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Armed Groups and Militias in Eastern DR Congo

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Introduction

The DR Congo[1] has often been presented as one of the most prominent examples of institutional collapse and state failure. Africa's 'Heart of Darkness', as the country is usually referred to, seems to have become a "forsaken black hole characterized by calamity, chaos, confusion, and a bizarre form of social cannibalism where society is its own prey"[2]. Realities on the ground suggest a more sophisticated picture. While it can be stated that "although it appears to lack every requirement for qualifying as a functioning state, Congo's political system has persisted in a most surprising fashion even during times of apparent institutional "collapse"[3], its original objectives have long been abandoned[4].

[1] In 1997, after Kabila took over power, Zaire became the Democratic Republic of Congo. The reference used in this article is DR Congo, unless it describes political realities prior to 1997.
[2] Trefon, T., *Reinventing Order in the Congo. How People Respond to State Failure in Kinshasa*, London, Zed Books, 2004, p. 1.
[3] Raeymaekers, T., Sharing the Spoils. The Reinvigoration of Congo's Political System. In: *Politorbis*, n° 42, October 2007, p. 23.

The *Lecture Series on African Security* is a joint collaboration between the Swedish Defence Research Agency (FOI) and the Nordic Africa Institute (NAI). The first round of lectures was conducted in 2008. The lectures revolve around core themes in African security studies and case studies from contemporary Africa, and they are presented by highly renowned international and national experts on Africa. While the primary audience is the analysts and researchers at FOI and NAI, a select number of participants are also invited from the Swedish International Development Agency (Sida), the Ministries for Foreign Affairs and Defence, the Swedish Rescue Services Agency (MSB), the Swedish Armed Forces (SwAF), the National Defence College (FHS), and the Folke Bernadotte Academy (FBA).

Its "stunning propensity for resilience"[5] points at an important shift. In every corner of the country, official state representatives have remained in place yet have significantly transformed their original mandates. The Zairian state has gradually lost its capacity in the Weberian sense as organizer of the public space because of the lack of resources, the privatization of bureaucratic control and the impact of more than ten years of violent struggles between armed groups. Most of Congo's post-colonial institutions continued being exploited by its representatives that have tried to claim authority to get access to local resources.

A second observation is that withering state capacity did not lead to a governance void but has rather opened up some space for other actors, including traditional chiefs, civil society groups, churches and aid agencies, to assume services previously delivered by the state. Since the 1980s, state sovereignty has been undergoing a gradual process of 'informal privatization', with non-state actors increasingly competing with the state to fill in its gaps. Large parts of Congolese society have tried to develop "new forms of social organization (…) to compensate for the overwhelming failures of the post-colonial nation-state"[6]. These forms of organization went well beyond the survival economy described by MacGaffey and others but consisted in new configurations of solidarity and accommodation which in time transformed local patterns of governance.

During the Congolese wars (1996-2003), the state was further challenged by a new type of actors, including armed groups: rebel movements, ethnic militias, and economic and military entrepreneurs[7]. Some of these new players only aimed at claiming a monopoly of violence to get their share in the distribution of local resources. Others, however, increasingly attempted to forge local and transborder alliances in order to increase their local control and to consolidate political and social power. The objective of this paper is to analyze the proliferation of armed groups in eastern DR Congo and to evaluate their strategies of control; the main question will be what these strategies tell us about emerging political orders in contemporary African no-war-no-peace zones.

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[4] Trefon, T., Parcours administratifs dans un Etat en faillite. Récits populaires de Lubumbashi, *Cahiers Africains*, no. 74, 2007.

[5] Englebert, P., *Why Congo persists: Sovereignty, globalization and the violent reproduction of a weak state*, Queen Elisabeth House Working Paper Series, Oxford, 2003.

[6] Trefon, T., *Reinventing Order in the Congo. How People Respond to State Failure in Kinshasa*, London, Zed Books, 2004, p. 2.

[7] Also representatives of international agencies of development or of conflict resolution increasingly challenged the state as the provider of collective goods. Rather than strengthening state capacities, these actors have tried to present themselves as viable alternatives to the state.

