Land, Power and Identity

The politics of scale and violent conflict in Masisi, "DR Congo"

by

Blaise Muhire Mwanga

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Supervisor: Prof. Dr. Martin Doevenspeck

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Abstract

Current peacebuilding interventions aiming at addressing the causes of violent conflicts in the eastern DR Congo have been focusing on the 'local community' level as a scale of intervention. This study employed the multi-sited ethnographic methodological approach to understand why peacebuilding interventions have not so far succeeded in addressing the root causes of violence. Empirical findings drawn from this study demonstrate that, by focusing on land, power and identity issues as the driving forces of violence in Masisi (North Kivu), not only peacebuilding interventions have reduced the complexity of these issues to the 'local' level at the expense of other levels (provincial, national and regional), but have also ignored the role of powerful individuals (*string pullers*) in conflict dynamics as well as networks of interests that continue to challenge the current peace initiatives. This study used the *politics of scale* approach to demonstrate how land, power, and identity are multi-scalar issues rather than only local ones, and to analyze how these issues continue to provide avenues to some powerful individuals in the process of the scales' production. Acknowledging the relevance of the *politics of scale* in the approaches we currently know might be a way forward to peacebuilding paradigms shift.

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Acronyms and Abbreviations

ACODRI : Action Communautaire pour le Développement Rural Intégré

ACOGENOKI : Association des Coopératives des Groupements d'Eleveurs du Nord-Kivu

ADP : Alliance Démocratique des Peuples

AFDL : Alliance des Forces Démocratiques pour la Libération du Congo

APC : Action pour la Paix et la Concorde

APCLS : Alliance des Patriotes pour un Congo Libre et Souverain

ASP : Action Solidaire pour la Paix

CAID : Cellule d'Analyse d'Indicateurs de Développement

CDC : Convention des démocrates Chrétiens

CDM : Cadre de Dialogue et de Médiation

CIAT : Comité International d'Accompagnement de la Transition

CITC : Comités Intercommunautaires de Transformation des Conflits

CLPC : Comites Locaux Permanent pour la Conciliation

CM : Camp Management

CNDP : Congrès Nationale pour la Défense du Peuple

CNS : Conférence Nationale Souveraine

COFEDEC : Convention des Fédéralistes pour la Démocratie Chrétienne

COOPERAMMA : Coopérative d'Exploitants Artisanaux des Minerais de Masisi

CPAP : Cellule Provincial d'Appui à la Pacification

CT : Conflict Transformation

DCF : Démocratie Chrétienne Fédéraliste

DDR : Désarment Démobilisation Réinsertion

DDRRR : Désarment Démobilisation Rapatriement Réintégration et Réinstallation

DFJ : Dynamique des Femmes Juristes

DRC : Democratic Republic of Congo

EFSD: Emergency Food Security and Distribution

EU: European Union

FAO: Food and Agriculture Organization

FAR : Forces Armées Rwandaises

FARDC : Force Armées de la République Démocratique du Congo

FAT : Forum des Amis de la Terre

FDLR : Forces Démocratiques pour la Libération du Congo

FOPAC : Fédération des Organisations de producteurs Agricoles

GEAD : Groupe d'Etudes et d'Appui au Développement

GIZ: Deutsche Gesellschaft für Internationale Zusammenarbeit

GLTN : Global Land Tool Network

GPPM : Groupe de Plaidoyer pour la Paix à Masisi

IA: International Alert

ICG: International Crisis Group

ICLA: Information Counselling and Legal Assistance

IDMC: Internal Displaced Monitoring Center

IDPs: Internal Displaced Persons

IOM: International Organization for Migration

IRC: International Rescue Committee

ISSSS: International Security and Stabilization Support Strategy

JICOM : Coordination Territoriale de la Jeunesse Intercommunautaire de Masisi

JMC: Joint Military Commission

LPI: Life & Peace Institute

MAGRIVI : Mutuelle des Agriculteurs de Virunga

MHI : Mwangacucu Hizi International

MLC : Mouvement de Libération du Congo

MONUC : Mission des Nations Unies pour le Congo

MONUSCO : Mission des Nations Unies pour la Stabilisation du Congo

NGO: Non-Government Organization

NRC: Norwegian Refugee Council

OECD: Organization for Economic Co-operation and Development

PAM : Programme Alimentaire Mondial

PANADI : Parti National pour le Développement Intégral

PAR : Participatory Action-Research

PARECO : Coalition de Résistants Patriotes Congolais

PBA: Peacebuilding Architecture

PBC: Peacebuilding Commission

PBF: Peacebuilding Fund

PBSO: Peacebuilding Support Office

PRP : Parti Révolutionnaire pour le Peuple

RCD : Rassemblement Congolais pour Démocratie

RPF : Rwandan Patriotic Front

SADC: Southern Africa Development community

SADC: Southern African Development Committee

SFCG : Search For Common Ground

SICIA : Société Internationale de Commerce et des Industries Agricoles

SNPC : Synergie Nationale pour la Paix et la Concorde

SSR: Security Sector Reform

SSU: Stability Support Unit

STAREC: Stabilization and Reconstruction Plan for War-Affected Areas

TPD : Tous Pour la Paix

UCP : Union des Congolais pour le Progrès

UN: United Nations

UNDP: United Nations for Development Program

UNEP: United Nations Environment Program

UNICEF: United Nations Children's Fund

UNOCHA: United Nations Office for the Coordination of Humanitarian Affairs

UNOPS: United Nations Organization for Projects Support

USAID: United States Agency for International Development

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Dedication

To my parents

and

Grandmother Lea

Map 1: *Territoires* **of the North-Kivu Province**

Legend:
- national boundary
- province boundary
- North Kivu — province name
- territoriy
- *Lubero* — territoriy name
- □ capital of territory

Orientale

Beni

Beni

Lubero

Lubero

Lake Edward

Maiko-National Park

Maniema

North Kivu

Virunga-National Park

UGANDA

Rutshuru

Walikale

Rutshuru

Masisi

Walikale

Nyiamulagira (3063 m)   Sabinyo   *Gahinga*

Mikeno

M a s i s i   *Nyiragongo (3462 m)*   Visoke   *Muhabura*

Sake   Karisimbi

Nyiragongo

Goma   Gisenyi

RWANDA

Kahuzi-Biéga National Park

0   30 km

Lake Kivu

South Kivu

source: Google Earth 2016, United Nations 2002; cartography: Michael Wegener 2017

Chapter 1 Introduction

1.1 Armed conflict and peacebuilding in eastern DR Congo

> […we have received fund from UN agencies and other peacebuilding organizations to work with local communities in Bashali… So far, the project has difficulties because the people we expected to be committed in activities block the project, following the order of some *powerful individuals* located in Goma and Kinshasa…], *Conversation with NMM, July 2017*

This study departs from two dominant analyses about the crisis that has provoked a series of wars in the eastern Democratic Republic of Congo (DR Congo) over the past twenty years. The first analysis emphasizes the general governance crisis that has occurred in eastern DR Congo, which is seen as a crisis involving weak institutions and the failure to implement mainly security and administrative sector reforms (Trefon, 2011; Boshoff *et al* 2010). The second analysis (on which this study focuses) questions the role and approaches of the state- and peace-building interventions to support the Congolese government which have been going on for nearly two decades. This second analysis condemns the fact that the international community has privileged top-down approaches to resolve the Congolese crisis, arguing that, through these approaches, violent conflicts have actually persisted because the local dynamics of conflicts have been neglected and overlooked (Autesserre, 2007, 2008). Following this critique, scholars and policymakers have been extensively advocating for attention to the local level, where the issues of land, identity and power are seen as a starting point to effectively address the causes of violence (Huggins, 2010, Lemarchand, 2009).

Over the past decade, the call for a 'local turn' has drawn the attention of many peace building organizations which have implemented several programs on the 'local level', under the label of 'local communities', as a strategy to tackle the origins of violence and conflict. However, despite considerable efforts deployed in these interventions, very little has been achieved so far. This study argues that the design of the 'local' as a scale for interventions aiming at addressing the causes of violence has fallen into the *'local trap'* due to ignorance regarding other levels of influence.

Drawing on the assumption that the land, identity and power are the key drivers of the violent

conflicts in eastern DR Congo, this study uses multi-sited ethnographic methods to show how peace building interventions have not only reduced the complexity of the land, power and identity triangle to the 'local' level, but have also ignored the role of powerful individuals and networks across other levels, where other actors continue to challenge the current peace building approaches.

This study uses the *politics of scale* approach to discuss land, power and identity as multi-scalar issues, and to analyze the role powerful individuals as well as networks play across different scales and times in Masisi, eastern DR Congo. It aims at examining the conditions under which land, identity and power, far from being only local issues, have been framed and shaped by Congolese legal and institutional frameworks through scales that are constructed and controlled by multiple actors and networks. To grasp how these processes have evolved over time I will introduce a historical perspective and frame of the violent conflicts that have occurred in the region.

It is important to start with a historical outline and background. The decade of the 1990s was characterized by increasing political instability and violence in the Great Lakes region of East Africa, culminating in armed conflict in eastern DR Congo, massacres in Burundi, and the civil war and genocide in Rwanda, which had significant impacts on the situation we find today in eastern DR Congo. One of the areas in eastern DR Congo that was directly affected by the Rwandan crisis is Masisi and its surroundings areas. In 1993, inter-ethnic tensions among the population in Masisi resulted in widespread violence that caused over 10,000 deaths and the displacement of nearly 300,000 people (Mathieu & Tsongo, 2008:386). The protracted violence in Masisi from the early 1990s onward cannot be understood without putting it into its local and regional contexts.

Before I proceed with the actors and the scales of these tensions, let me present the composition of social groups in the province of North Kivu as recognized by the Congolese government. According to the *Monograph of North Kivu* (2005:36), compiled in line with the requirement for each province to produce a study providing administrative, political, demographic, social and economic data, there are thirteen ethnic groups, also called 'communities'. These groups are Nande, Pere, Mboba, Talinga, Kano, Nyanga, Kumu, Tembo, Kusu, Mbute, Hunde, Hutu and Tutsi. For the purpose of this study, I will focus mainly on three: the Hunde, Hutu and Tutsi. The majority of Hunde live in the *Territoire* of Masisi, where they consider themselves to be the original inhabitants (autochthons). Hutu and Tutsi also live in Masisi, but also in the *Territoires* of

Rutshuru and Lubero (in North Kivu) and Kalehe (in South Kivu). In South Kivu, there is another ethnic group called Banyamulenge (Tutsi) located in the *Territoire* of Fizi. In this thesis, I use the term *Banyarwanda* (referring to population of Rwandan origin) to designate Hutu and Tutsi (apart from the Banyamulenge), and also to distinguish Congolese Hutu and Tutsi from those in Rwanda. Chapter two describes the history of the Banyarwanda in the DR Congo in more detail.

The Rwandan genocide of 1994 can be considered a decisive turning point for the political, social and military situation in eastern DR Congo, and particularly in the Kivu provinces, which hosted about two million Rwandan refugees in the period after the Rwandan genocide (Oyatambwe, 1999:32). Among the refugees there were the defeated Rwandan forces (Forces Armées Rwandaises-FAR), 'Interahamwe' and 'Hutu Power', both Rwandan Hutu militias, which had been involved in the genocide. These militias fled to DR Congo (still Zaire at that time) with their military arsenal and were installed in a refugee camp a few kilometers from the Rwandan border. When the Rwandan Patriotic Front (RPF) army led by Paul Kagame took power in Rwanda in July 1994, the presence of Rwandan refugees and the general political instability in Congo at the time became a serious concern for the new Rwandan government. Profiting from the political chaos in Congo at the time, which was characterized by a general insecurity in the eastern part of the country, Ex-FAR and Interahamwe began recruiting young Rwandan refugees and organizing military training for an eventual attack on Rwanda to launch at any moment (Lanotte, 2003:34).

Between 1995 and 1996, sporadic attacks on Rwanda from the Congolese side by ex-FAR and Interahamwe contributed to the Rwandan authorities' concerns over the presence of Rwandan refugee camps in eastern DR Congo, leading them to consider a preventive military attack (Reyntjens, 2009:45). At the same time, the Rwandan regime of Kagame could not count on the Congolese government to deter the Ex-FAR and Interahamwe from their attempts to attack Rwanda. Mobutu, who was the president of the DR Congo at the time, had been an ally of the Hutu-dominated regime in Rwanda which Kagame had overthrown, and was therefore tolerant of the Hutu forces in DR Congo that were threatening to attack Rwanda. However, the political landscape was also rapidly changing in DR Congo, and Mobutu's regime was showing imminent signs of collapse (Jewsiewicki, 2012:11).

On the Congolese side, the crisis was triggered by a series of events. In 1990, Mobutu embarked on a process of democratic transition to a multiparty state, which culminated in a forum for national

dialogue between the Mobutu regime and the political opposition. This political opening offered to the Congolese opposition forces was largely due to the change in the geopolitical situation provoked by the collapse of the Soviet Union and the bipolar world order in 1989, meaning that Mobutu could no longer count on Western support. In August 1991, a national dialogue known as the National Sovereign Conference (*Conférence Nationale Souveraine*-CNS) took place in Kinshasa. The consensual transitional government (1991-1994) that resulted from the discussion during the CNS, decided that there should be a population census for the purpose of holding general elections. At the same time, the CNS decided to create the Vangu Commission, a parliamentary team that was sent to the Kivu provinces to evaluate the political and security situation. Upon the recommendations of the Vangu Commission, the Congolese Tutsi population in eastern DR Congo was accused of being accomplices of the Rwandan regime against the Congolese regime (Tegera, 2009:316).

On October 7th 1996, following the Vangu Commission's report on the situation in eastern DR Congo, the Governor of South Kivu delivered an ultimatum to the Tutsi of South Kivu, the so-called Banyamulenge, to leave the country. This became an opportunity for Rwanda to justify a military attack on the DR Congo to prevent what the Rwandan regime called 'another genocide' against the Congolese Tutsi population (Turner, 2007:4), such as the one that had occurred in Rwanda in 1994. Until the ultimatum, there had not been enough of a reason to launch a war. More importantly, in order to avoid what could have been seen as a Rwandan invasion of the DR Congo, the Rwandan regime needed Congolese actors who could take the political lead in the war under preparation. Thus, in October 1996, an alliance of Congolese political forces was formed with Rwandan and Ugandan encouragement. This alliance was named *Alliance de Forces Démocratiques pour la Libération du Congo* (AFDL). The first meeting which instituted the AFDL was held in Kigali, Rwanda and gathered together a variety of Congolese political forces, including the Democratic Alliance of the People (*Alliance Démocratique des Peuples*-ADP), headed by Déogratias Bugera, a Tutsi from Masisi, who became the Secretary General of the AFDL, and the People's Revolutionary Party (*Parti Révolutionnaire pour le Peuple*-PRP), represented by Laurent Désiré Kabila, who became the chairperson of the AFDL.

In May 1997, with the military support of Rwanda and Uganda, the AFDL defeated Mobutu's regime and took power, with Kabila as president. Although the AFDL military victory resulted in a total reconfiguration of the Great Lakes region in terms of security and political alliances,

pressing local questions such as the nationality of the Banyarwanda of Masisi and the repatriation of Congolese Tutsi refugees who fled to Rwanda in 1994 were not prioritized by the newly formed Kabila government. The Rwandan and Ugandan forces initially remained in the country; however, tensions developed, as Kabila accused Rwanda and Uganda of imperialism and of looting Congolese resources (Willame, 1999: 213). At the end of July 1998 Kabila expelled the Rwandan and Ugandan forces, causing alarm to the Banyarwanda. He in turn was accused of tribalism, nepotism and dictatorship by former AFDL members, mainly Tutsi and Hutu leaders. A rebellion erupted in Goma in early August. This new rebellion took the name *Rassemblement Congolais pour la Démocratie* (Congolese Rally for Democracy-RCD) and resulted in a new war against the government of Kabila, the so-called Second Congo War, which was launched simultaneously from North and South Kivu provinces.

While the RCD was supported by Rwanda and Uganda, President Kabila benefited from support in troops and weapons from Angola, Zimbabwe and Namibia. One year after the beginning of the fighting, a ceasefire was signed in Lusaka (Zambia) with the help of mediation by the African Union and the United Nations. On November 30th 1999, the United Nations created the Mission of the United Nations in DR Congo (MONUC, which became MONUSCO in July 2010) under Resolution 1291 of the Security Council. In April 2002, the Lusaka ceasefire agreement was followed by the 'Global and Inclusive Agreement' signed by all belligerents in Sun City, South Africa. The major outcome of this agreement was the creation of a transitional government in DR Congo in the beginning of 2003. The agreement had five main objectives: reunification and restoration of state authority, national reconciliation, formation of a structured and integrated national army, organization of elections, and the formation of structures that could lead to a new political order. These objectives were supported by the MONUC mandate which was summarized in five points: implementing the Lusaka ceasefire agreement, monitoring against violations of the agreement, facilitating the transition, assistance in organizing general elections, and facilitating the Disarmament, Demobilization, Repatriation, Reinstallation and Reinsertion (DDRRR) processes (see UN Security Council Resolution 1279 of 1999). To ensure the implementation of the Sun City agreement, the international community, represented by the five UN Security Council members, created an international committee for the support of the transition called the *Comité International d'Accompagnement de la Transition* (CIAT). Based in Kinshasa, CIAT accompanied the Congolese government in the organization of elections in 2006. However, even before the

elections, signs of a new war were seen in North Kivu. In 2004, one year after the transition had begun, the creation of a military group called *Synérgie Nationale pour la Paix et la Concorde* (SNPC), led by Laurent Nkunda, a Tutsi military man whose headquarters were located in Masisi, marked the start of a new rebellion against the transitional government in Kinshasa. The transformation of SNPC into the *Congrès National pour la Défense du Peuple* (CNDP/ National Congress for the Defense of the People) in 2005 revealed Nkunda's agenda: the protection of Tutsi community interests. On the other side, the Hutu community organized itself in PARECO (*Coalition des Patriotes Résistants Congolais* / Alliance of Resistant Congolese Patriots) and the Hunde community created APCLS (*Alliance des Patriotes pour un Congo Libre et Souverain* /Alliance of Patriots for a Free and Sovereign Congo). These armed groups will be further discussed in chapter six.

The role of Rwanda became ambiguous within this configuration of local armed groups. The CNDP was largely interested in the return of Congolese Tutsi refugees living in Rwanda, in the recovery of their land in DR Congo once returned there, and in their security against the *Force Démocratique pour la Liberation du Rwanda-* FDLR (Democratic Force for the Liberation of Rwanda), a Hutu armed movement in eastern DR Congo, composed of former soldiers of the Rwandan national army and the 'Interahamwe' militia. This group was created in 2000 and established its bases in different locations in eastern DR Congo, with the aim of overthrowing Kagame's regime in Rwanda (Pole Institute 2008:8). On the other hand, the other group that was active in the region, PARECO, did not have any official political agenda and did not officially declare war against the Congolese government, unlike the CNDP and FDLR.

