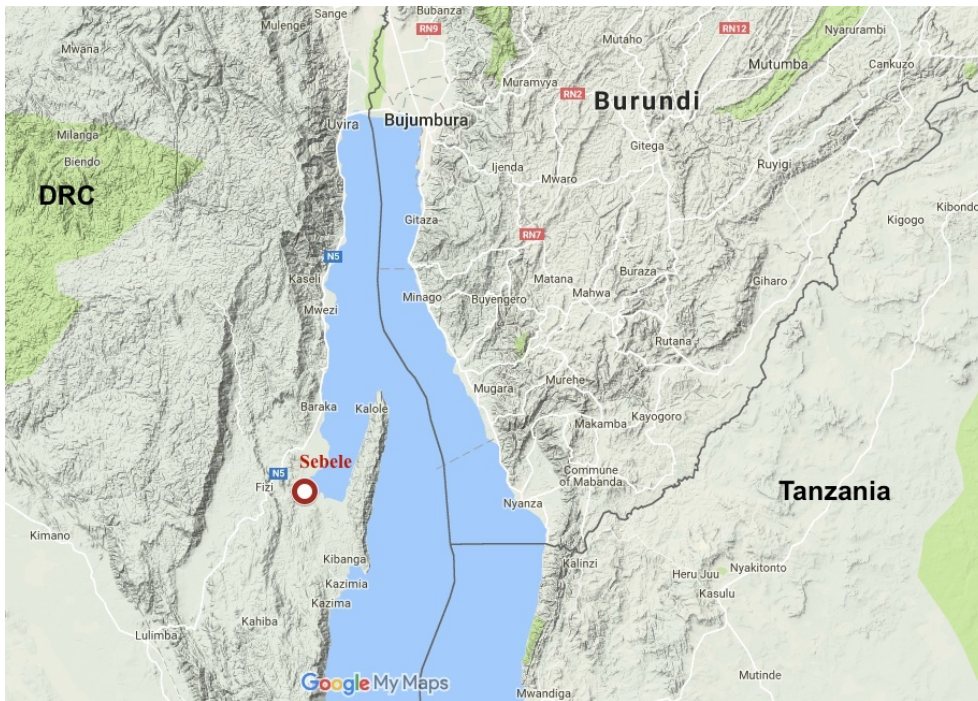


### Appendix 3: Map of Nyabiondo

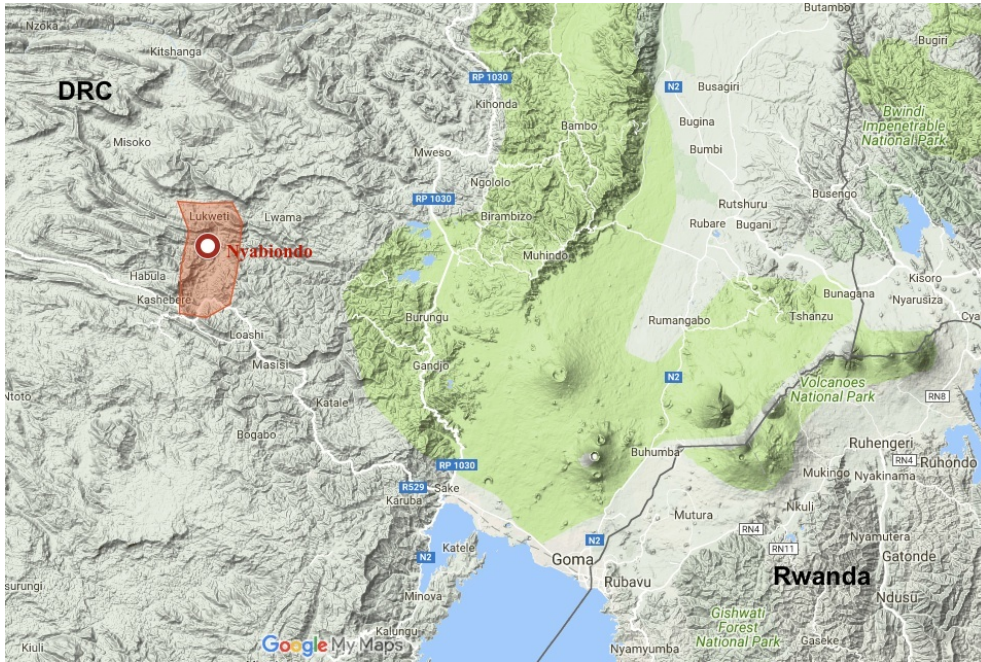




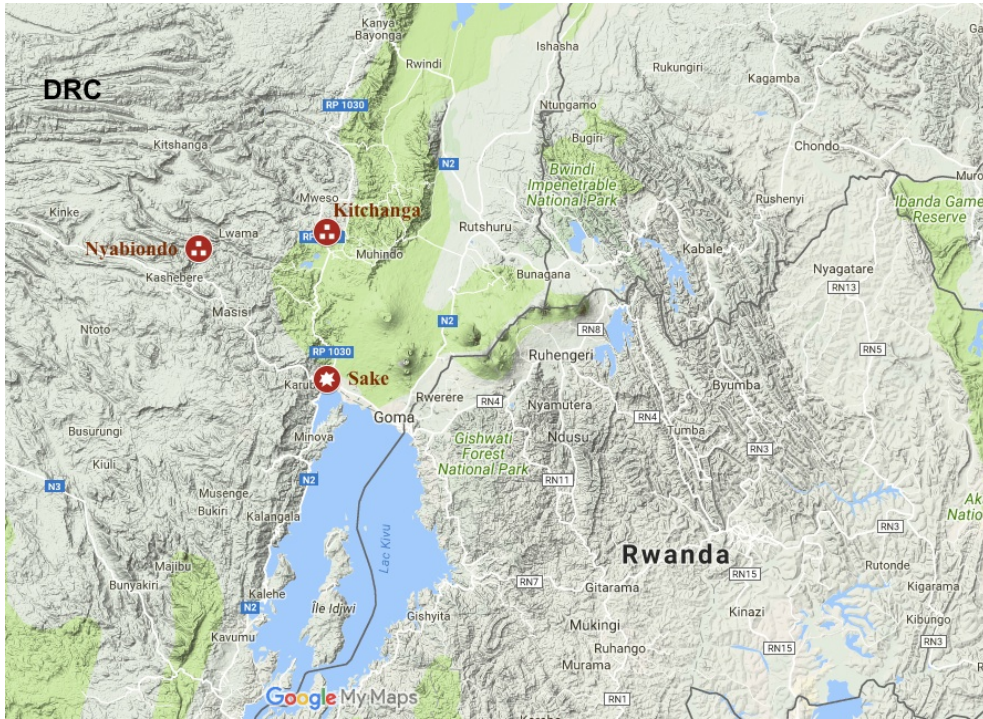
## Appendix 4: Map of Sebele



## Appendix 5: Map of APCLS' Zone of Influence

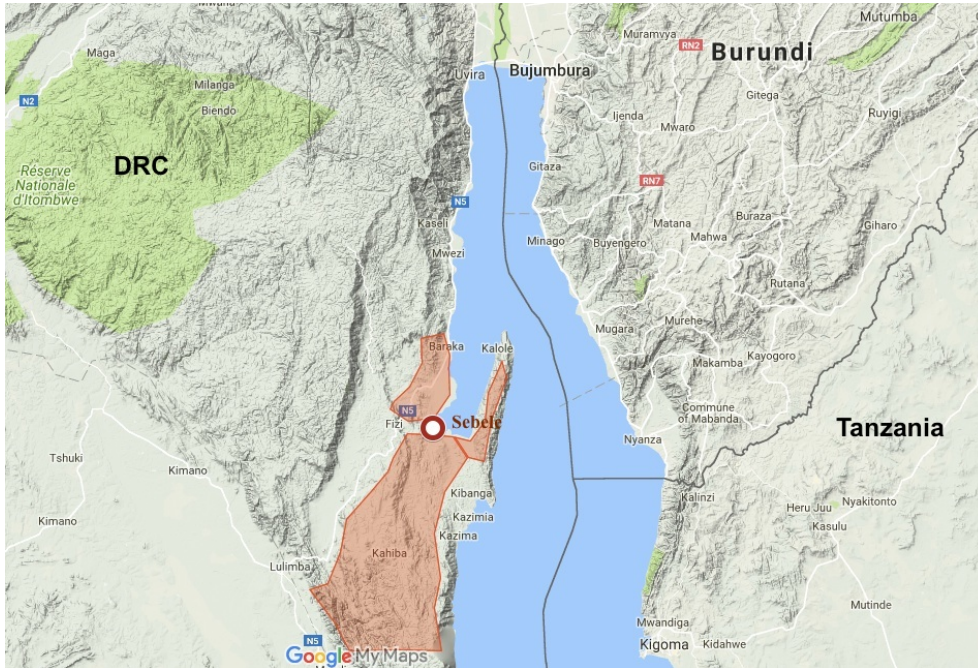


## Appendix 6: Map of APCLS Assembly Camps and Front Line





## Appendix 7: Map of PARC-FAAL's Zone of Influence



## Appendix 8: Copyright Permission Letter

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