State disintegration

Since the 1990s, violent conflict in the Democratic Republic of Congo has increasingly been explained as a means to acquire commercial success, often through the exploitation of natural resources and control over trading activities. As part of this explanation, economic interests are believed to be a dominant cause for the protracted nature of the Congolese conflict and the fragmentation of combatant groups. In line with the economic profit motive, several observers have claimed that the self-financing nature of the Congolese wars has led to a mutation in the character of violence. At the same time this is said to have provoked a systematic criminalization of warfare, as rebel movements increasingly engaged in illegal economic activities and linked up with transnational criminal networks in order to export locally generated resources. Thus, the quest to control natural resources have shaped the power strategies pursued by the warring parties that have increasingly been based on the territorialisation of authority around valuable resource areas and trading networks.

Some authors also argue that these strategies hardly differed from the practices established by Mobutu's political regime, and point at the existence of historical continuities of predatory governance in the DRC.[8] As part of Mobutu's patrimonial rule, rent-seeking was traded for political loyalty with economic assets being transformed into a stock of political resources. Behind the façade of legal procedures and formal state institutions, Mobutu built his reign on the strategic distribution of resources and informal politics. This political strategy had to offer stability to a ruling class, while at the same time cultivating uncertainty amongst its individual members and thus preventing the formation of a counter-force. Extra-economic coercion and brutally repressive extraction from the population, which was denied access to political participation and its economic success made dependent on their integration into networks of patronage, had to consolidate the "self-aggrandizement of the state-based class".[9] A 'fend-for yourself' attitude ('article 15') of Mobutism served as social pact between state and society, as it "allowed the former to retire from public life and from its functions, leaving the latter the possibility to act unlawfully"[10]. The end-result was the plundering of state assets and the undermining of rule-based bureaucratic behavior, and also the pervasion of all levels of society by widespread opportunism.

Mobutu's de-bureaucratized patrimonialism proved to have its limits though, as officially approved private accumulation made it easy for

[8] Rackley, E., Democratic Republic of the Congo: Undoing government by predation, in: *Disasters*, 30 (4), pp. 417-432.

[9] MacGaffey, J., *Civil society in Zaire: Hidden resistance and the use of personalities*, p. 171.

[10] Jourdan, L., Being at War, being Young: Violence and Youth in North Kivu, in: Vlassenroot, K. & T.Raeymaekers, *Conflict and Social Transformation in eastern DR Congo*, Ghent: Academia Press, 2004, p. 170.

local strongmen to become autonomous and make their own, private arrangements that escaped state control[11]. This explains why the political regime eventually started to fragment and its representatives shifted to private actors using the banner of administrator for private gain. A good illustration of this process of state fragmentation is the struggle for control over economic assets, which was crucial for the survival of Mobutu's system. Already from the end of the 1970s, informal trading networks became an alternative source of exploitation. Given the predatory character of the Zairian state and increasing economic destitution caused by it, also the Zairian population was more and more forced into strategies of self-reliance and protection outside of the official economy and through the exploitation of these informal economic networks. Particularly in Zaire's borderlands such as the Kivu-provinces, these dynamics explain the further expansion of informal and fraudulent trading activities, which at the end of the 1970s had become so extensive that these were not only responsible for the undermining of state effectiveness, but also brought about important changes in the social structure on which these were based. Mainly in the country's periphery, various rival centers of authority were able to secure their control over local resources through clandestine trade networks and, therefore, increasingly challenged the state. The Zairian state started to fragment and governmental institutions were increasingly forced to negotiate, forge alliances and compete with alternative sources of authority and economic production to constitute public authority and political control. This suggests that in the DRC already prior to the conflict, state sovereignty was in a process of 'informalisation'. While the state depended upon those wielding power in 'informal' networks of social and economic control, the same networks depended on the state to consolidate their own mechanisms of control and distribution.

The same historical continuities of predatory rule and resource accumulation have been put forward to explain the conduct of Congo's new rulers when Mobutu was ousted from power in May 1997. Both Laurent Kabila and his son Joseph Kabila (who became the Congolese president after Laurent Kabila's assassination in 2001) tried to consolidate their rule through the appropriation of resources. Even if Laurent Kabila promoted the organization of the state and society on the basis of a revolutionary ideology, in practice he did not do much more than to "recognize and use the prerogatives of state sovereignty to expand and promote (…) informal, often clandestine business operations and to invite new partners".[12] The logic of politics for private gain also persisted when Joseph Kabila came to power, as was illustrated in 2005 in the report of the Congolese parliamentary commission that had to investigate the mining contracts concluded during the war and which

[11] Reno, W., *Sovereignty and personal rule in Zaire*, African Studies Quarterly, Vol. 1, Issue 3, 1997.
[12] Reno, W., The Privatisation of Sovereignty and the Survival of Weak States, in: Hibou, B. (ed.), *Privatizing the State*, New York: Colombia University Press, 2004, p. 98.

identified several companies involved in fraudulent deals, including some close to President Kabila.