In December 2008, CNDP and PARECO, alongside other armed groups in North and South Kivu, accepted a ceasefire and signed a peace agreement with the Congolese government in March 2009. However, in January 2009, before the signing of this agreement on March 23rd 2009 in Goma, Nkunda was arrested by Rwandan authorities (Vlassenroot and Raeymaekers, 2009:482). In 2012, ex-CNDP leaders created another rebel group named M23, which was led by Tutsi officers and demanded the implementation of the Goma agreement. In 2013, M23 was defeated by the Congolese army with the support of UN peacekeeping troops. Hundreds of M23 troops fled to Rwanda and Uganda. Around this time, the Hutu in Masisi were organized in another militia group called Nyatura (composed of ex PARECO troops), which was, and continues to be, in permanent rivalry with APCLS, the Hunde militia in the region.

It is against this highly complex background that state- and peace-building intervention efforts intensified in DR Congo from the year 2000, with a particular focus on the eastern parts of the country. In the aftermath of the Congolese general election of 2006, the Congolese state had become, in the eyes of the international community and donors, a 'legitimate' government that needed consistent technical and financial support. The national security sector reform (SSR) and the construction of national public infrastructures became the priority of the international community, which implemented several projects such as the training of the army and the police, and capacity building in public administration (International Crisis Group, 2006; Boshoff et al., 2010). One example is the European Union fund, which covered a period of ten years (2003-2013) and aimed at strengthening the state's capacity to recover from the effects of the war. In order to implement these programs, the EU funds were disbursed to international organizations, mostly western non-governmental organizations (NGOs). However, despite efforts by diverse actors, the cycle of violence in eastern DR Congo still persists to the present day.

Critiques by scholars have, since then, denounced this failure and associated it with a top-down approach applied by international peace and state-building organizations, and they have advocated for more focused attention to the local dimension of the conflict. This *local turn*, based on the assumption that conflict dynamics have to do mainly with the local level in which different groups are opposed to one another and continue to maintain the violence, has given rise to several interventions. In dealing with the 'local', the issues of land, power and identity have been framed and put at the center of conflict resolution efforts, and this has led to the design of different peace building programs by diverse organizations. Nonetheless, in almost three decades of peace efforts, many of these interventions still have not successfully addressed the root causes of violence.

1.2 Statement of the problem: Peace building and the local trap

Throughout the past two decades, international organizations have intensified interventions in eastern DR Congo in attempts to deal with the causes of violence. The first dominant view of intervention was based on the hypothesis that the DR Congo is an extreme example of a neo-patrimonial state in which networks of businessmen and politicians have created and maintained a *status quo* of political *chaos* (Tull, 2003:431). The argument that has been put forward is that the origin of the violent conflict is situated at the state level, with the state having lost both the

monopoly on the use of violence and control over its international borders, since Congolese independence in 1960 (Maindo, 2007:25). This assumption has led international actors to intervene mainly at the national level as a strategy in both state-building and post-war reconstruction (1996 and 1998), especially in the eastern part of the DR Congo.

According to the survey conducted between 2006 and 2007 by the International Rescue Committee (Coghlan B. *et al* (2008):

> the DR Congo's national crude mortality rate (CMR) of 2.2 deaths per 1,000 per month is 57 percent higher than the average rate for sub-Saharan Africa. This rate is unchanged since the previous IRC survey in 2004. DR Congo remains in the midst of a major humanitarian crisis… we now estimate that 5.4 million excess deaths have occurred between August 1998 and April 2007 (2008: ii).

These figures have influenced the agendas of UN agencies, the World Bank, the International Monetary Fund, the European Union and bilateral donors, in holding the view that the Congolese government should resolve the causes of violence. This view of the international community has put the DR Congo in the category of a post-war country and it has been assumed that the state should become effective through the strengthening and reforming of its institutions (Froitzheim *et al*, 2011:46). For example, during the Congolese political transition (2003-2006), the international community priorities were largely oriented towards state-building programs, in the form of security sector reforms and the organization of elections. As Sévérine Autesserre put it,

> Many of the international actors, especially high-ranking diplomats and UN staff members, do not believe that local causes played a decisive role in sustaining national and regional violence during the war and in the post-war period. During the transition, diplomats, UN staff, and many non-governmental organizations worked mostly on the national and regional cleavages, mediating among, and when necessary putting pressure on, the main Congolese, Rwandan, and Ugandan political and military leaders (2007: 424).

This view of the state as key actor in resolving the causes of violence has been nourished by state-building ideas which consist of re-building institutions of a post-conflict or fragile state (discussed in detail in chapter two). In the Congolese context, these ideas have been criticized as the 'liberal peace' approach which assumes that democracy and the market economy are intrinsically peaceful and mutually reinforce each other (de Goede 2015:1). In the same way, in other countries such as

Sierra Leone (Tom, 2011), Bosnia (Chandler, 2006), or countries in Central America (Kurtenbach, 2011), state-building has been a central focus of multidimensional peace operations in war-torn societies. However, efforts to construct legitimate, effective state institutions are often rife with tensions and contradictions (Paris and Sisk, 2007:1).

From 1999 onward, the DR Congo has hosted almost 20,000 UN troops to support peace efforts and the democratic process. The organization of general elections in 2006 and 2011 attracted the attention of the international community and of bilateral donors, under the assumption that an election would solve the problem of legitimacy and would therefore reinforce the state's authority to deal with the causes of the conflict. However, despite the significant amounts of international funding and expertise in support of the Congolese national government in its efforts in conflict resolution, there is little tangible evidence of success (see Boshoff 2010, Justaert and Keukeleire 2010, International Crisis Group, 2006). Oxfam's report (2012: 5) points out that efforts toward stabilization in DR Congo have not been successful due to the lack of political will from the Congolese government and lack of inclusion of stakeholders in the different stabilization programs. As Trefon (2011: 1) pointed out, the overall picture of reform failure is the sum of a series of disconnected, uncoordinated, fragmented and contradictory initiatives due to lack of a common vision among Congo's bilateral and multilateral donors. Froitzheim *et al.* (2011: 45) echoed Trefon in showing that the European Union's state-centered approach has been unable to deal with the realities of governance in the DR Congo and the strong trans-border dimensions of the conflict. The authors condemn the lack of a coherent strategy for the DR Congo, despite the large budgets. Their analysis concludes that the EU's approach in the DR Congo has been resolutely nation-based, more concerned with establishing a symbolic presence and a form of representation than with achieving specific goals.

This lack of effectiveness is demonstrated in the concrete examples of several programs implemented in the areas affected by violence. Examples are the Stabilization and Reconstruction Plan for War-Affected Areas (STAREC) and the International Security and Stabilization Support Strategy (ISSSS). STAREC was created in 2009 as a post-conflict program aiming at stabilizing eastern DR Congo by improving the security environment, whereas the ISSSS was created by the UN mission in DR Congo (MONUSCO) to support and coordinate interventions in partnership with the Congolese government through STAREC. Despite the financial and technical contributions from donors, these failed to yield the expected results.

Thus far, current assessments of the programs implemented demonstrate a lack of consultation, particularly with the targeted populations, a prevalence of material reconstruction over governance reform, a lack of international coordination, and a lack of financial commitment from the Congolese government (International Crisis Group 2012: 8). International Alert (2012: 7) concludes that the various programs implemented by the government and by international partners to bring peace in eastern DR Congo have failed because they have based their interventions on mistaken assumptions and unreliable context assessments. Some of these assumptions are refracted versions of what Autesserre (2012:204) describes as 'dominant narratives' of discourse on the Congo conflict, which underlie the intervention strategies. These dominant narratives focus on a primary cause of violence (the illegal exploitation of natural resources); a main consequence (sexual abuse against women and girls); and a central solution (reconstructing state authority). As Autesserre argues, these narratives obscure the interveners' understanding of the multi-layered problems of the Congo, orienting interventions toward a series of technical responses that in fact hinder the search for a comprehensive solution.

Several critiques of international intervention efforts have concluded that they have failed to restore peace in eastern DR Congo due to their failure to take on board the underlying causes of the violence, that go beyond the national realm. This is the approach taken by Autesserre (2009:256), who argues that international efforts have been doomed by a 'culture' of peacekeeping that has made its protagonists neglect the importance of local conflicts. She stresses, in the same way as Lemarchand (2009:119), that the main reason for failed peace-building efforts in Congo is that the international community has paid too little attention to the root causes of the violence, including local disputes over land, power and ethnic identity.

Putting these causes in historical context, Mamdani (2002:494) argues that it is the persistence of the 'native authority' – the colonial system of rule that welded ethnicity with power and land, splitting the political world between those who are indigenous and those who are not – that continues to fuel violence in the Kivu Provinces. Stearns (2013:165) agrees with Autesserre and Mamdani in stating that customary rule, local power disputes and land conflicts are at the center of violence in Kivu. All of these authors acknowledge that there are deep-seated resentments over thorny issues such as citizenship, land tenure, and local power structures in eastern DR Congo.

These critiques have led to a second dominant view of intervention in which the 'local level' has

become a new feature for external interventions. In response to the critiques of the top-down approach and demands for an alternative, non-state actors (NGOs and UN agencies) have started implementing projects at the 'local level'. The problem with this 'local turn', however, is that it has faced two unresolved issues. Firstly, considering land, power and identity as essentially 'local' issues has also misled interventions. Although the existing literature emphasizes that land, identity and power issues are at the core of violent conflict in Masisi, peace building organizations rarely implement projects that reflect this comprehensive diagnosis. Even though conflicts over land have played and continue to play an important role as a driving force of violence and are a primary source of tensions between the so-called 'local communities', the connected questions of identity and political power remain missing from the local interventions (this is further demonstrated in chapter four). Many projects on the grassroots level focus on resolving land disputes among individuals through mediation, reconciliation and conflict resolution skills. Some organizations are also involved in advocacy campaigns at provincial and national levels in attempts to affect land reform. However, despite this set of peace- and state-building interventions over almost two decades, the causes of violent conflicts are still not adequately addressed.

Secondly, patron-client networks and the powerful individuals that control land and power structures are rarely part of peace building initiatives carried out by NGOs (Vlassenroot and Raeymaekers 2009, Fuamba et al 2013). This was also noted by Laudati (2013:46) when she argued that the failure to recognize these actors as influential figures in terms of potential violence around land, identity and power, was also simultaneously a failure to recognize those actors and networks as potential pathways to peace. In Masisi, those networks and powerful individuals do not only act on a clearly defined local level, but they also hold political positions in the capital, Kinshasa, run important businesses in Goma, and are connected to multiple informal networks at provincial and national levels.

So far, none of the various peace building interventions has ever succeeded in coming up with a coherent approach that includes those actors in the peace processes.

This study relies on the assumption, which both scholars and policymakers have recognized, that working at the local level should be the starting point to address the causes of violent conflicts, and on the evidence on the ground which shows how peace building organizations have ignored the complexity of what is only vaguely referred to as the 'local'. Local intervention efforts have

not only failed to deal with various links between the 'local' and other levels beyond the local; organizations have also overestimated the capacity of the 'local community' to address the complex causes of violence. While it is agreed that the nature of conflict is essentially local, the case of Masisi in eastern DR Congo shows how the key driving forces of violence (such as power, land and identity) are not exclusively local issues; they are linked to other scales of influence and involve multiple actors and networks.

For decades, peace building actors have failed to provide both a clear approach to address the underlying factors of violence and a constructive long-term process in which Congolese actors would eventually take ownership to prevent violent conflicts. Thus far, peace building organizations have not questioned their erroneous understanding of the local, which consists in hoping that local communities will gladly accommodate their peace building programs, and in expecting local communities to be capable of addressing the triangle-related violence, independently of other scales and dimensions of the conflict. It is the existing failure in scrutinizing and understanding 'the local' on both a theoretical and empirical level that has motivated this study.

This study seeks to question the meaning of 'local', such as is taken for granted by peace building organizations, while showing how the local is linked to other levels, and the conditions under which powerful individuals navigate across different levels of influence, at the expense of conflict management initiatives.

This study seeks to understand why peacebuilding interventions working at the local level for years continuously fail to address the causes of violent conflict in spite of huge resources allocated. Why and how is the 'local community' constructed and how is it used to implement peace building programs? What are the limitations of focusing on the local community and how does this constitute the local trap? Finally, what were the processes of scale production by diverse actors and how can peacebuilding interventions relate to the politics of scale? The general objective of this study is to analyze the processes of the emergence of local actors as well as the conditions under which these actors contributed to the production of multiple scales. The aim is to understand why current peacebuilding interventions continue to fail in addressing the causes of violent conflict and to what extent the *politics of scale* could provide a thorough understanding of this failure.

Specifically, this study seeks to: (1) identify and analyze examples of peace building interventions

in eastern DR Congo in order to understand the process of the construction of the 'local' as a scale to legitimize intervention, and how this actually relates to other scales, which tend to be neglected by peace building interventions. This study asks why and how was the 'local community' constructed and how is it used to implement peace building programs? What are the limitations of focusing on the local community and how does this constitute the local trap?

(2) discuss and analyze the role powerful individuals and networks play across different scales of influence in DR Congo. How and under which conditions land, power and identity have become multi-scalar issues, the connection between peace building interventions and powerful individuals, as well as the role of legal plurality and institutions that contributes to the maintaining of violent conflict.

(3) contribute to current knowledge about the role of actors and scale-making processes in peace and conflict studies by analyzing the conditions of the emergence of Big Men in eastern DR Congo, and how their relations to land, power and identity provide an empirical outlook and adequate analytical framework in the field of political geography.

1.3 Structure of the thesis

This thesis is organized in seven chapters. The first chapter gives a general introduction to the study. It begins with the background to the conflict, the actors involved and dynamics at different levels. It also states the research problem addressed in this study as well as the objectives and research questions of the study.

The second chapter provides a literature review on peacebuilding, its relation to state building and other related approaches such as the 'local turn'. It discusses the meaning of land, power and identity in the peace and conflict studies in sub Saharan African countries and in the eastern DR Congo in particular. The chapter scrutinizes the meaning of *politics of scale* in the contest of protracted conflict and it is used to build the theoretical approach used in the study. Chapter three discusses the methodological aspects, namely the multi-sited ethnography, research areas, categories of participants to the study, reflexivity and positionality as well as the conditions of fieldwork and challenges of the study.

Chapter four examines the process of the construction of the 'local community' level and explains how peacebuilding interventions design programs around land, power and identity issues, while it questions the meaning of the 'local' in comparisons to other scales. It explores the extent to which focusing on the local level has or has not been an effective approach to address the root causes of the violence. Chapter five analyzes land, power and identity as multi-scalar issues. It discusses the way peacebuilding interventions have dealt with land tenure issues mostly on the local scale, ignoring other scales, especially important jurisdictional and institutional frameworks at the provincial and national scale. Apart from land tenure, this chapter discusses relevant laws and institutions, with emphasis on how the Banyarwanda in Masisi struggled to access rights to land and nationality. Chapter six draws on chapter five to discuss the processes through which these struggles evolved in different periods of time and produced scales, navigating from the local, regional and national. The chapter discusses the emergence of armed groups and powerful individuals as well as strategies used by them both to gain power and to control land. I use an example of a conflict transformation implemented in Bashali chieftaincy (Masisi) by Life&Peace Institute (a Sweden-based peacebuilding organization) in partnership with Action Solidaire pour la Paix (ASP), a Congolese civil society organization. I closely analyze a participatory-action research both organizations conducted in Bashali, in order to identify to what extent powerful individuals ('string pullers') can be determinant in the success or failure of such a conflict transformation initiative.

Chapter 2 Conceptual framework

2.1 Conflict drivers, peacebuilding and the question of scale

2.1.1 Definitions and discussion

Questions of land, power and identity in the literature are discussed across different fields of study and their meanings vary accordingly. The definition and the understanding of each of the three concepts are sometimes analyzed separately, sometimes in the same analytical framework. In this sub-chapter, and for the purpose of this study, I will discuss each of the three concepts with particular attention to how different research fields relate them to conflict studies.

Over the past decade, scholars have been engaging with the concept of land in relation to various other issues such as land access, property, authority, belonging, citizenship and how the analysis of conflict considers these concepts as contested issues and often at the center of groups' claims (see Lund 2011, Sikor and Lund 2009, Boone 2014). Other authors discuss land as a governance issue by focusing on the function of legal systems and institutions (see Jentoft, 2011; Kurniawan, 2014). In conflict studies, however, the notion of land, seen as a conflict factor, is rarely discussed as an isolated issue when it comes to what is usually called 'land conflict'. This is because, often, access to land is seen as problematic in most African rural areas where land-related conflicts are recorded (Lund et al, 2006:4; Boone, 2014).

Many of these conflicts are also described as due to failure in distribution or redistribution between different social groups, which generate competitive struggles over land and land-based resources (De Luca and Sekeris, 2012:121). This view of land through the prism of access and distribution is also linked to the critical roles of state agencies, members of elites and a national 'dominant class' – persons able to use state bureaucracies and procedures for their own benefit – as well as the increasing importance of transnational networks linking nationally based agents with international corporations and foreign governments (Peters, 2004:306). This quest for large tracts of land is also seen as a strategy to maintain power by the political elite, who manipulate the rules and practices of land tenure to acquire land mainly in rural areas where tensions around land are likely to produce violence (Boone 2012:77; Rose, 2002:189).

Another aspect discussed about land tenure issues is the idea of land as 'property', property that can be claimed by both individuals and social groups on the one hand, and by the state on the other (Fay and James 2010:3; Upton, 2009:1408). In this context where authority over land is claimed by both individuals and the state, land tenure may involve reform processes by the state as a tool to better control and regulate access to it (Peters, 2007:24, Sikor and Mueller, 2009:1309). This claim for authority over land control and the struggles it generates is also explained by human geographers when they associate land with both the *site* and *stake* of struggle in the sense that conflict is experienced over land possession which at the same time is conducted on its *terrain* (Elden, 2010:806). Alongside the academic debate about the function of land in conflict settings, this vision of land as a stake of conflict has also been embraced by non-academic actors.

In the policymaking sector, for example, land tenure has been largely considered as a tool for promoting peacebuilding and durable peace and to address the causes of land-related violence. In many countries, several interventions in the land sector not only tried to promote land governance as a business opportunity, but also the promotion of land governance is seen as a way to mitigate tensions, as in the International Organization for Migration official message:

> it was generally agreed that neither durable peace nor sustainable development can be achieved without giving due attention to land, access to land and hence land rights. It was widely noted that land tenure and property rights are important tools for promoting peacebuilding and durable peace, and should therefore be included in the UN Post-2015 Development Agenda (IOM, 2014:1).

Furthermore, seen as a conflict factor, land has been at the center of many peacebuilding interventions often following guidelines provided by both academic and policymaking institutions. The World Bank, for example, believes that scarcity of productive land and changes in land tenure systems in Africa are contributing factors to violent conflicts (see OECD, 2001 and World Bank, 2003 reports). Likewise, Policy Brief 3 from the series *Policy briefs on post-conflict peacebuilding and natural resources management* states that:

> Land access, use, and ownership are central concerns for post-conflict peacebuilding. Land and its governance are often root causes of conflict; land issues played a major role in all but three of the more than thirty intrastate conflicts that occurred between 1990 and 2009 (Jensen *et al,* 2013:1).

The dominant assumption behind this linkage between land and conflict, as mentioned above, relies on the idea that post-conflict societies often suffer from a lack of clarity regarding which laws and institutions can better govern the access, use, and ownership of land as well as land-based resources. In this study, I will engage with the concept of land in the sense of land access and the ways it involves the dimensions of identity and power.

Attempts by scholars and policy makers to deal with land questions often refer to the dimension of 'power', whether in the form of politics, authority, state institutions or political elite, while at the same time, there is no consensus about what it means exactly.

> *Power* is one of the key concepts in the great western tradition of thought about political phenomena. It is at the same time a concept on which, in spite of its long history, there is, on analytical levels, a notable lack of agreement both about its specific definition, and about many features of the conceptual context in which it should be placed (Parsons, 1963: 232)

Following Parsons's warning about the concept of 'power', and in respect to the well-known classic and contemporary theorists of 'power' such as Max Weber, Karl Marx, Thomas Hobbes, Michel Foucault, Pierre Bourdieu, etc., there is not a single and apt definition of what 'power' is. With this difficulty of defining 'power', there is at least a trend among political scientists, human geographers, anthropologists and sociologists to discuss the concept of power in a broad analytical framework, by relating it to other concepts and other phenomena that fit in the respective research area of each discipline. For example, within the constructivist analysis of power, there is a belief that power and politics may have a strong mutually defining link, so much so that they are often used together as a single concept (Guzzini, 2005:519).

This difficulty of defining 'power' as a single concept has also been largely accepted by human geographers, who therefore suggest that politics, the state, scale and political geographies of the contemporary world can be discussed without necessarily being very precise about what power is (Low, 2005:87). Guzzini, for example suggests that one should detach the notion of power from

states and institutions by taking a close look at 'politics' as something that is done by actors, beyond states. This argument of taking into consideration the role of multiple actors seems to strongly emphasize the idea that power is not restricted to those in government but can be shared by other elected members, powerful lobby groups, the media and the bureaucracy (Moore, 2010:125). This recognition of multiple actors to better contextualize the concept of power also brings out another aspect which considers power as a relational effect of social interactions (Allen, 2003:2). Allen demonstrates that power may bridge the gap between here and there, but only through a succession of mediated relations. He sees power as something that emerges and is immanent in the context of particular social relations through the work of networks and associations.

When Berger and Luckmann (1966:18) in *The Social Construction of Reality* provide a differentiation between 'society as objective reality' and 'society as subjective reality', the notion of *power* seems not to be explicitly discussed, although they used Durkheim's and Weber's sociological perspectives of *power* as socially constructed. However, there is a clear recognition that this differentiation provided by the authors offers a theoretical foundation to discuss *power*. This recognition starts with the idea that society is formed by individual actors who produce society based on a subjective reality which guides their actions while, at the same time, individuals are formed by society and its objectivations (Dreher, 2016:55). As far as power is concerned, argues Dreher, it is precisely objective reality which comes into focus, since power structures and power hierarchies are specifically seen as structural conditions through which institutions, also, are the product of human action representing historicity and social control. It is precisely through this human production of hierarchies in order to control institutions and scales that I bring out the dimension of identity, as both constructed and contested features by groups of people engaged in competition.

Identity is one of those concepts where any analysis runs the risk of generalizing and simplifying what it would actually mean. Peace and conflict studies, for example, is one of the research areas where *identity* takes different meanings and shapes. Often, it is associated with *ethnicity* (see Le Meur *et al*., 2006; Ndegwa 1997), or *citizenship* (see Boye and Kaarhus, 2011; Perneş 2012), or sometimes with the claims of *belonging* (see Jacob and Le Meur, 2012; Boone, 2007). Even when these forms of identity can predominantly be claimed by individuals or groups distinguishing

themselves from others, they generally lack a clear meaning depending on the context and dynamics of the conflict being experienced.

> Identity is formed by social processes. Once crystallized, it is maintained, modified, or even reshaped by social relations through social structures. (Berger and Luckmann, 1966:173).

In the same way as power is socially constructed by human action which represents the historicity and social control of actors, Berger and Luckmann discuss how societies have histories in the course of which specific identities emerge and that these histories are made by people with specific identities. Berger and Luckmann stress that identity is - generally speaking - a phenomenon that emerges from the dialectic between individuals and society, whereas identity *types* are social products *tout court*. I will tentatively discuss some identity *types* that provide a certain account of what identity would mean in this study.

To begin, take the example of citizenship. Seen as one piece of the identity *puzzle*, which needs to be carefully contextualized, defined and its meaning and its implications located in time and space (Duyvendak and Scholten, 2012: 276; O'Brien, 2016:102). Sometimes, citizenship can also be seen generally, and seen as a combination of rights and obligations that link individuals to the state, including paying taxes, obeying laws, and exercising the full range of political, civil, and social rights (Clarke and Missingham, 2009:955). Bringing the notion of citizenship in the state-society presented by Clarke and Missingham, suggests the idea of citizenship as agency (Lister, 1997:9). In his attempt to conceptualize the notion of citizenship, Lister sees it as participation that represents an expression of human agency in the political arena. Broadly defined, Lister explains how citizenship constitutes the rights that enable people to act as agents, individually or in collaboration with others. Lister's central argument in this regard is that citizenship rights are not fixed; they remain the object of political struggles to defend, reinterpret, and extend them. Who is involved in those struggles, where they are placed in the political hierarchy, and what political power and influence they can wield will help to determine the outcomes of such struggles.

To capture the essence of what Lister means by 'citizenship rights are not fixed; they remain the object of political struggles', Jones and Gaventa (2002:19) bring into the debate the idea of '*scales of citizenship*' to show how the nation-state relation is the spatial frame of reference for citizenship. They argue that in the contemporary context of globalization-localization there is increasing

recognition of different groups within and beyond states, at the many different scales in which people's lives are played out. The de-linkage of citizenship from the national state, the authors claim, has been of particular concern to those engaged in advocacy for the citizenship rights of people who live in areas which are not those of their cultural origin (migrants, refugees, etc.) for whom the formal status of 'national citizenship' remains a critical question. Citizenship thus, they conclude, becomes a differentiated relationship of belonging, action and accountability between citizens and the many different institutions that have influence on their lives.

Conceptualized as a *politics of scale*, citizenship is considered as an aspect of social formations as both the objects and the outcomes of contending political enterprise. For example, the 'local' as a scale often emerges in varying configurations and through different fields of relationships in which citizenship is entangled as articulations of people and place (Clark *et al,* 2014:141). Looking at citizenship across scales also suggests the dialectic *local citizenship* versus *national citizenship* that actors may claim or fight for. Nguya-Ndila (2001) for example distinguishes two types of citizenship: *civic* (which refers to political rights, such as the right to vote and the right to benefit from public services) and *ethnic* (which grants the right to enjoy local resources, including land). This distinction between local and national citizenship is not new; it is a pre-colonial phenomenon, as Mamdani (1998:2) shows. Mamdani points out that the political crisis of the colonial state lies in the bifurcated citizenship reproduced through the bifurcated state. Moreover, he discusses how the formation of identity has been the result of a distinction in law between those indigenous and those not: as a rule, the non-indigenous belonged to the civic sphere and the indigenous to the ethnic sphere, the equivalent of what Nguya-Ndila calls *national* and *local* citizenship. In the example of the Banyarwanda in eastern Congo, Mamdani explains that only those considered indigenous (Hunde, Nyanga, Nande…) were entitled to a *native authority* of their own, and thus to an ethnic citizenship. But because the Banyarwanda immigrants in Masisi were not entitled to have a *native authority* of their own, they were excluded from ethnic citizenship. The reason why this ethnic or local citizenship mattered for the Banyarwanda in Masisi settlement was that it refers to social and economic rights, usually referred to as customary rights (Mamdani, 2002:502). Linking local citizenship to ethnic groups, both indigenous and non-indigenous, to define which of these two categories has the rights to that local citizenship, seems to bring ethnicity into the process of negotiating local citizenship (Boone 2007:578). It is important to mention here that as far as the notion of identity is concerned, local citizenship - as both a form of identity and political

claim - remains tricky to define, especially when it is merged with ethnicity. As Mamdani noted, in some African countries,

> Ethnicity, in other words, was never just about identity. Its two contradictory moments involved both social control and social emancipation. This is why it makes sense neither just to embrace ethnicity uncritically nor simply to reject it one-sidedly. Everywhere the local apparatus of the colonial state was organized either ethnically or on a religious basis. (Mamdani, 1996:147)

In this study, the concept of identity is handled with care because of its complexity and fluidity. The data collected in this study will shed light on the terms in which 'identity' has been expressed, used or claimed by different actors.

2.1.2 The interconnection of land, power and identity in conflict studies

The conceptualization of land, identity and power and their relationship to conflict also recognizes the difficulty of generalizing one single definition for any of the three concepts. For example, land is usually associated with land rights, land access, property rights; whereas power evokes politics, public institutions, authority; and identity generally refers to citizenship, ethnicity, belonging, or autochthony. Generally speaking, conflict around land consistently gives rise to explanations based on the identity and interests of actors involved. Lund (2011:73) for example recognizes that there is always more at stake in land conflicts, arguing that it is never merely a question of land *per se* but rather also a question of property, and of social and political relationships. For Lund, land is not only a matter of access to property rights; citizenship and property are also closely connected in the sense that citizenship and belonging can be avenues to access and secure property, and property may bolster claims of belonging and citizenship.

Assuming that citizenship and belonging can secure property may become problematic in the sense that the notion of citizenship is also contested (James, 2013:3) and often suggests a distinction between 'national' and 'local' citizenship (Jacob and LeMeur, 2012:93). While people may share a national citizenship, the idea of autochthony is often invoked as a mechanism of inclusion and exclusion (Geschiere, 2011:331). In the same line of thought, even in the context where a certain group has a national citizenship that endows them with certain rights, it is neither the only significant form of belonging to a political community nor the only source of property rights (Sikor

and Lund, 2009:16). Unlike national citizenship, local citizenship and land rights can be strongly intertwined and can, in some cases, mutually secure each other (Boye and Kaarhus, 2011:101).

The assumption that local citizenship (although a contested form of identity) can 'easily' secure land may not always apply everywhere and in every place. It can be argued that local citizenship does not in itself secure land rights but merely allows those who are recognized as citizens (whether local or national) to enter the political economy of land and land questions. Being an autochthon, therefore, does not necessarily guarantee the security of land rights either, because in some cases, non-autochthons can easily acquire and secure their land rights through legal procedures (such as land registers), which provide land certificates to each citizen (Bøås, 2009: 22). Although access to land in many sub-Saharan African countries is often obtained by the acquisition of property rights, the way property rights are negotiated and how land regimes interfere in competition for land between social groups in rural areas is not always clear. Partly, this is because land tenure systems in many societies in Africa are fragmented and subject to many competing normative orders, which makes them challenging to analyze through any one lens (Perneş, 2012:195).

This analysis is also made harder by the ways in which land tenure institutions vary and create connections and disconnections between local and national political arenas (Boone, 2013:199). Boone brings together local institutions of land tenure with the local political arena to explain how land-related conflicts play out when authority over land and citizenship are at stake. This competition for access to land also involves questions of power in the sense that individuals attempt to consolidate their claims about land and other resources through various means, often in pursuit of transforming access to resources into legally recognized political institutions (Lund, 2011:8). In doing so, political processes - such as legal or institutional reforms at the national level - can profoundly influence land tenure dynamics, as individuals who hold powerful positions in public institutions at national level (for example a Minister or a member of parliament) may use their position to control political and administrative institutions (such as land registration) at the local level and (sometimes) customary structures by using their influence to access and secure tenure rights (Goldstein and Udry, 2008: 4). This competition also occurs because land rights can be allocated and reallocated by regimes seeking electoral advantage by rewarding their constituencies at the expense of losers, rivals, or minorities (Boone, 2009:183; Baland and Robinson, 2008: 1748). Van Acker (2005:81) also argues along these lines when he states that the quest for land control often is a strategy to realize a system of dependent integration: land relations

and social hierarchy mirror each other. However, even though land can be subject to patron-client arrangements, contestations among different social groups struggling to access land are likely to take the form of customary claims over land as a local citizenship right in opposition to the state institutions of land management. In this regard, one can argue that citizenship (local or national) may become central to 'belonging' as a way to claim land rights, and thus become the main articulation of competition and conflict around land issues.

Hence the link between local citizenship and land rights, as demonstrated above, involves social groups that are involved in competition over access to land and control of it. The issue of land is not, as such, unique, but one among a range of issues where political and legal struggles intertwine, and where political and cultural symbols of power and authority are brought into play. Citizenship and land rights, Lund (2011:11) argues, are closely connected in most African societies. In this situation, if local citizenship becomes the dominant criterion to access and secure land - as is the case in customary systems - identities of groups in competition are likely to take ethnic forms when tensions occur.

This is because most of the populations in rural areas in many African societies are organized as ethnic communities, wherein the dichotomy natives/autochthons versus late-comers/immigrants is experienced within imagined or physical boundaries. As Le Meur *et al*. (2006:13) have noted, the ethnicization of land conflicts may be perceived as being, not a causal factor, but the expression of tensions over land resources flowing between the power and the social networks representing conflicting interests. The link between land rights, power and ethnicity becomes more or less clear when Boone (2014:94) states that access to land is often allocated or validated by government as an ethnic entitlement in which members of state-recognized ethnic groups are entitled to claim land in their ethnic home area, or homeland. Boone argues that this gives individuals and families very powerful incentives to embrace and maintain particular state-recognized ethnic identities that are linked to homelands.

From the above discussion, two major conclusions can be drawn. Firstly, the relationship between land, power and identity seems to be the characteristic of many African societies, whereby specific variables such as ethnicity, citizenship, and belonging can determine the nature and the scope of groups' claims and can lead to violence. Secondly, land, power and identity and the conflicts that emerge from the interplay between them are located in local settings. However, what this debate

does not consider, as this study seeks to address, is how conflict on the local level can involve multiple actors beyond only the local. To bridge this gap, one can argue that although land, power and identity are strongly manifested and experienced by groups at the local scale, all three are undeniably embedded in political and institutional structures that are beyond the local. To illustrate it, the next section discusses the historical background of the arrival of Banyarwanda in Masisi and works toward understanding the formation of the dynamics and conflicts (what is termed today the land-power-identity triangle) that exist in eastern DR Congo today.

2.1.3 Banyarwanda in Masisi and the origins of the conflict

When the former German colony Ruanda-Urundi came under Belgian mandate in 1922, the abundant workforce in these two countries attracted the attention of Belgian mining and agricultural enterprises in eastern Congo, which were at this time experiencing an economic boom and in need of additional labor (see Mararo, 1997; Mathieu and Tsongo 1998; Rukatsi, 2004; Tegera 2009). This labor migration to Masisi organized by the colonial administration was facilitated by demographic pressure and famine in Rwanda. However, the arrival of the Rwandan population which became the 'Banyarwanda' was not followed by integration into the social and political fabric of the local population of this area, consisting of Hunde, Nyanga and Nande. To facilitate the resettlement and responding to demands by Rwandan chiefs, the colonial administration decided to create territorial entities for immigrants that were outside the control of the traditional chiefs. Tegera (2009:187) noted that this provision of autonomous entities for the Banyarwanda in Masisi pleased the Rwandan traditional authorities, who considered these new political entities now to be Rwandan 'colonies' in Congo.

In October 1936 two Banyarwanda chieftaincies were established in today's North Kivu: Gishari in Masisi and Bwito in Rutshuru. But because in Rutshuru the Mwami (traditional chief) was a Hutu and Hutu were in the majority in Bwito, there were no autochthonous claims by Hunde or other groups, as there were in Masisi. Notably Hunde chiefs in Masisi considered the creation of Gishari as a repudiation of their authority. To respond to this objection, the colonial administration appointed André Kalinda, one of the most influential Hunde customary chiefs, not only to facilitate the settlement of Banyarwanda but also to convince other Hunde chiefs to cooperate too. This collaboration between Chief Kalinda and the colonial authorities led to a more concrete deal. Kalinda sold 47,810 hectares of land to the colonial administration which became the Gishari

region, today known as the Bashali chieftaincy. Many Hunde chiefs saw the deal as a dispossession of their customary rights (Mararo, 2002: 47).

Since this dispossession went against the general representation of land by the Hunde, it was fiercely contested. For Hunde, land is linked to a collection of rights and 'sacred' orders, the Mwami possessing authority over land and claiming spiritual power over people through the distribution of the land. As Mugangu (2007:394) points out, the person accessing land through the chief inevitably becomes a subject of the chief under customary authority. In the process of granting land to the Banyarwanda, these customs and regulations were not acknowledged by the Hunde chiefs. Therefore, the majority of Hunde chiefs opposed the integration of Banyarwanda, because they believed that whenever the Banyarwanda may access and control land, allegiance to the Hunde chiefs may no longer exist. The problem for the Hunde chiefs was that it was impossible to impose their authority on the Banyarwanda without controlling land. With the same strategy, the Banyarwanda wanted to access land through other means to escape dependency on the Hunde.

Apart from the lack of allegiance to Hunde chiefs, Banyarwanda and Hunde communities had and still have different perceptions and representation of land. For Hunde, land is first and foremost a collective property that belongs to the community, lineages and families, and whose chiefs represent values and beliefs of a common ancestor (van Acker, 2005: 82). Banyarwanda in contrast, see land as a commodity, without a 'sacred' character and which can be gained individually, independent of personalized authority and customary relations (Tegera, 2009: 62). This perception of land included the notion of *Isambu* (an individual plot where access and occupation were granted by the political authority in return for tithes and labor) for the Banyarwanda Tutsi and *Ubukonde* (a personally owned plot which had been cleared and usually occupied for many years by the same lineage) for the Banyarwanda Hutu, which existed in the Banyarwanda traditional land system, as well as the case where a chief of a family or lineage could grant an exclusive private property right to a family member. Both notions of *Isambu* and *Ubukonde* remained the basic conception of the Banyarwanda at the time they arrived in Masisi. These two different conceptions of land - collective versus private property - have played a significant role in the competition over land between the Banyarwanda and the Hunde communities, with ramifications for both the citizenship status and the political rights of Banyarwanda.