Both Kabilas were challenged though by a multitude of armed actors. Particularly during the second Congolese war (1998-2003), control over the exploitation and trading of natural resources has been put forward as a key challenge to the different belligerents. New military leaderships tried to appropriate the remnants of Mobutu's networks of redistribution, to get access to natural resource exploitation and control informal trading networks. Different strategies were developed by these armed groups. In Aru-Mahagi (Ituri) and Beni-Butembo (North Kivu), preferential trade agreements ('système forfaitaire' or pre-financing system) were concluded between local traders and the RCD-K-ML rebel leadership. In Beni-Butembo, Nande smugglers- entrepreneurs engaged in what could be interpreted as "a particular mode of 'risk management', in which the estimated welfare they would gain from participating in the RCD-K-ML rebels' protection was weighed against the expected losses on their enterprise as well as society at large"[13].

During the war, these agreements gradually became the main mode of doing business and constituted a viable alternative way of sharing the spoils of the transborder trade connecting eastern DR Congo with regional and international markets. In its territory of control, the RCD-Goma adopted a different strategy and relied on what Tull has labeled an "archipelago" approach to economic accumulation by focusing on mineral rich areas in the Kivu-provinces[14]. This practice in effect replicated Mobutu's approach on a small scale, but instead of the Zairian army (FAZ) supervising the exploitation of natural resources, RCD soldiers and Rwandan troops were often stationed in the mining sites. The RCD, however, was prone to increased internal division and was also challenged by a growing number of armed actors, including local defense units, rural militias and foreign armed groups, which turned eastern DRC into a patchwork of different structures of control. As these new localized configurations of power were able to attract support from neighboring countries, transnational economic players or organized crime networks, they were increasingly explained as proxy structures of exploitation, aimed at the maximization of profits from the lucrative trade in natural resources to the advantage of external actors.

Violence, accommodation and regulation

Even if it goes a long way for the explanation of the behavior of these armed actors during the Congolese conflict, rebel forces not just simply concentrated on predation. In some cases, it was noticed that the politi-

[13] Raeymaekers, T., (forthcoming) Intermediate Governance: Conflict and the Regulation of Transborder Trade on the Congo-Ugandan Frontier.

[14] Tull, Denis M. 2005: The Reconfiguration of Political Order in Africa: A Case Study of North Kivu(DR Congo). Hamburg: Institut für Afrika-Kunde, p. 281.

cal economies of resources not only produced powerful centrifugal forces that further fragmented the state but also involved new processes of negotiation and accommodation. In some parts of eastern DR Congo new forms of governance and modes of regulation revolved around the attempts by politico-military leaderships and other actors to consolidate control over the local economic (and social) space.

The case of the 'Rassemblement Congolais pour la Democracy' (RCD-Goma), a Congolese rebel group that originally was instituted by Uganda and Rwanda in response to their security worries and to restore their economic interests in the DRC, is a first example of this trend. In 1998, this rebel movement started a military campaign against Congolese President Kabila and until the end of the war tried to control the militarily and economically strategic parts of eastern DR Congo. Things went never as smooth as expected though. Only one year after the start of its campaign, hostilities between its Rwandan and Ugandan supporters led to a reconfiguration of the rebel movement and the split into a Rwandan backed section (RCD-Goma) and a Ugandan-controlled offshoot (RCD-K-ML), which in turn divided the eastern Congolese provinces into different zones of control and provoked a total fragmentation of the politico-military landscape. The proliferation of rural militias in Kivu's hinterland, Katanga and Ituri even further complicated the local politico-military context and carved up the territory in a multitude of zones of control that tended to shift all the time. The RCD's limited capacity further explains why the rebel movement was never able to extend its control beyond a number of strategic centers and territorial axes.