In the context of local elections in 1957, and the possible departure of Belgians from Congo precipitated by the wave of independence across the continent, Hunde chiefs increased their pressure on the colonial administration to recover Gishari, while at the same time the Banyarwanda were concerned at the possibility of losing the land and the political protection they enjoyed from the colonial authorities. In the event, the colonial administration abolished Gishari as an autonomous entity of Banyarwanda and it became the Bashali chieftaincy, where the Banyarwanda were put under the thumb of the local Hunde chiefs and lost their land obtained from the colonial authorities (chapter five develops further the Banyarwanda struggles for their citizenship rights and land). Ever since then, the Banyarwanda in Masisi have been struggling for their own political authority, independent from Hunde customary rule. Struggle for land was accompanied by the competition for political power as a strategy to secure land and justify a belonging to the Masisi territory: as a homeland on the one hand, and to contest any allegiance to Hunde chiefs on the other. Between 1970 and 1980, President Mobutu's decision to appoint some Banyarwanda to different positions in the local administration and in the government was a first attempt to integrate the Banyarwanda into the political structures of Zaire.

Under the influence of various prominent Banyarwanda from North Kivu - especially his chief of staff, Barthélemy Bisengimana - Mobutu passed a law in 1972 that granted citizenship to anyone who had immigrated before 1960.Thanks to this law, affluent Banyarwanda were able to acquire large tracts of land in Masisi and beyond, not from Hunde chiefs, but through a new land law that was promulgated in 1973. Not only did this law put land management under the state institutions, including the land under customary authority, it also followed the recognition of the nationality of Banyarwanda one year before, so that Banyarwanda who were already highly positioned in national institutions could easily and legally acquire land without any customary influence. With this political situation, the relations between the Banyarwanda and the Hunde population in Masisi had become problematic, which was exacerbated by the fall of Mobutu's regime caused by the Congolese war of 1996-1997.

Around this period of political and security tensions at the regional level, due both to the presence of Rwandan refugees in DR Congo and to the fall of Mobutu, non-Banyarwanda 'local communities' in the Kivus (especially Nande and Hunde in North Kivu and Shi in South Kivu) were hostile to Banyarwanda, suspecting them of collaborating with the new regime in Kigali. Autesserre (2008:105) points out that around the same time local militias continued to compete for

the control of land, natural resources and political or administrative positions. Autesserre argued that although these conflicts were often of a very local nature, they included links to national and regional conflicts. For example, the Congolese Tutsi supported the invasion of Rwanda by Tutsi RPF forces from Uganda in 1990, as a strategy of having a Tutsi regime in a neighboring country where they would feel safe, but also as a strategic ally whom they could count on for support of their political and economic rights in Congo. Maindo (2007:34) clearly demonstrates that the question of land and identity of the Banyarwanda population was one of the key factors triggering violence in Kivu, connecting the local to the regional dimension. Another example is the constitutive protocol of the Alliance of Democratic Forces for the Liberation of Congo (AFDL), which would go on to topple Mobutu. This was agreed upon in Lemera (South Kivu) on 28 October 1996. While it is said that this protocol was signed in the presence of Rwandan authorities in Gisenyi (Rwanda), rumors persist that there was another secret document according to which the Tutsi of Kivu would have been guaranteed not only Congolese nationality but also a kind of autonomous territory of their own in Kivu.

According to Braeckman (1998), Pascal Tshipaka Mukeba, a former Head of Intelligence Services, told Agence France Presse (AFP) that before the war was launched against Mobutu, it had been decided to entrust the military control of North and South Kivu to Banyamulenge. In this interview Mukeba stated that it was Kabila's failure to honor the content of this secret document that gave birth to the 1998 rebellion in eastern Congo by the Rally for Congolese Democracy (RCD), and later prompted the assassination of Kabila in January 2001. Although the relationship between Rwandan officials and Congolese Tutsi has remained ambiguous since the first and second Congolese war, Congolese Tutsi continue to consider Rwanda as their 'potential homeland' where they can take refuge at any time. Nevertheless, the unresolved local and regional problems of Congolese Tutsi remain liable to trigger another war, likely with Rwandan or Ugandan support.

Today, Rwanda and Uganda are hosting hundreds of the former rebels in addition to thousands of refugees who are waiting to return to their land in North Kivu. Needless to say, the AFDL (1996), RCD (1998), CNDP (2005), M23 (2012) and today Nyatura, APCLS and many other armed groups in North Kivu have always had land, identity and power questions in their agendas. While the analysis of the conflict in the literature looks at different levels to explain the dynamics of violence, peacebuilding and state-building intervention in DR Congo since 1999 has struggled to find a global and effective approach that could allow intervention at all those levels. That is why, as

mentioned earlier, state-building has dealt more with state institutions than other levels, assuming that the latter depend on the former. It is when scholars criticized this 'top-down' approach that some peacebuilding organizations started to design actions on the local level. As previously said, there is an abundant literature on the conflict in the eastern DR Congo which suggests that the land, power and identity triangle is the main cause of tensions. In order to grasp the interconnection between these factors on the theoretical level, the next section examines and uses the *politics of scale* approach to analyze how the above triangle as well as the actors belong to multiple scales.

2.2 Peacebuilding theory and the meaning of the 'local'

Over the past few decades, contemporary academic debate on conflict resolution has discussed several approaches applied by institutional actors in different contexts and countries. One of these approaches is peacebuilding. When Johan Galtung introduced the concept of peacebuilding into the academic debate in 1975, his vision of peace as a 'structure' opened up a significant debate within peace and conflict studies. The overall understanding of peacebuilding by Galtung assumes that the mechanisms that peace is based on should be built into a 'structure' and be present as a reservoir for the system itself to draw up. More particularly, structures such as political, social and economic institutions must be found to remove causes of wars and to offer alternatives to war in situations where wars might occur (1975:298).

This idea that peace is a structure and peacebuilding should deal with structures that shape conflict situations has gained credit with both scholars and practitioners through a series of interventions in conflict-torn societies. The turning point of peacebuilding interventions was the end of the bipolar world at the end of the 1980s. Since then, the United Nations became the first international institution to pay particular attention to what peacebuilding could offer, better than existing approaches such as peacemaking and peacekeeping. The first UN attempt to operationalize peacebuilding and to clarify the interventional framework in which it is supposed to be implemented was the 'Agenda for Peace', a strategic document released by the UN Secretary General Boutros Boutros-Ghali in 1992, explaining the role of the UN in preventive diplomacy, peacemaking and peacekeeping.

The 'Agenda for Peace' therefore defines the concept of peacebuilding as the construction of a new environment which seeks to avoid the breakdown of peaceful conditions (par.57). In this UN

document peacebuilding, however, is not proposed as an isolated approach from other approaches to peace the UN has already been implementing. The best known are peacemaking (which consists of trying to bring hostile parties to agreement by peaceful means) and peace-keeping (which involves third-party intervention to keep warring groups apart and maintain the absence of direct violence). These operations, in the UN understanding, are urged to include comprehensive efforts to identify and support structures which can consolidate peace. In 2000, the Brahimi report was adopted by the UN Security Council, in which peacebuilding was given specific attention. The report states that '*peacebuilding defines activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war*' (A/55/305 S/2000/809, p3). In this report, the conception of peacebuilding refers to the meaning of 'positive peace' in Galtung's sense. Galtung defines 'positive peace' as a situation without structural violence, where relationships among the parties are supportive and collaborative and conflicts are resolved constructively; the integration of human society. By contrast, 'negative peace' is just the absence of violence and war (1967:12).

To further emphasize the relevance of peacebuilding within the UN intervention framework, the UN General Assembly of 20 December 2005 adopted a resolution (A/RES/60/180) to establish the Peacebuilding Architecture (PBA) as an intergovernmental advisory body. In 2006, the Peacebuilding Architecture body was strengthened by the creation of three sub-bodies, namely the Peacebuilding Commission (PBC), Peacebuilding Fund (PBF) and Peacebuilding Support Office (PBSO) The main purpose of the Commission (PBC) was to focus attention on the reconstruction and institution-building efforts necessary for the recovery of conflict-affected countries and to support the development of integrated strategies in order to lay the foundation for sustainable peace.

On the academic level, over the decade following the creation of Peacebuilding Architecture, scholars intensified the debate on the concept of peacebuilding and how to implement it. Many concerns raised in this debate relate to the most significant ideologies that shape contemporary peacebuilding. One of the key ideologies is liberal optimism, based on the belief that human societies can be peaceful and prosperous through institutional fixes (Mac Ginty, 2013:2). One assumption of the liberal perspective is that institutional reinforcement can promote peace and prevent conflict. This is strongly rooted in the institutional approach which is related to the Weberian conception of the state, emphasizing the importance of central state institutions (Lemay-

Hébert, 2010:3; Fukuyama, 2004:20). Mac Ginty found that although, in many cases, liberal peace interventions are well intentioned and rely on the institutional approach, the vast majority of peacebuilding initiatives occur in the global south but are designed, directed and funded from the global north, which means that for many people in targeted countries, peacebuilding is something that comes from 'outside' of the context. This is criticized by the term 'top-down peacebuilding'.

Peacebuilding interventions are also shaped by the economic dimension that lies in liberal ideas in what Brauer and Caruso (2013:152) term 'peace economics'. They examine the normative aspect of 'peace economics' through the economic study and design of political, economic and cultural institutions and their interactions to prevent, mitigate and resolve the causes of violence within and between societies. Although 'peace economics' is about the contribution of economic science to peacebuilding, it remains challenged as ineffective to provide better measures of peacebuilding program outcomes. The difficulty of measuring peacebuilding programs has become another major subject of critiques in scholarly debate about peacebuilding paradigms.

The two broad categories of thinking that grasp the limitations of the above peacebuilding approaches are the problem-solving and critical paradigms (Pugh, 2013:11). The problem-solving approach, which adopts a functionalist approach to the problems of conflicts, accepts that conflict is part of the human experience and attempts to find ways to minimize its impact. It seeks to develop systems and institutions that are able to mitigate the impact of violent conflicts and help divided communities to cooperate. The second approach is the critical paradigm that seeks to go further than the problem-solving approach. It maintains that the problem-solving approach is merely engaged in superficial short-term fixes that fail to ask wider questions about power relations in society. Pugh claims that peacebuilding has come to mean revising the structures that led to conflict, inevitably diminishing sovereignty and replicating colonization processes through so-called 'local empowerment'.

The critical paradigm has also raised a range of controversies related to the prevailing liberal peacebuilding model that drives the problem-solving interventions. Critical challenges are increasingly voiced by scholars and stakeholders who argue that there is a need for a greater emphasis in peacebuilding upon human security, local solutions, social justice and the resolution of the underlying causes of conflicts (Newman *et al,* 2009:13). It is argued here that liberal institutions aimed at containing instability and building generic state institutions based upon

external models have neglected the welfare needs of local populations and have failed to engage with indigenous traditional institutions.

Peacebuilding through liberal institutions continues to fail to provide the 'promised peace' in post-conflict countries. In addition, peacebuilding and state-building have been merged into a technocratic set of projects within the same intervention framework without any clear demarcation (Menocal, 2011:1716). Neither approach is effective because in practice the organizations promote statebuilding programs at the local level instead of strengthening state–society relations, responsiveness and accountability, which is expected from peacebuilding theory (Chetail and Jütersonke, 2015:7). This concern is specifically shared by Curtis (2013: 80) when he demonstrates that, in the case of Africa, the peacebuilding as state-building template faces severe limitations as key questions and paradoxes of legitimacy, sovereignty, effectiveness and agency simply cannot be resolved through standard approaches.

One of the critiques of standard approaches is that the outcome of most peacebuilding interventions is founded on international standardized systems, legitimacy and norms and *not* founded on a contextual, critical and emancipatory epistemology of peace. Richmond for example advocates a new approach to 'peace formation' through which international actors can gain a better understanding of the root causes of conflicts, local actors may be assisted, power struggles may be ended or managed and local forms of legitimacy would be able to emerge (Richmond, 2014:14). The question of local legitimacy draws the attention of Newman *et al.* (2009: 5), who criticize what they term 'top-down models of peacebuilding-community-driven initiatives.' The authors propose that the perceived absence of 'local ownership' and the lack of sufficient consultation with local stakeholders has led local populations to question the legitimacy of peacebuilding operations, throwing the sustainability of peacebuilding projects into question.

Academic and policymakers' critiques of the dominant paradigms of state-building and peacebuilding have culminated in a new paradigm for peacebuilding during the last two decades. This paradigm advocates an approach to conflict resolution that considers state-building and peacebuilding as dynamic and mutually-reinforcing processes, recognizing the network of both formal and informal institutions and fragmented social orders as requiring delicate management, even as historical grievances and concerns must be addressed (Nganje, 2013: 2). It is argued that at the local level, social cleavages erupt into violent conflict, and/or produce 'everyday resistance'

which ultimately weakens state authority. In the same line of thought, Oda (2007:5) criticizes international organizations for imposing external models of dealing with conflicts and suggests a 'peacebuilding from below' approach. He finds that while 'ordinary persons' are increasingly gaining attention as significant actors in peacebuilding, traditional 'negative' models of peace continue to restrict how one can explain their involvement in the peace process. While sustainable peace is supposed to be rooted in and adapted to the context of the post-conflict state, and yet also produced by locals themselves, Donais (2009:755, cf. Donais 2009a, 2012) found that, in many cases, key individual actors had the power to challenge or veto many aspects of an unfolding peace process.

This inability of peacebuilding to adapt in the local context is associated with the fact that peacebuilding is merged with state-building approaches that offer the possibility of achieving a liberal peace, but are primarily concerned with institutional and legal design and with market access, with markedly less concern for the normative architecture of peacebuilding (Richmond 2014:4). Richmond stresses that these strategies lack a connection in context, on a grassroots level, amongst populations who have their own understandings of identity, sovereignty, institutions, rights and law and who have their own needs in terms of their own socio-historical and cultural traditions. These critiques of state-building in terms of what the authors describe as the ignorance of the 'local' is one of the key points discussed in this study. Alongside the critiques of these standard approaches and their ignorance of the local level, the 'local turn' reemerged in the debate among scholars and practitioners (see Paffenholz, 2016; Özerdem and Lee, 2015; Charbonneau and Parent, 2012).

In their attempts to escape criticism along these lines, a large number of international organizations have intensified their work at what they term the 'local community' level over the past two decades. As a result, they chose 'local communities' as a target group for peacebuilding intervention. To understand this choice two major points should be considered. First, following severe criticism of the UN and other important donors (the European Union, aid agencies and bilateral country partners) for their inefficient engagement during the Congolese crisis, certain international organizations wished to distance themselves from the maligned 'International Community' and its prevailing top-down approach by focusing programs and projects on the 'local community' level. Secondly, these international organizations assumed that these programs would benefit specific vulnerable groups of the population affected by violent conflict. Here is the point

at which the triangle of land, power and identity to understand conflict becomes central in the discourse of peacebuilding intervention. In practice, however, this thesis argues that even the turn to the local, supposedly to address the root causes of violence, has failed to do so. In the next section, I refer to the geographical discussion of processes of scale making, rescaling and the politics of scale as a theoretical approach to guide this study's lines of argument.

2.3 Politics of scale, conflict and actors

Over the past decade, the 'local turn' implemented by some peacebuilding actors has been intensively debated among scholars, not only to establish the relevance of considering the 'local' as a new approach, but also to define what it means. This approach of seeing the 'local' as a target for peacebuilding intervention continues to build on the idea that the 'local' is a geographical scale where factors and interactions of conflict actors are easily observable. However, the notion of 'geographical scale' which refers to the hierarchy of bounded spaces of differing size, such as the local, regional, national and global, has long been a taken-for-granted concept for political geographers and political analysts (Cash et al., 2006; Swyngedouw, 2007).

This notion of 'geographic scale' as an unproblematic, given and fixed hierarchy of bounded spaces has been challenged by geographers by showing that the geographical scale at which, for example, economic activities and political authority are constituted, is not fixed but periodically transformed (Delaney and Leitner, 1997:93). In this study, I rely on the conception of scale as a questionable notion in order to grasp the sense of the 'local' in peacebuilding intervention's discourse.

 To begin, the term 'scale' has received much attention, while a shared understanding of exactly what the term means and how it should be used is still debated. Sayre and Vittorio (2009:19) recognize that common definitions of scale do not exist within disciplines. Authors use the term 'scale' differently and do not all agree whether scale is an epistemological tool or whether it is ontological by essence. Human geographers conceptualize the relationality of experiences and dynamics that originate at socially constructed scales such as the local, regional, national or global (Masuda and Crooks, 2007:258). Yet, there remains little agreement among them, whether scale should be elevated to the level of such core concepts as 'space' and 'place' in the geographical canon, or whether this should be dismissed in favor of uncovering the spatiality that underpins

social, economic and political systems (Paasi, 2004:542). Paasi sees scales as historically contingent in the sense that they are produced, exist and may be destroyed or transformed in social and political practices and struggles.

The understanding of scale as socially constructed is one of the few points on which human geographers have found a consensus. Sayre and Vittorio (2009:25) for example point out that scholars invoke social construction on the whole to emphasize the political significance and real-world ramifications of scale, otherwise known as the politics of scale. Nevertheless, it can be pointed out that the argument about scale as a social construct still divides scholars in terms of whether scales are constructed in the epistemological moment (as observational measurement) or whether scales are produced in the ontological moment, in a process that occurs independently of any act of observation. The latter option seems to be supported by Moore (2008:207) who attacks the conceptual confusion surrounding scale – and scale politics – as, to a significant extent, the consequence of failing to make a clear distinction between scale as a category of *practice* and category of *analysis*. He criticizes the adoption of scale as a substantial category of analysis in the epistemological moment, arguing that this practice does not make sense and leads to erroneous conclusions in the analyses of the politics of scale.

To avoid this misunderstanding, Marston (2000:220) suggests emphasizing other social and political processes that may contribute to the theorization of the notion of scale in human geography. Marston is in agreement with Lebel et al. (2005:7) in positing that scalar distinctions between the 'regional' and the 'national' or the 'local' and the 'global' are seen not as being organic qualities of the spatial organization of societies, but as being contingent on the interaction of social actors and structural forces that produce spatial scales through the exercise of power: as the outcome of negotiation, struggle and compromise. In their attempts to understand the link between social actors (individuals) and the production of scales, political geographers seem to agree that different social actors constrain, create and shift scales to claim and serve their interests in many situations (Delaney and Leitner, 1997).