Once the RCD rebellion had gained military control over Kivu's most strategic centers, its leadership was faced with the challenge to consolidate its dominant position. Even if its strategies "went well beyond the organization of sheer violence", the movement never really attempted to engage in the administration of the territories under its control but rather pursued a largely extractive approach by collecting taxes and exploiting natural resources. The remnants of the prewar administrative framework were recuperated (with the key-institutions directly under control of the military) yet not to improve its governance performance but to "uphold a façade of statehood"[15] . No attempts were made to reinvigorate the weak state apparatus through training and no efforts were made to mobilize the population through 'democratic' participation in the appointment of administrators and governors, as Kabila had done after he had come to power in May 1997. Due to the lack of local supporters, the rebels left most of the local administrators in

[15] Tull, D., The reconfiguration of Political Order in Africa: A Case Study of North Kivu (DRCongo), Hamburg African Studies, no. 13, 2005, pp. 130 and 141. As Tull explains, the RCD "vigorously displays the state symbols and trademarks in the manner of any other 'state' (...) More importantly, the RCD has used the remnants of the state apparatus to distribute key administrative posts to its more prominent members (Tull, 2003, 435).

place, largely relying on pre-war administrative structures and regulations and hardly made any effort to pay local state officials. Several attempts were even made to 'outsource' several state departments or to get their activities funded by international NGOs. Also limited capacities of the local taxing infrastructure (in some cases, tax revenues during the war were reduced to less than 10 % of prewar levels of income) had a negative effect on the performance of this administrative apparatus, which explains why it provided little leverage to limit political disorder and why it forced local administrators, who had become just about equal to ordinary civilians in the local coercion of the law, to develop alternative strategies of survival[16]. Most of these administrators showed little enthusiasm to support the RCD in its efforts to expand its grip on the local population anyway, as the movement was widely perceived as a Tutsi-led force of occupation.

The RCD mainly limited itself to consolidating its dominant power structure in the most strategic areas (urban centers and mining sites) of eastern DRC in order to have access to pre-war structures and networks of economic exchange. One strategy was to get a firm grip on the local resource market through the development of several structures that had to secure control over existing mining commodity-chains, including the (failed) granting of export monopolies, direct military control over the more lucrative mining sites, 'harvesting' resources through plundering etc[17]. Another strategy was the levying of taxes, which mainly derived from custom duties and checkpoints at airports, roads and mining sites. Besides of existing taxes, additional efforts were demanded from the 'mamans vendeuses', 'creuseurs', petty traders, exporters etc. and were explained as 'war efforts'[18] . To secure its permanent dominance over the exploitation and trading of local resources or to assure social control[19], however, the rebels depended on the willingness of individuals and groups to align with them, in return for protection of their economic interests.

This strategy proved to have several downsides. One effect was the militarization of pre-war networks of patronage. As the generation of resources (mainly through the levying of taxes at economically strategic places such as airstrips, markets and border posts) was hard to control for the rebel leadership, it could also not prevent local RCD-

[16] As an administrator in Kamituga, explained "nous sommes devenus des messieurs-tout-fait". Personal communication, Kamituga, December 2003.

[17] Inspired by the unprecedented rise in global coltan prices, in November 2000, the RCD-Goma granted a tax monopoly on all coltan exports originating from mining areas under their control, to a company named SOMIGL ("Société Minière des Grand Lacs"). This agreement was shorted lived and soon replaced by other structures of taxation as it did not generate the expected income to the rebels.

[18] Personal fieldwork revealed that in most cases additional "taxes" paid by petty traders when traveling from one place to another represented up to 25% of the value of their goods.

[19] Vlassenroot, K. & H. Romkema , The Emergence of a New Order? Resources and War in Eastern Congo, in: Journal of Humanitarian Assistance, 28 October 2002.

commanders to act increasingly for their own profit, which affected cohesion within the movement[20]. Several RCD-commanders started negotiating private business agreements with local traders and instituted parallel structures for the generation of income. Mimicking pre-war strategies of exploitation, barriers and check points at economically strategic positions were put in place and individual soldiers were forced to 'report' back (i.e. to bring the collected taxes) to their commanders.

In some of eastern Congo's border regions, a different reality prevailed. Here, rebels and economic agents operating in the 'informal' transborder trade connecting eastern DRC with its eastern neighbors, entered in a process of negotiation and cooperation to safeguard their own interests. Lacking the means of organizing local production, most rebel forces and foreign armies that occupied these border-regions during the war tried to systematically exploit the productive parts of society in order to generate the necessary financial resources and effectuate social control. In order to do so, they were forced to negotiate with local Congolese entrepreneurs who held a monopoly on the access to vital economic resources, including mining, agriculture and trading activities. For the rebel leaderships, the taxation of economic activities constituted an important source of income; for economic agents, connection with the rebels was a necessary condition to continue or expand their activities and to increase the predictability of commercial activities in terms of logistics and revenues.