It is in the context of this interaction between social actors and their competing interests that Cidell (2006:201) examines the role of individuals across scales to explain multi-scalar conflicts. She argues along the same lines as Swyngedouw (2007: 24) that actors can change power and authority relations by working at different spatial levels and that actors can also thereby affect access to

resources and the decision-making processes with respect to power and resource distribution. It is along these lines that Masuda and Crooks (2007:257) suggest an experiential approach examining the role of human agency in supra-local encounters.

Aside from questions of the epistemological and ontological nature of scale in the abovementioned debate, the approach of considering social and political processes in terms of power relations and the ways in which individuals or groups navigate within different scales is shared by multiple schools of thought in human geography. Similarly, conflict studies focusing on the role of actors tend to refer to the politics of scale in order to analyze the relational dynamics of conflict and the role of actors, both individual or network actors. It is via this understanding of how actors and scales interact that the politics of scale may substantially contribute to conventional conflict analysis.

Within conflict analysis, Laudati (2013: 46) has emphasized that, against a background of any protracted violence, insecurity and uncertainty, a broader set of actors are keen to navigate and negotiate means of making a living, at different levels. Perreault (2003:99) criticizes Castells (2007) for failing to recognize the ways in which local actors can bridge scales and seriously questions what Castells presents as a dichotomy of 'powerful' global versus 'powerless' local interests. Along the same lines, Marston et al. (2007: 418) emphasize the political actions of local actors in what they term 'jumping scales' as a process that allows subaltern groups to increase their capacity to make political claims against other actors, via scales.

While different actors may 'jump' scales for different aims and purposes, this process has introduced differentiated geographical representations of scale as size, as level and as relation through what Howitt (1998) terms *verticality* and *horizontality* in the studies of scale. In contrast to Brenner's (2001:606) conceptual model of scale as a 'vertical' differentiation in which social relations are embedded within a hierarchical scaffolding of nested territorial units, Marston *et al* (2007:107) argue in favor of using a model of 'horizontality' that does not consider scale as a concrete entity in the same way the vertical model does. They posit a model of 'horizontality' as a means of studying humans and objects in their interactions across a multiplicity of social sites without any reference to levels or scales.

The problem with the model of 'horizontality' proposed by Marston *et al*. is that it seeks to evade all references to levels or scale while, at the same time, it attempts to study humans in their

interactions, overlooking the fact that human interactions are dynamic, fluid and can be located at levels or scales whether hierarchical or not. International aid agencies and NGOs themselves utilize a comparable representation of scales to frame intervention efforts. As already discussed in this study, statebuilding and peacebuilding interventions often reference the 'levels' of conflict or the 'territorial location' of stakeholders as a means of drawing concrete lines of demarcation between those levels. Even though the notion of scale or level is recognized both in the epistemological versus ontological view and the vertical versus horizontal view, the role of actors and the use of scales by those actors are still not emphasized in this debate.

Kalyvas's (2003:467) analysis of 'local' versus 'national' dimensions of violence provides an insightful entry point into how actors operate across different layers of scale. Kalyvas posits that local and national dimensions interact through the two distinct mechanisms of *cleavage* and *alliance*. Actors at the center are assumed to be linked with actors on the ground via mechanisms of 'cleavage' and 'alliance' whereby transactions between 'supralocal' (in this thesis, Masisi is the local, 'suprelocal' are other levels: see figure 2) and local actors take place. The former supply the latter with external muscle and thus allow them to win decisive local advantages. In exchange, the former rely on local conflicts to recruit and to motivate supporters and in order to obtain local control, resources and information, even when their ideological agenda is opposed to localism. Kalyvas' explanatory model of how supralocal and local actors interact assumes the existence of distinct groups of actors that operate either through 'cleavage' or 'alliance' at different levels. Kalyvas argues that strategic 'alliance' (as a means, not as an end in itself) is instrumental in negotiating resources or other advantages, with each group maintaining a degree of autonomy. The problem with this model is that the kind of boundaries that Kalyvas posits between levels and actors do not exist in all societies in all the same ways. For example, in many African countries the political orders and institutions are often dominated by diverse political actors who control networks of interests between the micro, meso and macro levels without tangible distinctions between the local and supralocal, and without any hierarchical order of dependence between actors and levels.

Kalyvas is not alone in positing a hierarchical structure of levels and actors in the analysis of conflict. Ekeh (1975:92) joins him in his model of 'Two Publics' in which he contrasts what he terms the *primordial public* with the *civic public* in order to explain trajectories of political struggle in the aftermath of independence for numerous states in sub-Saharan Africa. Ekeh posits that the

majority of educated Africans are citizens of 'two publics' in the same society. On one hand they belong to a civic public from which they gain materially, but to which they give only grudgingly. On the other hand they belong to a primordial public from which they derive little or zero material benefits, but to which they are expected to give materially and generously.

Ekeh posits that for most educated Africans their relationship to the primordial public is moral, while their relationship to the civic public is amoral. Ekeh concludes that the dialectical tensions and conflicts between the two publics constitute the uniqueness of modern African politics. Even though Ekeh also presents the two publics in terms of levels, his model provides recognition (in contrast to Kalyvas's model) that actors may move between the two publics, even in the absence of hierarchical relations between those actors. What Ekeh does not recognize in his model is that in many African countries there are more than two publics at play today. Not only does he see the primordial public versus civil public as fixed publics, these publics are shaped and modified by intermediary processes and actors through both vertical and horizontal ways. Furthermore, a core concept of his model in terms of state-society relations is a problematic requirement that there should be 'trust' from individuals toward the state. State fragility in many developing economies and the presence of multiple core actors and of private networks are challenges to the models presented by Kalyvas and Ekeh. Both of these models lack a clear analytical framework for understanding actors and their networks and how these operate across levels, while at the same time belonging to multiple levels.

In order to better understand how those actors and networks function and how they control resources and people across levels, I can refer here to the concept of 'Big Men.' Utas (2012: 1) explains that 'Bigmanity' emerges in response to a lack of formal structures, demonstrating that Big Men typically wield a great deal of social power in situations where there is a structural void. Utas suggests that the power accruing to Big Men should be seen as an alternative form of governance, extending to where the national state does not reach or where local forms of formal governance do not have sufficient sovereign powers. Utas argues that Big Men networks may or may not involve the façades of the state. He argues further that Big Men ought not to be seen as a system opposed to the state, but, on the contrary, as supplementing the state. On the other side, Käihkö (2012: 188) prefers the terms 'Big Man' and 'Network' instead of the terms *patron-client relations* or *neo-patrimonialism*, which are often used to describe aspects of the African political culture.

While patron-client networks have commonly been described as hierarchical (vertical) relations, Käihkö argues that these networks must be understood as part of a wider framework that also includes the horizontal dimension of peers. While 'Big Men' are considered as the nodes in these networks, in this study I will rather use the term 'string pullers', used by participants in this study (interviewees) to describe how powerful individuals who informally have a strong influence by keeping hands-hold on armed groups, owning large tracts of land and at the same time (some of them) hold political positions in the parliament and the government. The analysis of 'string pullers' and their strategies to produce scales is relevant to grasp the meaning of *power* in this study. This is the point at which the land, power and identity triangle, understood in terms of multi-scalar issues, may provide a useful analytical tool for understanding how 'string pullers' instrumentalize this triangle as a departure point to 'jump' scales, while at the same time belonging to multiple publics (in the sense of Ekeh, 1975) both formally and informally. This is the background of this study to understand the limits of peacebuilding intervention in its process of constructing the 'local'.

Chapter 3 Research design and methods

3.1 Engagement as practitioner and research rationale

The year 2010 was the turning point in the international community's paradigm to deal with the Congolese political crisis, which was termed the 'local turn'. In that year, the UN peacekeeping mission in DR Congo (MONUC) was transformed into MONUSCO (UN Mission for Stabilization in Congo), emphasizing the 'stabilization' dimension and assuming that the DR Congo, as a post-conflict country, should shift from the post-conflict phase to stabilization as a bridge towards development. This shift has not only brought a change in the relationship between UN agencies and the Congolese government on the diplomatic and military level, but also caused several peacebuilding NGOs to readjust their programs accordingly. This thesis is rooted in my own professional experience with international peacebuilding organizations in the DR Congo since 2010, when I was recruited by Life & Peace Institute (LPI), a peacebuilding organization based in Sweden, as Technical Advisor in Conflict Transformation.

LPI had chosen the Conflict Transformation (CT) process inspired by the work of Jean Paul Lederach (1995). Unlike conflict management and conflict resolution approaches, Lederach suggests that Conflict Transformation can reflect a better understanding of the nature of conflict. He posits that conflict transformation, as a process, goes beyond merely seeking to contain and manage conflict, instead seeking to transform the root causes themselves – or the perceptions of the root causes – of a particular conflict. To engage with this process, LPI opted for Participatory Action Research (PAR) as a methodological tool to identify and to involve diverse stakeholders in the process of Conflict transformation. In 2008, LPI decided to work with local Congolese organizations as partners to support the implementation of its program in several areas affected by violent conflict, both in North and South Kivu provinces. It was in this phase of the program that I was recruited to support Congolese partner organizations of LPI in the implementation activities both in North and South Kivu provinces.

One of the LPI partner organizations in North Kivu was *Action Solidaire pour la Paix* (ASP). ASP has been working in Bashali (in Masisi Territory) on a Conflict Transformation process since 2008. My role was to provide ASP program staff with technical and methodological support in conflict transformation and to facilitate communication on the program's progress between LPI and ASP.

Working with both LPI and ASP shaped my research in two ways. Firstly, this job was an opportunity to enrich my theoretical knowledge in peace and conflict studies with experience from the field, especially in such a challenging and volatile political and security context. During my fieldwork for LPI in rural areas, Bashali and Masisi were almost entirely controlled by armed groups.

Map 3 Armed groups around the research areas in 2015
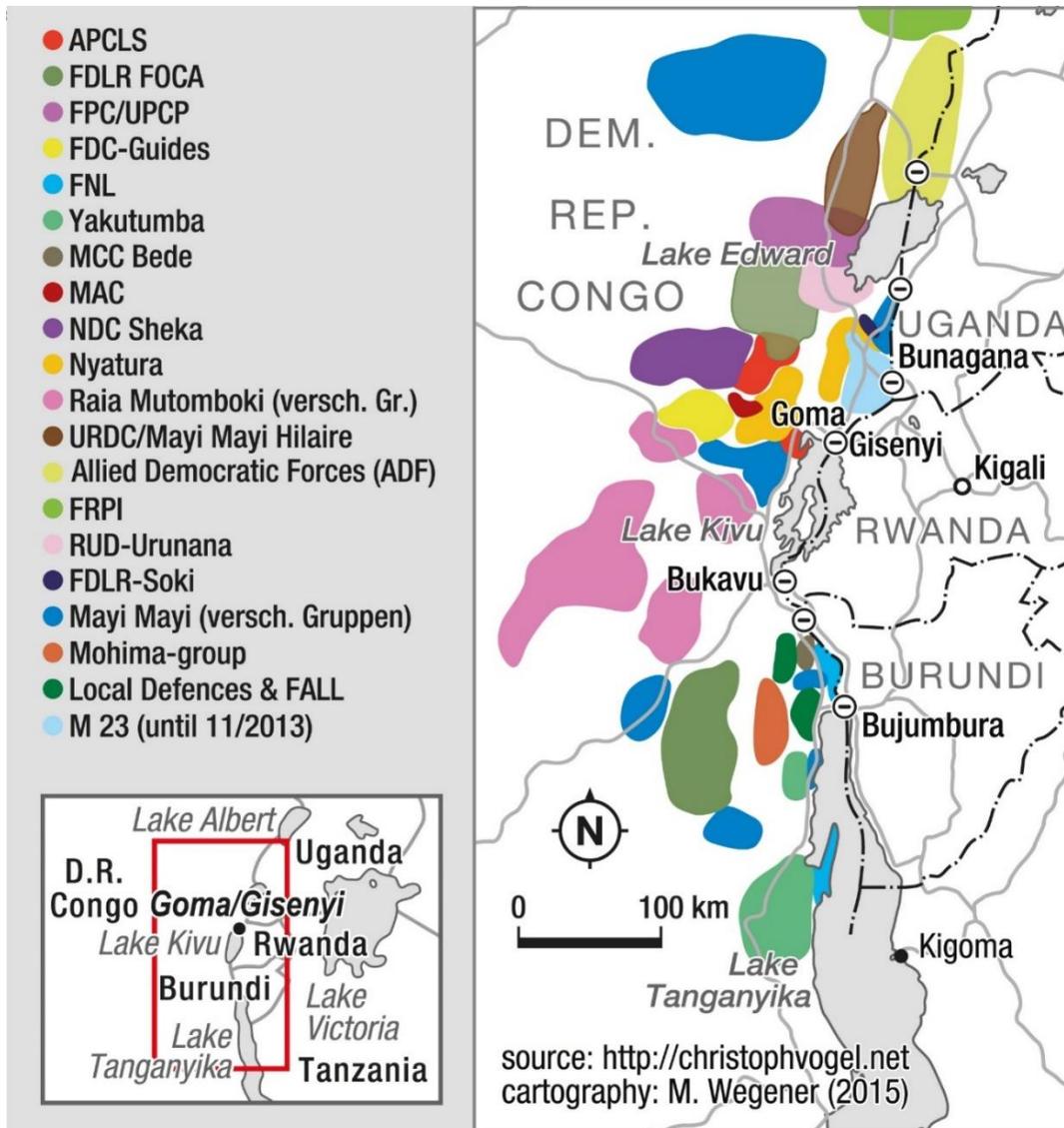
In this risky working environment, I got to know diverse actors directly involved in or affected by violent conflict, including military, some armed groups and victims. I also interacted with other peacebuilding organizations working in Bashali, implementing different programs and using other

approaches to address the causes of violent conflict.

On a personal level, getting to know different community groups and the relations between them, their culture and historical background and how different wars affected them was a valuable entry point for further studies. Although the above aspects were not part of my work at that time, they later strongly informed my empirical research in Bashali and other places in Masisi.

Besides this experience in the villages, my interest in how the 'local' is connected to other levels started in late 2011 when I was hired by International Alert, a British peacebuilding organization working in the DR Congo since 2000. My experience with International Alert allowed me to get to know several organizations and actors in Rwanda, Burundi and Uganda. For example, I represented International Alert at a workshop on 'Regional dimensions of conflict in the Great Lakes Region' organized in Nairobi. With that experience, I gained a comprehensive understanding of how both regional and other levels are connected and shape the conflict dynamics in Masisi and North Kivu.

The second way in which my professional experience motivated and shaped this thesis was the dissatisfaction and even frustrations arising from my work for both LPI and International Alert organizations. Dissatisfaction because the program implemented and the approach used by LPI in Bashali, for example, has done very little, in my eyes, to address the complex nature of the conflict setting. Frustrations because the Participatory Action Research has failed to bring new knowledge about the conflict in Bashali, but has merely reproduced what already existed in academic work and policy papers. Even the outcome of the PAR process such as the committees for dialogue and conflict management hardly function and members of these committees have little trust in peacebuilding organizations.

Another aspect of my frustration was that a number of key actors were left out of the PAR process and their role in conflict dynamics has been largely underestimated. One category of these actors is 'string pullers', powerful individuals who are linked to armed groups and have a strong control on local populations, they possess huge tracts of land, and more importantly they hold strategic positions in state institutions. Some of them are members of national or provincial parliaments, others are Ministers or senior officers in the national army.

It is, however, important to note that this study does not aim to assess the impact of the programs or the approaches used by peacebuilding organizations. I rather use the experience with LPI and

ASP in chapter six as an illustration to support my argument. I also consider other peacebuilding programs implemented by other organizations beyond Bashali to better grasp a broader picture of peacebuilding approaches.

I have chosen to extend the study beyond Bashali for two reasons. The first reason is that some of the objectives of the study would have not been achieved by staying only in Bashali. While Bashali is very important in many respects (such as peacebuilding interventions, power competition and struggle over access to land by different groups, the Banyarwanda immigration) the analysis of key actors in different research sites and their networks in this study would have lacked enough empirical evidence to support the central argument. Investigating political processes and power relations or the question of identity necessitated going beyond Bashali in order to fill this gap. Second, the methodological and theoretical approach and its usefulness for this study led me to consider other research sites to reach diverse actors who are not located in Bashali as well as organizations and institutions beyond Bashali.

To maximize evidence and to get a comprehensive understanding of the dimensions of conflicts as well as actors and networks, this study includes four more sites: Kilolirwe in Bashali Mokoto, Rubaya and Sake in Bahunde chieftaincy; and Masisi Center as the political and administrative main city of Masisi Territory. The second reason is that certain powerful and influential individuals do not live in Bashali. Many of them are Ministers in both national and provincial governments, others are members of the national or provincial parliament and others are businessmen. For this reason, I also worked in Goma and Gisenyi (Rwanda) where some of these individuals live.

3.2 The study setting

One of the challenges during the research was to find reliable quantitative data such as demographic figures and economic and social statistics. Due to war, political instability, lack of money and the generalized governance crisis, public registers, archives or offices for statistics function only rudimentarily. At the same time, public officials and scholars sometimes question data produced by international organizations because they believe that these data are produced for fundraising purposes and are not reliable. Hence the figures and statistics used in this thesis are taken mainly from three sources. The first is public institutions, which include a few official reports from the central and provincial ministries and official websites; the second source is reports from

humanitarian organizations about the situation of displaced populations linked to conflict dynamics in the areas covered by this study, and lastly academic work comprising published and unpublished articles, policy papers, theses and books. This choice was made based on both the need for information related to this study and the fact that these documents were accessible online.

Masisi is one of the five 'Territoires' that constitute the province of North Kivu. It is 4,734 km² in size and is subdivided in two *collectivités-chefferies*, Bahunde and Bashali, and two *collectivités-secteurs*, Osso/Banyungu and Katoyi (Figure.3.2). The difference between the two types of *collectivités* is that *collectivités-chefferies* are ruled by customary chiefs called 'Mwami', whereas *collectivités-secteurs* are ruled by agents appointed by the government.

Figure 3.2 Administrative sub-division of Masisi
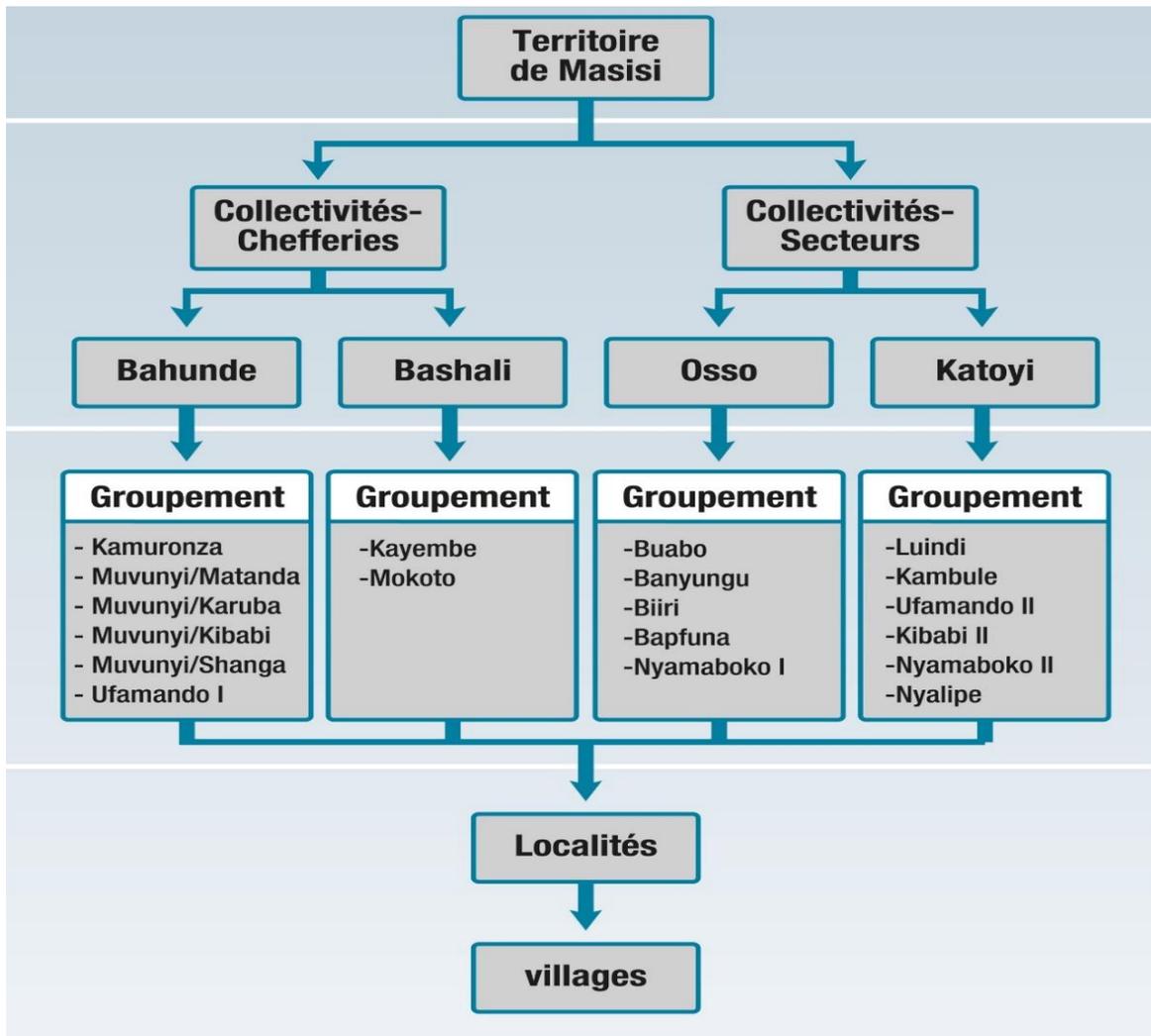
3.2.1 Population of Masisi and social composition

Masisi territory is inhabited by six groups categorized as ethnic groups by the Congolese state (see for example the *code foncier* or the *Monograph of North Kivu*), with an estimated total population of 673,000 in 2003 (*Monograph of North Kivu* 2009:29) and 711,000 in 2016 (Cellule d'Analyse d'Indicateurs de Développement-CAID).

In this study, I mainly focused on two groups: Hutu and Tutsi on the one hand and Hunde on the other (see Mararo, 1997, Willame 1997, Rukatsi 2004 and Tegera 2009). The first is categorized as immigrants from Rwanda (Banyarwanda), the second as indigenes of Masisi. According to census data North Kivu had a population of 2,307,665 in 1984, including 342,423 who were classified as non-Congolese (Rukatsi 2004:34). In Masisi, the Banyarwanda constituted 38.82% of the population in Bashali, 54.42% in Bahunde, 38.19% in Katoyi and 28.65% in Osso. The Banyarwanda, in total, were estimated at 70% of the Masisi population in 1970s and 80% at the end of 1990s (Mathieu and Tsongo 2008:392). Due to the context of war and genocide in Rwanda in 1994, and the Congolese war of 1996, people were displaced from Masisi to several other places, which has modified the above statistics. In 1994, for example, when a Tutsi regime took power in Rwanda, a large number of the Tutsi population from Masisi left Congo and moved to Rwanda and elsewhere as settlers (Rusamira 2003:153).

With regard to terminology, Tutsi and Hutu are often referred to as 'Rwandophones' (Mararo 2002, Huening 2013), which means the Kinyarwanda-speaking population. However, the 'Rwandophone' term is contested since Kinyarwanda is not solely spoken by Hutu and Tutsi in Masisi; some Hunde and Nyanga groups also speak it. The term 'Rwandophone' is also contested in everyday use because of its political connotation during the RCD rebellion (1998-2003). During this period, the Banyarwanda leaders used the term 'Banyarwanda' to create a social and political movement against other ethnic groups of North Kivu at a time when a Hutu (Eugene Serufuli) became governor, succeeding a Tutsi governor (Leonard Kanyamuhanga). I prefer to use 'Banyarwanda', which emphasizes the Rwandan origin instead of the Kinyarwanda language. Therefore, I use Banyarwanda instead of Rwandophones especially because during the field research I discovered that even some Hunde speak Kinyarwanda, and Hutu or Tutsi can also speak Kihunde and other local languages.

3.2.2 Economic profile of Masisi

The main economic activities in Masisi are agriculture, livestock, artisanal mining and small-scale trade in agricultural and livestock products. Among the agricultural products are tea, cinchona, coffee, pyrethrum, beans, cassava, maize, sorghum, soybeans, sugar cane and bananas; some grown for family consumption, some sent to nearby markets in Goma, Bukavu and some even exported to Rwanda. For decades, Masisi was known for fertile volcanic soils, high agriculture production and very good conditions for livestock farming. For example, the livestock of North Kivu was reported to reach 144,000 cows in 1983 with 60% located in Masisi. Around 1990, there were more than 300,000 cows, mostly in the Masisi and Rutshuru Territories (Mathieu and Tsongo 2008). Beyond this period and due to violent conflict since the beginning of 1990s, no more specific figures for Masisi or other parts of North Kivu province are available.

Masisi also has mineral resources such as coltan, tourmaline, tentalite and cassiterite, exploited in an artisanal way, especially in Rubaya and Ngungu. In Rubaya, the mining company Mwangachuchu Hizi International (MHI) was created in 1999 by the North Kivu politician and senator Edward Mwangachuchu. The MHI concession currently produces tantalite but has potential for cassiterite and wolframite too. In the Congolese context, MHI is a medium-sized company. It obtained an exploration permit in 2001 and, in November 2007, a mining contract for a 15-year renewable exploitation permit under which exploitation continues till now.

Alongside MHI and in the same mining area, there is COOPERAMMA (Coopérative d'Exploitants Artisanaux des Minerais de Masisi), a local mining cooperative managed by Robert Seninga, a member of parliament in the North Kivu Provincial Assembly. The provincial decree authorizing the functioning of COOPERAMMA was signed in 2008 and was approved in 2012 at the national level. Until 2013, COOPERAMMA had between 2,000 and 2,500 members (interview in Rubaya 4 October 2014),

In 2016, the website of the government body for monitoring development indicators (CAID) listed more than a thousand individuals legally registered as businessmen in Masisi. Half of them are active in the mining sector in Rubaya and in the surrounding villages. Other businesses are in small-scale trade in agricultural products.

3.3 Multi-sited ethnography

Human geographers and anthropologists use a multi-sited ethnographical approach in order to study interactions between people at different sites. According to Falzon (2009:1), ethnography is an appropriate methodological choice which privileges an engaged, contextually rich and nuanced type of qualitative social research, in which fine-grained daily interactions constitute the lifeblood of the data produced. In a multi-sited research, the objective of the researcher is to follow people and to understand the connections, associations, relationships and networks of people across spaces and scales. Practically speaking, by moving in and out of multiple sites, the researcher can come to know the actors, customs, routines, practices, and idiosyncrasies associated with each of these locales (Hennessy *et al.* 2015:2). The researcher travels to multiple sites, following various pathways in order to assemble a narrative which expands a single case beyond its immediate location (Geiger and Ribes 2011:3). Marcus (1995: 95) posits along the same lines that ethnography in general tends to move from its conventional single-site location towards using multiple sites of observation and participation that cut across dichotomies such as 'local' and 'global'.

In linking multi-sited ethnography to politico-economic systems other factors may be missed out, such as virtual connections among actors and groups who sometimes may interact outside of systems (Murchison and Coats 2015:995). This importance of focusing on actors and groups in multi-sited ethnography studies is relevant, especially when a researcher intends to understand the role of informal networks. Not only for predicting outcomes, but also for implementing policies to contain or put an end to violence, as suggested by König *et al* (2015:1). This suggestion of including the study of networks and actors poses problems, however, since analyses are often made using mathematical models which, in many cases, provide a complex picture of the system of the phenomenon being studied (Kapucu *et al* 2010, Rice and Yoshioka-Maxwell 2015).

The issue is that there are some variables such as beliefs, behaviors and perceptions that are difficult to capture by mathematical models, for example when one analyses a system of conflict. A concrete example is the econometric model used by König et al (2015) when they applied a mathematical model in their study of the Second Congo War (1998-2003) and its aftermath. The aim of their study was to construct a theory of conflict focusing explicitly on informal networks of alliances and enmities between and among actors. Key findings from their study suggest that

the intensity of conflict can be reduced through (i) dismantling specific fighting groups involved in the conflict; (ii) weapon embargoes; (iii) interventions aimed at pacifying animosity among groups. However, looking at these findings, we know there have been several joint military operations by the Congolese army and UN troops against armed groups, but still with very few results. The control of weapons in circulation among the population was also recently mentioned in the second phase of stabilization by ISSSS/MONUSCO after the failure of the first phase to address the question. On top of the foregoing, pacifying diverse groups is exactly what peacebuilding interventions are still failing to do.

The problem with such an analytical tool is that there are other factors that cannot be entirely included in this kind of analysis. Some of these factors are the informal connections among individuals, interpersonal relationships or some shared interests between actors which one cannot identify and consider in a mathematical model. While this Congolese war is an excellent example to use in examining the role of informal networks and alliances, the fluidity of connections and interdependence between powerful individuals, the ways in which they are linked to conflict dynamics and how they navigate across scales are missed out in König *et al*'s study.

It is for this reason the theoretical framework of this study evokes the notion of 'politics of scale' (ch. 2) to explain how the construction of scales resulted from multiple struggles and political processes across time and space.

Talking about the construction of space Massey (2005:9) states:

> our contemporary sensitivity to issues of space rests on three propositions: First, that we recognize space as the product of interrelations; as constituted through interactions, from the immensity of the global to the intimately tiny ... Second, that we understand space as the sphere of the possibility of the existence of multiplicity in the sense of contemporaneous plurality; as the sphere in which distinct trajectories coexist; as the sphere, therefore of coexisting heterogeneity ... Third, that we recognize space as always under construction. It is never finished; never closed. Perhaps we could imagine space as a simultaneity of stories-so-far.

In this study, I call 'places' the different locations where data were collected from, as suggested by John Agnew (2001:23). Agnew demonstrates that although the notion of *place* is used in a variety of ways, its meaning can be specified more clearly in terms of what he identified as the

three dimensions that tend to recur across the various theoretical positions adopted by geographers. The first dimension is place as *location* or a site in space where an activity or object is located and which relates to other sites or locations because of interaction, movement and diffusion between them. The second dimension is the view of place as a series of *locales* or settings where everyday-life activities take place and the third dimension looks at place as *sense of place* or identification with a place as a unique community, landscape, and moral order. Agnew explains that, in this construction, every place is particular and thus, singular. A strong sense of 'belonging' to a place, either consciously or through everyday behavior such as participating in place-related affairs, would be indicative of 'sense of place'. I therefore use *place* based on the first and second dimension provided by Agnew in the sense that these dimensions emphasize the idea of a location in which actors interact while relating to other locations through the activities of everyday life.

As described above, the selection of the *places* was based on both knowledge of the research areas from 2010 and the results of the pilot research conducted at the beginning of 2014. I also use different levels of analysis, which include the local, provincial, regional, the national, and international level, to analyze how scales are constructed by several actors I deal with in this study.

Figure 3.3 shows that the different scales provide four levels of analysis. The local includes Kitchanga, Kilolirwe, Sake, Rubaya, Masisi-center and Goma. The national level concerns Kinshasa, the regional involves Gisenyi/Rwanda, and the international level relates to international organizations and their interventions. Analysis of the triangle land, power and identity has been done by taking into account the different scales.

The specificity of the methodological approach used in this study lies in the way the analysis of ethnographic data allows to discuss and to formulate arguments with the connection to the conceptual and theoretical framework. This link is significantly highlighted by the emphasis both methodological and theoretical approaches put on the different scales for collecting and analyzing data. The figure below illustrates different levels of analysis as suggested by the multi-sited approach.

Figure 3.3 Levels of the study analysis and research scales analyzed
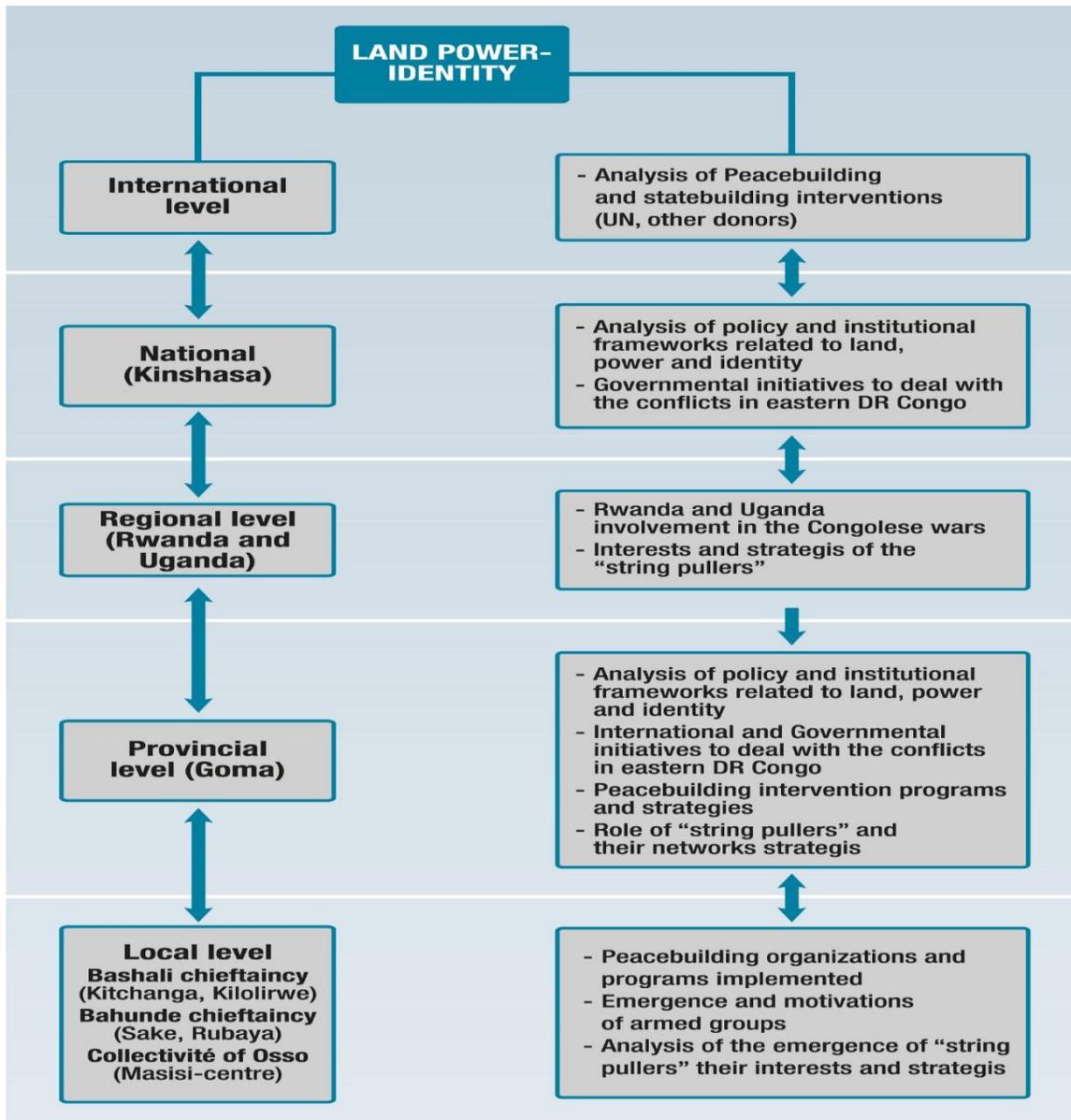
3.4 Selection of research sites and choice of participants in the study

The choice of research sites reflects my own working experience and my study of the literature on conflict dynamics. The rationale behind the choice of these places is first, to maximize the chances of meeting relevant informants and a variety of actors and networks that are linked to the issues raised in the study. Second, I chose these places based on where peacebuilding programs have

been implemented, and lastly based on their accessibility considering the security factor prevailing in the region where the study was conducted.

Additionally, the choice of Bashali in Masisi was made on basis of two major reasons. The first reason is the geopolitical position. With an area of 1,582km², Bashali shares borders with both Rutshuru and Walikale territories. These two territories as well as Masisi are repeatedly portrayed as areas where the questions of land, identity and power have been acute, in the history of violent conflict between Banyarwanda and other groups (Mararo 2002, Marthieu and Tsongo 1998). Not only because of the presence of Banyarwanda contested by other rival groups (especially Hunde), but particularly because Bashali has been an important place where social, economic and political struggles involving several actors have been going on for more than two decades. The second reason is that Masisi and Bashali in particular has remained a *hot spot* for violent conflicts and one where peacebuilding and humanitarian interventions have been implemented. In addition, the presence of a large UN Peacekeeping military base and field offices of international organizations make Bashali important to this study.