An illuminating example is offered by the case of Aru-Mahagi, Ituri's border region with Uganda that during the war was under control of the 'Forces Armées du Peuple Congolais' (FAPC). In collaboration with a number of key businessmen, this rebel organization put in place a sophisticated system that protected the interests of "a closely knit network, including selected officers of FAPC, members of Fédération d'Entreprises du Congo, Ugandan businessmen, Ugandan officials and internationally linked commercial entities"[21]. A customs revenue apparatus was installed that had to replace the pre-war state bureaucracy and to guarantee the payment of taxes by all traders importing goods to the DRC or exporting resources to Uganda. Close Congolese and Ugandan business associates, however, could profit from a preferential pre-financing system, which in return for the payment of a cash deposit exempted them from paying custom duties. This complex system of fraud had several advantages. For the FAPC, the pre-financing system offered a stable source of income that made it possible to regularly pay its sol-

[20] It has to be acknowledged also that Rwandan business interests sometime directly clashed with Congolese attempts to generate income. One of the explanations often forwarded for the weakness of the RDC is the conflict if interests between Rwandan networks and RDC leadership

[21] United Nations, Letter dated 26 July 2005 from the Chairmanof the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the president of the Security Council.

diers and strengthen its internal cohesion and thus sustain a loyal military force, while also providing a semblance of security in their zones of control. For local traders, the alliance with the rebels made it possible to develop regional business monopolies and to increase their income. During the Congolese war, local markets in Aru and Ariwara became important regional trading centers not only to the advantage of Congolese merchants but also of Sudanese and Ugandan traders.

Also in Butembo, where before the war a class of local Nande entrepreneurs had established commercial success based on unrecorded transborder trade activities, "smugglers-entrepreneurs engaged much further in what could be interpreted as a particular mode of 'risk management', in which the estimated welfare they would gain from participating in the RCD-K-ML rebels' protection was weighed against the expected losses on their enterprise as well as society at large"[22].

Also in this case, the local agreement between rebels and businessmen was usually based on the practice of 'pré-financement' in which traders would offer an amount of money ('unofficial duties') to the rebel leadership in return for military protection and for the reduction of taxes to be paid. In the case of Butembo, however, these agreements gradually shifted to the main mode of doing business and an alternative way of sharing the spoils of the transborder trade connecting eastern DR Congo with regional and international markets. The weak regulatory capacity of rebel administrators, who in contrast to the RCD-Goma rebel movement could not count on a reliable regional sponsor[23], even facilitated the consolidation of pre-war autoregulatory practices developed by these Nande businessmen during the Mobutu-era.

In the face of weakening state power and conflict, different practices of regulation thus emerged, which help to explain the increased involvement of Nande businessmen in local 'governance'. As a consequence, the local business elite "succeeded in establishing a growing web of social relations that made them become accepted as a legitimated regulatory authority of the Congo-Ugandan border zone[24]. These traders that operated outside the legal framework increasingly defined their own regulatory configurations; they forced rebel authorities into a strategy of mediation and accommodation which led to a transformation of existing regulatory practices and relations. This non-state regulation was also reinforced by the engagement of Butembo's businessmen in the performance of several public functions, including the support of health services, large-scale infrastructure works, the provision of local electricity etc. The agreement reached between rebels and businessmen in

[22] Raeymaekers, T., (forthcoming) Intermediate Governance: Conflict and the Regulation of Transborder Trade on the Congo-Ugandan Frontier.
[23] At the final stages of the Congolese war, the RCD-K-ML leadership eventually traded Ugandan support for a new alliance with the Kabila-regime in Kinshasa.
[24] Raeymaekers, T., (forthcoming) Intermediate Governance: Conflict and the Regulation of Transborder Trade on the Congo-Ugandan Frontier.

Butembo not merely confirmed the existence of a private protection racket, therefore, it also provoked a fundamental reinterpretation of local economic and political regulatory practice.