Based on the pilot fieldwork research conducted in Bashali in early 2014, I have chosen Kitchanga and Kilolirwe (both in Bashali Chieftaincy), Rubaya and Sake in Bahunde Chieftaincy and finally Masisi-center, the administrative center of Masisi *territoire*. Kitchanga is the administrative center of Bashali. It is where both government services and customary institutions are located. Kitchanga hosts field offices of several organizations, both international (NGOs and UN agencies) and Congolese. Kitchanga is on the border with Rutshuru *territoire* and the Virunga National Park, which has attracted armed groups to set up their headquarters in the surroundings, as for example in the case of the CNDP rebellion between 2004-2009. The historical cleavages between different groups have remained explosive and a potential for violence. For example, some Hutu leaders continue to claim to be the first arrived 'autochthons' of Kitchanga, which has been the Hutu traditional headquarters since the immigration time, whereas Hunde customary chiefs contest this Hutu claim. Details are discussed in chapter six.

Kilolirwe is about 70 km from Goma city and hosted the CNDP Headquarters till 2009. Powerful individuals, leading figures during the RDC and CNDP rebellions, own large areas of land and land-related conflicts are frequent. Kilolirwe also hosts a local committee created by LPI and ASP as a mechanism of conflict transformation.

Rubaya is located in Bahunde Chieftaincy north-west of Sake and south-west of Masisi-center, at around 55 km from Goma. Rich mineral deposits continue to attract the surrounding populations. The population of Rubaya was estimated at 100,000 persons in 2013 (Channel Research 2013: 9) and is expected to double in the next few years. People come from different ethnic backgrounds: Hutu, Tutsi, Hunde and Shi from South Kivu, Kano and Tembo originating from the border area of Masisi-Walikale. Besides the mining sector, Rubaya is the stronghold of 'big men' who control both the mining sites and huge plots of farmland. The headquarters of Nyatura, one of the most important armed groups in Masisi, are located in the surroundings of Rubaya. Like Kitchanga, Rubaya has also attracted both humanitarian and peacebuilding organizations. One of the examples is Search For Common Ground, an American NGO, which implemented a project entitled 'Peacebuilding in artisanal mining areas of North Kivu Province' in 2012, in partnership with the UNDP, UNICEF and FAO and funded by the Japanese government.

Map 4 Research site areas
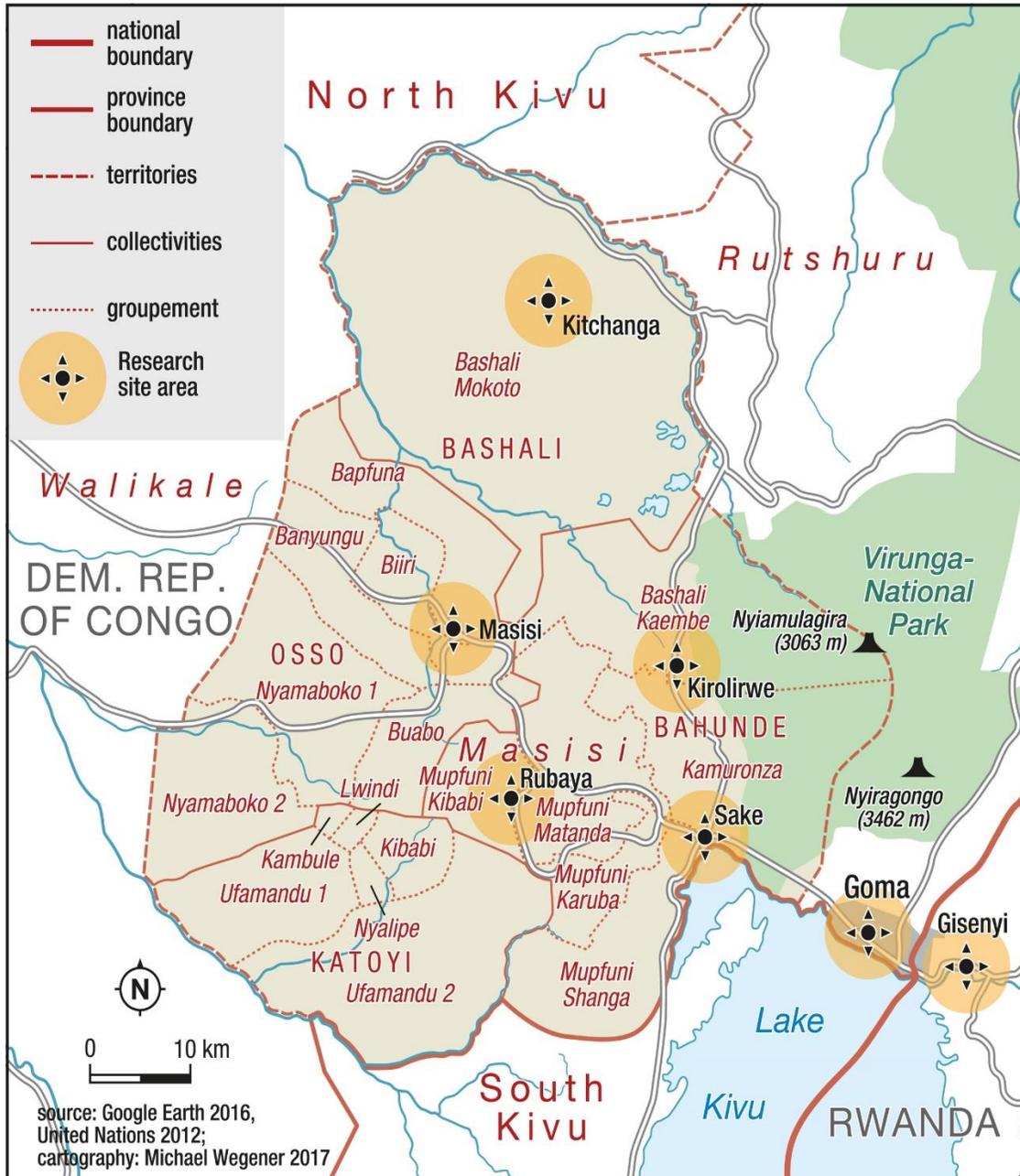
Sake is a city located 25km west of Goma, at the crossroads between Masisi and the *territoire* of Kalehe in the province of South Kivu. Sake also hosts the land registry, a public technical service of land management for Masisi territory. Sake is one of the cities of Masisi which has attracted peace building interventions.

The city of Goma is crucial to this study, also for secondary data collection. Like Kinshasa, it is an important center for several actors who feature in this study. Goma as the capital city of North Kivu province hosts public institutions, UN agencies and international NGOs. Goma is also the headquarters of many Congolese civil society organizations, especially in the peacebuilding sector. Three categories of organizations were considered in this study. The first category is the political and administrative institutions of government. These include: The provincial ministry of land, the provincial division of agriculture, the provincial office of the national electoral commission, the provincial division of *Titres Immobiliers*, an administrative service of land management which includes the land registry, and STAREC. The second category is the international actors, which include UN agencies and NGOs. According to the list of organizations located in Goma published in 2015 by the UN Office for Coordination of Humanitarian Affairs (UNOCHA), Goma was then hosting 13 UN agencies and 92 international NGOs. The sectors of intervention varied from conflict management to humanitarian programs while integrating some cross-cutting themes such as gender, environment, capacity building, and advocacy. With the creation of the government's stabilization and reconstruction program (STAREC) in 2009 and of the Stabilization Support Unit (SSU) by MONUSCO in 2010, these became the main planning and coordination framework for stabilization interventions in eastern DR Congo, with Goma being the operational center of this coordination. Apart from this coordination, there are other thematic cluster groups. One of them is the *Coordination Foncière*, which is a working group comprising all organizations (UN, international NGOs and Congolese organizations) intervening in land issues. Since 2009 when the *Coordination Foncière* was created, the chairperson of this cluster has been the provincial minister of land. The presence of all these organizations has made Goma a networking place where useful information can be collected.

Another aspect is that many of the key informants in this study live in Goma. These informants include businessmen and political actors who have direct connections with Masisi. Goma was also the headquarters of the RCD rebellion between 1998 and 2003 and in 2009 the 'Goma Conference' brought several armed groups from North and South Kivu to negotiate a ceasefire with the government. Ever since, Goma has been a strategic meeting point for of a variety of actors, many of whom are the former members of different rebellions. Currently, powerful individuals with connections to different armed groups in Masisi are also located in Goma, from where they connect different levels: the local (Masisi) to the national (Kinshasa).

In order to reach some of these actors, this study included the city of Gisenyi in Rwanda. The first reason is that there is a sizeable Congolese Tutsi community living in Gisenyi since the RCD rebellion (1998-2003) and many of the active members of the CNDP and M23 rebellions (2005-2013) are established in Gisenyi. With the defeat of these rebellions, former influential members continue to believe that their security is not guaranteed in DR Congo. Gisenyi has therefore become a sort of safe haven for them, since many of them applied for the amnesty promised by the government in 2013 but fear to return to DR Congo until this amnesty is implemented. Rwanda hosts them alongside M23 troops who are also waiting for their return and integration into the Congolese national army. The political negotiation between M23 and the Congolese government which was supposed to facilitate their return is pending. The second reason is that although some Congolese informants live in Gisenyi for various reasons, many of them spend their weekdays in Goma. When I was negotiating the time for interviews, it happened that weekends were a convenient moment for them.

3.5 Data from primary sources

The objective is to explore three dimensions of the study and research questions and the problem statement. The first dimension focuses on land, power and identity to understand how the dynamics of violent conflicts are shaped by this triangle and the ways in which it constitutes an analytical framework to perceive and to track different research aspects from the local to the international level, as shown in figure 3.3. The second dimension of the study examines the construction of the 'local' by peacebuilding interventions. Programs are used as examples to discuss how 'local communities' are designed to be the target group for conflict resolution programs. Besides analyzing the programs' content, a case study of a conflict transformation program implemented in Bashali by LPI and ASP provides an example of understanding the sense of the 'local' in peacebuilding interventions. The third dimension of this study traces the social, political and economic struggles from which powerful individuals emerged. This dimension explores how these struggles contributed to construct different scales and more importantly how they affect peacebuilding programs. To collect data on the above dimensions, four qualitative tools were employed with five categories of informants.

Table 1 Categories of participants in the study

Category	Aspects discussed
Customary authorities	▪ Historical background of the violent conflict in Masisi. ▪ Relationship between different actors involved in conflict and their motivations. ▪ Land management: customary versus state institutions ▪ Identification of 'string pullers' and their strategies
UN agencies and NGOs experts	▪ Analyze of programs and projects implemented. ▪ Categories of beneficiaries ▪ Areas of project interventions ▪ Relationship between land-power and identity aspects in project implemented
Political cadres of armed groups	▪ Motivations of armed conflicts ▪ Relationship between land-power and identity aspects and armed groups' claims ▪ Connection between armed groups and 'string pullers' and their connection
Public (state) authorities	▪ Analysis of the legal and institutional framework of land tenure management ▪ Collaboration between different state institutions and international actors (UN agencies and NGOs) ▪ State initiatives for conflict resolutions
Other key informants (former cadres of AFDL, RCD, CNDP, PARECO rebellion), Businessmen, Lecturers, civil society leaders)	▪ Analysis of the emergence of 'string pullers' ▪ Armed groups' motivations and relationship to 'string pullers' ▪ Peacebuilding strategies and collaboration with the Congolese civil society organizations ▪ Relationship between land-power and identify and 'string pullers' ▪ Legal and administrative aspects of violent conflicts

3.5.1 Narrative interviews

Narrative interviews '…are more likely to reproduce structures that guide the actions of individuals than other methods using interviews' (Muylaert *et al* 2014:186). According to the authors, narratives can be considered as representations and interpretations of the world and therefore, they express the truth of a point of view in a particular time, space and socio-historic context. This technique of data collection was useful in two ways for analyzing the processes of scale production by actors and their networks. Firstly, it allowed a large amount of information to be generated from interviewees while avoiding direct questions, which might be politically sensitive and affect trust in the researcher.

This risk was avoided by allowing informants to use the language of their choice without a translator. Secondly, as I found out during my previous research experience, informants are not always aware of the set terms used by researchers such as land tenure, power, politics or identity. Using narrative interviews helped to break down the inner meaning of each component of the key concepts of this study. For example, instead of saying 'identity' and its role in conflicts, many informants in several research sites used 'ethnicity' or 'tribalism', 'belonging'. Practically, the intention was to hear from the informants, how they describe the rationalities behind social processes and political struggles and how different actors interact in everyday life.

I applied the technique of narrative interviews by considering the four phases suggested by Jovchelovitch and Bauer (2007:7): (a) preparation, to formulate the initial topic for narration; (b) the main narration without interruptions, during which I used paralinguistic encouragement to continue telling the story; (c) the questioning phase, where I asked questions for clarifications and (d) small talk at the end of the narration, to reflect on what has been said. Muylaert *et al*. (2014) suggest using the first phase to prepare the *exmanent* questions. The *exmanent* questions refer to the researcher's interests that arise from her or his approach to the topic of study, when developing a literature review and a thematic focus (field exploration). As a crucial task in the research process these questions must be transformed into immanent ones, which should at the same time anchor *exmanent* questions in the narration, always using the language of the informant.

Jovchelovitch and Bauer (2007) are also concerned with the limitations of this technique. They posit that researchers using the narrative interview often face two main problems. The first relates to the uncontrollable expectations of the informants, which raise doubts about the strong claim that the narrative interview is non-directive. Informants generally assume that the interviewer does know something about the story, and that they do not talk about what they know because they take it for granted. It can be problematic to stage a 'pretend play' of naivety, especially over a series of interviews where the informant knows that he or she is not the first to be interviewed and thus can manipulate and adapt the answer to what the researcher wants to hear.

The second is what the authors term the 'unrealistic' role and rule requirements of narrative interview procedures such as exploring the field, formulating *exmanent* questions, using visual aids, no interruptions, etc. While these rules are formulated to guide the interviewer in order to avoid some controversial and sensitive information, the authors argue that these rules are not always as helpful as they are well intended. In any scientific research, there is no single technique or method that can allow us to understand a complex phenomenon. It is for reason that, besides narrative interviews, I decided to use semi-structured interviews in order to reach a particular category of informants for specific information.

3.5.2 Individual semi-structured interviews

Semi-structured interviews have been extensively used in qualitative research to collect additional information to explore particular themes or responses, as a complement to 'closed' questions. Although questions might be prepared beforehand, it gives informants the freedom to express their views in their own words. I have chosen this technique for its flexibility to address specific dimensions of research questions while also leaving space for informants to offer new meanings. Galletta and Cross (2013:2) contends that one can use semi-structured interviews to create openings for a narrative to unfold, while also including questions informed by theory. Specifically, this technique has been used in this study to reach different key informants in the selected sites, mainly in Goma and Gisenyi (Rwanda).

These informants were mostly experts with whom I discussed the content of different legal texts (Laws, Decrees, etc.) and different administrative procedures in land management, or the impact of decentralization law on power relations at the local level. This technique was appropriate in the sense that they did provide narratives but, and most importantly, I formulated specific questions they responded to. This allowed some of the general answers I got through the narrative interview to be complemented with precise answers. Questions were chosen and informants were identified based on the preliminary data analysis collected during the pilot research.

3.5.3 Group interviews

According to Frey and Fontana (1991:185) group interviews are a tool to obtain phenomenological data in people's direct social environment. They argue that focus group discussions, as in my case, help to obtain data on any social context that is being studied in an ethnographic framework. For this study, they were useful as a tool to discuss specific cross-cutting themes related to this thesis as well as interrelated issues such as the link between the manifestations of land-related conflict and the perceptions of the role of peacebuilding organizations, or the link between armed groups and powerful individuals.

The criteria for selection of participants were generally based on their activity and the position of each of them within the organizations they belong to (associations and cooperatives of women, youth, small-scale agriculturalists and pastoralists). To select the participants, I chose a single key informant who was familiar with each research place, who in turn proposed a list of participants. With my research assistant, I examined the list to make sure the above organizations were represented. The purpose of organizing one focus group discussion in Kilolirwe, one in Rubaya and one in Goma was to generate additional narratives concerning conflict dynamics: how conflict is managed and how peacebuilding organizations are perceived by these local organizations that are often targeted as beneficiaries of peacebuilding programs.

3.5.4 Observation

Observation was also important to link up what informants said and how their claims appear on the ground. For example, some interviewees claimed that people are forced to live in IDPs camps because they were chased away from 'their land' by new owners, mostly powerful individuals with title deeds provided by the land registry. I used the observation technique while visiting both the IDP camps in Kitchanga and Rubaya to see their living conditions and to verify the information by having informal talks with some of the IDPs who cannot return to their homes.

In Bashali, I visited villages where conflicts between farmers and pastoralists had occurred, in order to meet different parties to the conflicts. I also visited customary chiefs in Kilolirwe, Rubaya and Sake to informally discuss and understand how they solve such conflicts and what are the causes, particularly the context in which different stakeholders intervene. Most of the international NGOs and UN agencies claim in their different project reports to have set up local committees in several villages in Masisi. As I explained earlier in the choice of research places, observation was an important qualitative technique to verify if these committees exist, how they function and if the populations know and trust them. To do so, I had informal talks with members of these committees to understand how they work, I visited places they usually meet and I participated in some meetings organized in Kitchanga and Masisi-center. I also visited several places to see for myself some farms which informants mentioned as belonging to Big Men, while having informal talks with the people living around those farms to understand how they deal with access to land in such a context.

In Goma, I attended a two-day workshop by International Alert and Search For Common Ground, respectively a British and American NGO, in March 2014. The aim of this workshop was to create a synergy of civil society organizations from North and South Kivu working in the peacebuilding sector. This was an opportunity for me to understand how international NGOs interact with local organizations and the ways in which the 'local' has been put at the center of intervention. This example is used in chapter four as an illustration of the 'local' construction process. During the same period, in February 2014 in Goma, I participated in another workshop organized by *Forum des Amis de la Terre* (FAT), a Congolese organization working on land governance. Here a research report on land tenure issues was presented and discussed by different stakeholders. It was followed by a lively and interesting debate that provided me with a broader understanding of the link between land-related violent conflicts and the legal system as well as state institutions (chapter

five discusses this aspect further). During the fieldwork, I also visited workplaces (offices) of different local civil society organizations in Goma and Masisi and participated in some informal meetings where issues related to my study were discussed.

3.6 Data from secondary sources

Secondary sources of data were collected and analyzed in three categories. The first one covers program and project documents. These include official documents produced by the Congolese government, international aid and UN agencies, NGOs, international think-tank organizations, media and individuals. They were collected both from private and public institutions such as the land registry, provincial ministry of land, provincial division of agriculture, and from individuals such as former civil servants, retired people, experts and human rights activists. Other documents such as reports by NGOs and international institutions (EU, World Bank, …) were available online, on the official websites.