The need for protection: the proliferation of rural militias

In other cases, arrangements between armed groups and local actors mainly center on the direct provision of (physical) protection. As the level of violence during the Congolese war was extremely high and civilians were increasingly targeted, also at a more grassroots level of society, security and protection became the subject of negotiation between rebels and local social forces. Already in the early 1990s, when a democratization process was announced by President Mobutu, rural militias started to proliferate in eastern Zaire. In origin, these armed groups could best be described as protection forces for the promotion of the interests of local politicians (often with the complicity of customary chiefs) but, as political competition and ethnic discourse was increasingly dividing local populations on the access to key-assets such as land, also turned into defense groups following a particular ethnic agenda. As they usually recruited along ethnic lines and exclusively within autochthonous Congolese populations, their composition tended to mirror the local population profile[25]. After the start of the Congolese war, the same armed groups became directly connected to a larger politico-military struggle. Local ethnic communities no longer only needed to be protected against their direct neighbors but also against the foreign forces and their Congolese proxies that were occupying large parts of the Congolese territory.

A first response to manage intensified levels of insecurity was the institution of additional local defense forces (also in communities previously untouched by militia formation), which in most cases were limited to protection mechanisms within particular ethnic communities. The aim was the protection of the interests of the ethnic community, with access to local assets and spoils being used to reward supporters, to increase control over other ethnic communities and to exploit local resources for their own profit. For its members, these militias were also an alternative to desolation: their ethnic ideology and violence could be interpreted as an attempt to reverse the effects of a long process of social deterioration and state decline. At a grassroots level of conflict-affected societies, engagement with these 'protection forces' often provided people with limited livelihood security in an environment otherwise hostile to more legitimate types of livelihoods systems. These elements help to explain the proliferation of rural militias in large parts of eastern DR Congo. Part of the paper analyses some of these militias and evaluates the ongoing transformations caused by the efforts of some of these protection mechanisms to organize and regulate (parts of) the

[25] Vlassenroot, K., Violence et constitution de milices dans l'est du Congo: Le cas des Mayi-Mayi, in : Marysse, S. and F.Reyntjens, L'Afrique des Grands Lacs, Annuaire 2001-2002, p. 115-152.

local public space.

In some cases, the ambition of the militia leaderships went further than protecting grassroots populations and exploiting local resources and instigated a transformation of existing rural orders. During fieldwork in eastern DR Congo between 1997 and 2005, I could observe how some of these militias tried to organize parts of the public space and installed their own administrations, attempted to promote local development dynamics or to introduce alternative justice mechanisms. Once military control over a certain territory was secured, local traditional authorities were solicited, state representatives replaced by local agents loyal to the armed movement, violence regulation mechanisms introduced, economic transactions put under strict control and local population mobilized through shared discourses of collective protection. Even if these dynamics suggest attempts to transform existing rural orders, on the longer term the impact in most cases was rather limited. Even more, what was presented as a strategy of protection, often morphed into new forms of predation.

A prominent example of these dynamics is the Mayi-Mayi militia that was headed by General Padiri Bulenda and that mainly operated in South Kivu. This armed group presented itself as a politico-military movement that wanted to restore the collapsed institutional framework of the Zairian state and to protect the autochthonous population against outside forces. Even if it was already operating prior to the Congolese wars, it was mainly after the start of the RCD-rebellion that it gained prominence and was able to occupy parts of South Kivu's interior. In its regions of control, the militia instituted a highly militarized authoritarian regime that claimed sovereign authority[26]. Official institutions were reinvigorated and customary chiefs integrated in their structures of governance, while several local committees were instituted to sensitize the civilian population and confirm the rebels' legitimacy[27]. Examples were the 'Comités de Sécurité Civile' and the 'Comité des Mamans Sociales'. Even if the movement was promoting total freedom for the autochthonous population, its strong control over civilian administrators and the population through ideological seminars and the introduction of repressive justice mechanisms, confirmed that the movement "relied heavily on disciplinary and sovereign techniques of government"[28]. The taxation, by the rebels, of the population and local economic activities was meant to finance the movement's bureaucratic apparatus yet led to a militarization of mining and trading activities and the further marginalization of pre-war administrative structures.

[26] For an excellent account of the genesis of this rebel force and the embeddedness in local society, see Morvan, H., Reinventer le quotidien. La cohabitation des populations civiles et descombattants maï-maï au Kivu, Uppsala : Life and Peace Institute, 2005.
[27] See: Hoffman, K., Militarised Bodies and Spirits of Resistance. Armed Governmentalities and the Formation of Militarised Subjectivities in South Kivu, Unpublished dissertation, Roskilde University, 2007
[28] Hoffman, K., ibidem, p. 102

A parallel development could be observed in Ituri (northeastern DR Congo), where during the Congolese war several armed groups were instituted that all claimed to be mainly concerned with the security of the local population yet have also tried to install their own mechanisms of control. One of these examples is the Union Patriotique Congolais (UPC), instituted by civilian and military Gegere leaders as the final stage of a strategy to seize political and economic power in Ituri. Prior to the formation of this armed group, close collaboration between Ugandan army commanders controlling the Ituri region and certain Gegere political leaders and economic actors led to the creation of a trans-border power complex that was able to monopolize trade networks and to secure access to local resources. This complex was increasingly successful in fostering an alternative and largely stateless process of redistribution to the advantage of members of the Gegere community. In a second phase of the Ituri conflict (when several local militias were instituted), the political leadership of the UPC provided the necessary means to safeguard the economic advantages of its Ugandan allies[29] .

Gegere intellectuals played a crucial role in the construction of the ideological agenda of the movement. This ideology not only had to mobilize locally but also to legitimize the actions of the UPC externally. Besides of a military structure, the UPC also installed its own administration, led by a number of 'ministers' that had to give semblance of a governance structure. Soon after its institution in 2002, however, the UPC rebel group shifted from a politico-military movement that declared to be the Gegere's security provider, to a sophisticated structure of extortion not only against non-Gegere populations but also increasingly against its own people. In the territory under its control, a climate of fear was created through random acts of repression and a gradual shift in power from pre-war socio-political leaderships to members of the movement was observed[30]. The support of the UPC militia structures (amongst others through the payment of taxes) became an obligation under force, while the collective objectives of the militia gradually evaporated.

These locally embedded armed groups have increasingly turned into extortion rackets when they could gain a certain level of political and economic independence though. When the Padiri-led Mayi-Mayi group was solicited by Kinshasa and was granted military provisions in return for its support against the RCD-rebels, the militia no longer depended on local support and legitimacy for its own survival. Other groups were able to institute mechanisms to exploit and trade natural resources. Still other groups could recuperate and modify pre-war transborder trading networks to their own advantage. As these armed groups gradually became more autonomous and increasingly represented an additional

[29] After the departure of the Ugandan army, in May 2003, this power position gradually was lost to new alliances relying on other ethnic communities.
[30] Observations during fieldwork in UPC strongholds, December 2004 and January 2005

security threat rather than a protection force to the local population, local social forces tried to reduce the levels of violence through direct negotiation with rebel leaderships. This explains why non-armed Gegere leaderships aimed at negotiating with the UPC leadership to 'manage' their use of force, yet with growing division within the Gegere community as the main result. A similar trend could be observed in the territories under control the Padiri-led Mayi-Mayi group, where urban-based intellectuals originating from the region as well as local civil society groups tried to arrange settlements with the rebel leadership to get some control over their use of violence. The same civil society leaders also attempted to convince the rebels to support development initiatives in this highly marginalized region and to promote social order[31]. A similar development could be observed in some regions under control of the Rwandan Hutu-rebels (FDLR). While in most regions these FDLR were responsible for large-scale human rights violations and predation, in some areas FDLR units installed their own administrations, taxation systems and justice mechanisms[32]. Also a certain accommodation could be reached between these rebels and local authorities in order to reduce the level of violence and settle local scores between the population and the armed group.[33] Here again, the social context and the lack of external support partly explains to a large extent the need of some FDLR-units to reach some local accommodation[34]. These negotiation efforts not always led to a reduction of the level of violence though. Even if in some cases it can be argued that when arrangements are there, less violence is present, "the array of local coping mechanisms which has emerged to help manage and reduce anarchy and insecurity"[35] could not prevent that those arguing to protect (part of) the population increasingly turned against them. The Congolese war has illustrated that for ordinary citizens, mobility is often the only strategy left. People tend to move to regions under control of armed groups not because of a shared ideology or ethnic identity but because of the latter's ability to offer protection and the necessary conditions to continue their economic activities.

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[31] The Bunyakiri area under Mobutu suffered from extreme marginalization in terms of development and political participation. This explains the claim of intellectuals and civil society groups originating from the area for the institution of a local 'territoire' (or separate administrative district).

[32] See for instance Radio Okapi, Masisi: le groupement U famandu sous contrôle des FDLR depuis 15 ans, 26 August 2008.

[33] During the war, in some parts of Mwenga (South Kivu), La commission mixte pour la gestion des différents was instituted to deal with exactions of FDLR units against the local population and was composed by FDLR- commanders and local authorities. Since the peace-process and the arrival of mixed brigades of the Congolese army, the functioning of this committee has been seriously disturbed. Communication from local observer, end 2007.

[34] Another factor was the background of the local FDLR leadership; considerable differences in conduct could be observed between when units commanded by ex-génocidaires and those under command of more recent cadres.

[35] Menkhaus, K., Governance without government in Somalia. Spoilers, State building and the politics of coping.

Governance' in post-war DR Congo

Since the start of the peace process in 2003, rebel structures of control, local arrangements between rebel leaderships and entrepreneurs and protection mechanisms have come under growing stress because of the internationally supported efforts to reconstruct the Congolese state. Rather than leading to a reconfirmation of state authority or a return to the post-colonial patrimonial state, however, this peace process provoked new dynamics of political change. Some of the autonomous centers of power disintegrated as part of the efforts to reestablish state authority and to demobilize militia members. Elsewhere, the new institutional framework of the peace process was rejected and local structures of control were kept in place. In most cases, however, the state was nominally accepted in order to safeguard and protect autonomy and the survival of these non-state power structures as "semi-autonomous subsystems of power"[36]. Rather than being evidence of a further privatization of the post-colonial state or a return to prewar patrimonial logics, new governance frameworks are developing that include parallel power structures and institutions and that force the state into strategies of mediation in order to regain or maintain local authority.

Integration efforts offered new opportunities to the different power structures that emerged during the war, yet with varying success. Several Mayi-Mayi groups were not able to consolidate their local power and efforts to shift from an armed group to military movement largely failed. In the case of the RCD-Goma, the peace process further confirmed internal processes of disintegration yet illustrated that the RCD was much more an umbrella structure of different power networks than a coherent rebel movement. Most of these networks were able to secure their survival and started to exert their influence from within the state institutions. A similar reality was observed in Butembo and Aru, where agreements that connected rebel leaderships to traders during the war could be further extended. Using their position within the new government structures, former rebel leaders were able to consolidate their control over trading networks and to conclude new protection agreements with their business associates. As was observed in Aru, newly appointed political and administrative authorities were continuously contended by these businessmen, who increasingly relied on vigilante groups to protect their interests. When attempts were made to restore official fiscal and border practices, they claimed outstanding reimbursements for uncompensated pre-financing transactions with the FAPC from the national government[37] .

Parallel power structures within the state institutions linked them-

[36] Callaghy, T., The state-society struggle: Zaire in comparative perspective. New York: Columbia University Press, 1987

[37] United Nations Letter dated 26 July 2005 from the Chairman of the Security Council Committee established pursuant to resolution1533 (2004) concerning the Democratic Republic of the Congo addressed to the president of the Security Council.

selves into the functioning of the re-instituted state administration and turned the state into a very weak centre of power (without destroying it) that had to rely on mediation in order to maintain at least a semblance of authority. The effects of these dynamics are illustrated by the case of the Congolese National Army's ('FARDC') non-integrated 85th brigade in Walikale territory in North Kivu province in Eastern DRC. This brigade comprises a former Mayi-Mayi militia and operates under the FARDC label, yet acts independently of the FARDC's formal command structures. In order to secure control over the exploitation of local natural resources, the brigade has established a coercive security governance structure around the DRC's largest tin mine, located in Bisie. This brigade is an example of a departure from a pattern of profit accumulation under the seeming chaos of war towards profiteering under the seeming order of the DRC's fledgling state institutions. The same case, however, suggests that in this situation of neither-war-nor-peace[38], a negotiated, mutual accommodation of economic and political interests linked with security provision can be found. The army brigade collaborates with the territorial administrator and a number of mineral trading firms in the exploitation and marketing of cassiterite and simultaneously provides some security for the local population, thus disincentivizing the national government to undertake serious attempts to dislodge the brigade[39].

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[38] Richards, P.,ed., No Peace, No War. An Anthropology of Contemporary Armed Conflicts, Oxford, James Currey, 2005.

[39] For an analysis of this case, see: Garrett, N., Sergiou, S. and K. Vlassenroot, Negotiated Peace for Extortion The Case of Walikale Territory in Eastern DR Congo (forthcoming).