The second category refers to specific documents that discuss directly the data collected from primary sources. These documents comprise published books, academic works (journal articles, occasional papers, theses, published and unpublished articles); my own notes and feedback I received from different lectures and conferences I attended; online videos (conferences, debates, lectures and policy discussion).

Thirdly, I collected a body of legal texts and official regulatory documents that I analyzed through a 'document content analysis' method. As Bowen (2009:27) puts it, 'document analysis is a systematic procedure for reviewing or evaluating documents - both printed and electronic (computer-based and Internet-transmitted) material. Like other analytical methods in qualitative research, document analysis requires that data be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge'. The author argues that document content analysis can be applied in qualitative, quantitative, and sometimes mixed modes of research frameworks and employs a wide range of analytical techniques. I used triangulation to identify and compare what was similar and different in documents, while preparing 'new' questions to develop further with the informants. These legal texts and official documents comprise laws, decrees, ordinances and edicts issued by government institutions both at the national and provincial levels. After collecting them, the first step was to read and to understand

how they may or may not relate to my research questions. The second step was to formulate some questions to discuss with expert informants, not only because they were written in technical terms which I was not familiar with, but also because I preferred to understand from experts the inner meanings and interpretations behind the text, which are covered in chapter five where I analyze and discuss the legal framework. Questions covered the issues of land tenure, nationality and other political dimensions such power relations, politics, authority and, in general, state-society relations.

3.7 Data processing

The first step consisted of listening to recorded interviews after meeting with informants. Some informants I met more than once and I could discuss more in depth aspects I was missing in the previous interviews. However, some informants did not allow recording and in this situation, I took notes. The second step was the review of all notes taken during group discussions. Quotations in this thesis are taken directly from both these transcriptions and documents analyzed, translated from the original languages into English. Although this thesis is written in English, all interviews were conducted in local languages (Kiswahili and Kinyarwanda and sometimes a mixture of both according to informants' preferences).

Doing research in local languages allowed me to give the informants more freedom to express themselves, especially for those chosen for narrative interviews. However, it took a lot of time to translate the transcriptions, especially the analysis of laws and official documents which require a careful and rigorous analysis when it comes to translating them. To make sure my interpretation and the technical terms I used for the legal and institutional framework analysis (see chapter five) did not contradict the original meaning, I consulted some legal experts who could help to translate French terms into the English equivalents.

The third step consisted of using the triangulation method to cross-check multiple data sources, both primary and secondary, in order to evaluate the extent to which all the evidence converged and answered the study questions. The triangulation method was useful not only to analyze data from multiple sources, but more importantly to reveal what is common to all the research sites and where they differ. For example, the question of access to land is posed in different ways in different places. In Rubaya for instance, people refer to some 'string pullers' as the ones who can provide land, but the cost of renting a plot of land is usually higher. In Kitchanga, on the contrary, people tend to refer to the customary chiefs as those holding authority over land. One of the effects is that in Kitchanga, the discourse of autochthons versus immigrants between Hunde and Banyarwanda groups is more salient, compared to Rubaya where the majority of the population are Hutu and most big landowners are Hutu Big Men. Triangulation helped to bring out these differences so that I could present a balanced and nuanced picture of how the land problem is faced by the population.

Although this study does not claim to follow either a deductive or an inductive approach as such, the problem statement and research questions are developed from a general hypothesis which was informed by both my professional experience in the field of peacebuilding and the gap in the academic literature on the research topic. More importance is therefore given to what the empirical data provided after the analysis, rather than using a given grounded theory to corroborate or reject the hypothesis.

3.8 Reflexivity and positionality

Practicing reflexivity in order to understand and allow for the interconnections and mutual influence between the researcher and those being 'researched' is necessary to address the validity of the research conducted. This is crucial in order to limit my *a priori* interpretation of the data while, simultaneously, acknowledging my previous experience in the same research areas, thus my position in this study. To do so, I followed Burawoy's (1998: 30) suggestion. He recommends a thinking process which includes the recognition that (a) we intervene in the lives of those we study; (b) we analyze social interactions; (c) we identify processes and dynamics that are in mutual determination with external social forces; and (d) we reconstruct a theoretical model/approach based on what we have learned during the research.

I will discuss the reflexive character of this thesis while acknowledging that a researcher is part of

the social world he/she studies (Hammersley and Atkinson 2007:14). Therefore, the researcher must be aware of the context and the characteristics of informants as well as the social and political sensitivities that may affect the research process positively or negatively. The major priority was to work on my methodological approach, while simultaneously I had to choose informants and research places where I needed to collect data. The choice of multi-sited ethnographic approach was useful in the sense that it extended my possibilities to collect data beyond a single place, thus to increase chances for generalization. Prior to this thesis, as I explained in the introduction of this chapter, I added more places, more methods and diverse target groups to challenge my own pre-knowledge.

One of the challenges in conducting a study of land, identity and power in the context of Masisi is that this topic is associated with the work of international NGOs, which easily raises expectations of job opportunities. Before each interview and group discussion I had to explain many times that I am a 'student' and my research has nothing to do with project funding. Similar to this issue, although the presence of NGOs in the research sites represents an opportunity to understand their work, the downside has been that the 'culture' of paying a *perdiem* for any group discussion or any interview with an outsider has been quite normalized in the local mindset of the population. Knowing this in advance, I had to explain what this research is about and that I am not working for any NGO. This was important in order to prevent any misunderstanding or suspicious behavior.

Another aspect in this study was my own personal background and the risk of being associated with a rival community group. Although I am not a native of Masisi, it was possible that participants in this study could easily identify the village which I came from, which could generate potential problems. Therefore, to gain their trust, I had to introduce myself and reassure them about my neutrality. Being a PhD student in Germany also played a significant positive role because even though I originally come from the neighboring region, the probability that I could be associated with any political or military group in Masisi was significantly reduced.

All this preparation was informed by my previous experience working with international NGOs in communities. I knew that whenever people talk about NGOs and their work, the imagination commonly goes to whether NGOs succeed or fail to meet community needs. I was mindful that my informants might have ended up giving their opinions about the work of NGOs, what they think these organizations do in their communities. Although I chose narrative and semi-structured

interviews to let participants feel free to use their own words, this choice exposed me to the risk of falling into the trap of problem-solving narratives. To avoid this, I had to negotiate between the information I collected from informants and the research questions, in order to stay on track while at the same time focusing on the objectives of the study. At the beginning of my research, I considered the contribution to knowledge production of scholars and practitioners in the field of conflict study in the context of North Kivu and eastern DR Congo in general. It was for this reason that I decided to use both methodological and analytical approaches which allowed me to contribute not only to a new understanding of the conflict but also to a rapprochement between the fields of conflict studies and political geography. This could be tricky because I had to engage my informants in an unusual conversation, with relatively sensitive questions, for example the names and the role of 'string pullers' in conflict dynamics, such as land control, armed groups and ethnic rivalry.

Undertaking this study involved various ethical concerns because of the sensitive character of the topic and diversity of actors. To deal with this, I had to preserve the anonymity of my informants when I changed sites to meet with other groups. Being seen as partly an 'outsider' could have negatively impacted on my positionality in dealing with the informants. The fact that I could speak local languages and consider the perceptions and attitudes of different groups to each other allowed me to negotiate data collection while reducing the risk of bias.

3.9 Conditions of fieldwork and challenges of the study

When I chose the topic of this study I was mindful of the sensitivity of some aspects of the research, especially those related to the dynamics of wars, actors and networks. With that in mind, it was not easy to discuss some sensitive topics openly. Most of the informants I met in different sites did not easily give the names of 'Big Men,' describe what they do or name the people or organizations they are affiliated with. This attitude was justified by fear of negative consequences. Mistrust of researchers in general was reinforced by reports released by UN and human rights organizations in which some of the names of those 'string pullers' appeared in association with conflict and violence. Because of this, some participants did not want to mention some names.

To understand how 'string pullers' operate at different levels, I had to include on my list of informants some key persons who work or have worked closely with 'string pullers' in order to

understand different social connections and links between actors, but at the cost of not mentioning some names and highly sensitive information in this thesis.

Moreover, it was difficult to reach all the targeted participants in their locations because some of them lived far away from the research area. To handle that challenge, I planned different phases of fieldwork, and often adapted to informants' schedules on my research visits. Another challenge related to the lack of archives available in public institutions. For example, the registry office does not have mapping tools, statistics or figures that show exactly how land is distributed and located in Masisi. To deal with this, I used some figures available in the literature as a secondary data source. Although I managed to gather some data in the registry office, the information was not sufficient to cover the period of time I wanted to analyze. Some key informants I met in different interviews provided additional information to bridge this gap.

Another challenge was to conduct research on a sensitive topic within a high-risk area. Masisi was, and is still, under the control of various armed groups with different zones of influence, including the zones in which I was conducting interviews and focus group discussions. The period of data collection also coincided with a military campaign by the National Army and UN Peacekeepers against those armed groups. Sometimes I had to cancel trips to remote villages for security reasons and wait for another opportunity to continue my research. Lastly, the absence of road infrastructure was a handicap to reach some villages on time because of the unusable roads in the rainy season (each year from March to May). During data collection, most roads that connect different villages were destroyed and I had to walk, sometimes the whole day.

Chapter 4 Peacebuilding and the construction of the 'local'

4.1 Introduction

Over the last two decades, international organizations have intensified interventions in the eastern DR Congo in attempts to deal with the causes of violence. One of the dominant interventional frameworks, based on the peacebuilding and state-building paradigms, was based on the idea that Congo is an extreme example of a neo-patrimonial state in which powerful individuals maintain power through informal economic and military networks (see Ndikumana and Emizet 2003, Verweijen 2013). In the Kivu provinces, for example, while playing an ambiguous role in addressing the question of armed groups, the state sought to maintain its control over strategic natural resources like diamonds, tin, and coltan through privatized and violent modes of governance (Vlassenroot and Raeymaekers 2009:477). This picture of a 'weak' Congolese state in the minds of actors in the international community was strongly supported by a hypothesis that the origin of violent conflicts was situated at the State level: that is, that the State has lost both its monopoly on the use of violence within its national territory and, with regard to the role of neighboring countries, control of its borders.

This assumption led international actors to focus efforts mainly at the national level. Donors to the Congolese government including UN agencies, the World Bank, the International Monetary Fund and the European Union supposed that the causes of violence would be resolved by the government of the DR Congo, provided state institutions were adequately reinforced. Therefore, priorities were mostly oriented toward state building programs in the form of the organization of elections and the Security Sector Reforms (SSR). On the one hand, elections were supposed to provide a legitimacy to the post-electoral 'democratic' state institutions, whereas, on the other, the reform of the security sector was intended to address the question of insecurity through capacity building of the army, the police and justice.

To this end, since 1999, the DR Congo has hosted nearly 20,000 UN peacekeeping troops in support of peace efforts and the democratic process. The organization of general elections in 2006 and 2011 was largely supported by the international community and by bilateral donors, mostly European countries. In providing this support, the assumption was that an election would solve the problem of legitimacy and would therefore reinforce the state authority to deal with the causes of

conflict. However, different programs implemented by the Security Sector Reforms (SSR) in the aftermath of the first elections in 2006 did not succeed in delivering the promised security in vast areas of the country. While the Congolese government failed to take the lead to resolve the problem of insecurity, international actors such the EU and its partners also faced the challenge of lacking a coordination framework for implementing the reforms. As Justaert and Keukeleire (2010:20) clearly put it:

> The various European actors involved develop different programs based on own experiences and following their specific approaches and goals. This results in overlapping and sometimes even conflicting programs and approaches that hamper the effective problem-solving of the EU.

This view is also shared by Trefon (2011: 1, also 2013, 149) when he contends that the overall picture of reform failure is the sum of a series of disconnected, uncoordinated and fragmented initiatives. Trefon condemns the fact that Congo's bilateral and multilateral international partners did not share a common vision and often implemented contradictory reform programs. Froitzheim et al (2011, see also Boshoff *et al.* 2010) join Trefon in demonstrating that the European Union's state-centered approach failed to deal with the realities of governance in the country. The authors emphasize the lack of a coherent strategy for the DRC, despite the large budget allocated. Their analysis concludes that the EU's approach in the DRC has been more concerned with establishing a symbolic presence and a form of representation than with achieving specific goals.

These critiques then led to another paradigm for intervention in which the 'local level' became a key feature for external peacebuilding interventions. Many of these interventions have been translated into programs and projects implemented by peacebuilding international NGOs with the emphasis on the 'local community' level. The central argument of this choice of the 'local community' by these NGOs was based on the acknowledgement that the causes of violent conflicts were rooted in the local dynamics around the issues of land, power and identity, as discussed in the literature review (chapter two).

The aim of this chapter is to analyze and to understand the process by which the 'local' was constructed by international peacebuilding organizations as well as the conceptual and empirical implications generated by the 'local' approach. In the first sub-chapter I discuss how and why international organizations framed their intervention through the 'local turn' paradigm to justify

interventions; the second examines the role of the Congolese organizations in the process of 'local community' construction and the challenges arising from the local turn approach. The third demonstrates that land, unlike other dimensions of the conflict, is globally driven by donors' agendas; that is why international NGOs fail to integrate other dimensions of the conflict in order to achieve consistent results. Lastly, the chapter demonstrates that peacebuilding intervention has fallen into its own trap of the 'local' by applying standardized approaches, which in turn disconnects land from other related drivers of conflict, depoliticizes 'local communities' and fails to account for the role of political, institutional and legal dimensions at different levels where land overlaps with power and identity questions.

4.2 The local turn and the construction of the 'local community'

4.2.1 The international community's shift of approach

During the transition period, the role of the international community became crucial in providing financial and technical support to guarantee that the objectives and expected outcomes of the political transition met the timeline fixed by the Sun City Agreement. In this agreement, different parties agreed on the creation of an 'International Committee for Support of the Transition' (*Comité International d'Appui à la Transition*: CIAT) for the overall coordination of the international effort in support of the transition. The CIAT was composed of Ambassadors from the five permanent member states of the Security Council of the UN, the European Union, Belgium, Canada, South Africa, Angola, Gabon, Zambia, the African Union and MONUC (the UN peace keeping mission for the DR Congo). Although the CIAT was the 'voice' of the international community for a peaceful transition process, the definition of its mandate and the limit of its authority vis à vis the Congolese government were not clear and were at times contested.

For example, when on January 7th 2005, the president of the National Electoral Commission raised the possibility of postponing the organization of the election scheduled for 2006, the CIAT did not hesitate to ask the Congolese parliament to organize a special session on the electoral law as quickly as possible. Unfortunately, both the parliament and the government rejected this request and accused the CIAT of putting the Congo under the tutelage of the international community. In November 2005, relations between the CIAT and the government became tense once again. While the government regularly used the rhetoric of state sovereignty to express its frustrations, the CIAT

stood firm on its position about the electoral calendar. This position was clearly expressed by Reinhard Buchholz, the German Ambassador, in an interview in November 2005 with the local newspaper 'Le Potentiel', saying that: '*if there is no election in 2006, Congo will fall apart*' (MONUC's press review of 22nd November 2005*).*

When elections took place in 2006 the CIAT seemed to be satisfied with the achievement, although elections were only one of many objectives of the transition. For example, the Disarmament, Demobilization and Reinsertion (DDR) of former combatants, the National Reconciliation Process and the restoration of peace and security in eastern Congo were all left aside by both the Congolese government and the CIAT in order to focus on the elections, with the assumption that the new institutions would allow the country to reach stability. Aside from the diplomatic presence of the UN in Congo via CIAT, a peacekeeping mission, the Mission of the UN in Congo (MONUC), had been established by the Security Council in November 1999, one year before the Sun City agreement was signed. According to Resolution 1279 (1999), adopted by the Security Council at its 4076th meeting on 30 November 1999, the main tasks of MONUC were:

(a) To establish contact with the signatories to the Ceasefire Agreement at their headquarters levels, as well as in the capitals of the States signatories;

(b) To liaise with the Joint Military Commission (JMC) and provide technical assistance in the implementation of its functions under the Ceasefire Agreement, including in the investigation of ceasefire violations;

(c) To provide information on security conditions in all areas of its operation, with emphasis on local conditions affecting future decisions on the introduction of United Nations personnel;

(d) To plan for the observation of the ceasefire and disengagement of forces;

(e) To maintain liaison with all parties to the Ceasefire Agreement to facilitate the delivery of humanitarian assistance to displaced persons, refugees, children, and other affected persons, and assist in the protection of human rights, including the rights of children.

MONUC's mandate was initially divided into four phases: the first phase was to facilitate the implementation of the Lusaka ceasefire agreement; the second was to monitor violations; the third was to focus on the process of disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) and the fourth phase was to facilitate the transition to the organization of credible elections.

Although MONUC was the largest UN peacekeeping mission in the world, UN and human rights

organizations constantly reported that an increasing number of armed groups were controlling large parts of eastern DR Congo. Until 2008, MONUC could not cope with the generalized insecurity in eastern Congo, especially because it was operating under an 'observation mandate' which prohibited MONUC troops from the use of military force, even when civilians were targeted by armed groups. After a series of criticisms of MONUC's mandate, its inability to deal with insecurity and its failure to protect civilians, the UN Security Council decided to reinforce and modify its mandate.

It was under Resolution 1925 (2010), adopted by the Security Council at its 6324th meeting, on 28 May 2010 that MONUC became MONUSCO (Mission of the UN for Stabilization of Congo). Unlike MONUC, MONUSCO could rely on chapter VII of the charter of the UN which allows it to use military force (if necessary) to protect civilians. Point (1) of the resolution reads that

> Acting under Chapter VII of the Charter of the United Nations, the Security Council decides to extend the mandate of MONUC until 30 June 2010 and further decides that, in view of the new phase that has been reached in the Democratic Republic of the Congo, the United Nations mission in that country, MONUC, shall, as from 1st of July 2010, bear the title of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

The creation of MONUSCO happened in the context of the difficult implementation of the ceasefire agreement signed in Goma between armed groups operating in North Kivu and South Kivu provinces and the government in December 2008. With the support of the international community, the Congolese government created a mechanism called the 'Stabilization and Reconstruction Plan for War-Affected Areas' (STAREC) in June 2009 as a channel to implement the Goma Conference recommendations.

The entire STAREC program covers the Provinces of North Kivu and South Kivu, the Districts of Haut-Uélé, Bas-Uélé and Ituri in Province Orientale and the District of Tanganyika in Katanga Province. To support the STAREC program, the Stabilization Support Unit (SSU), a branch of MONUSCO, elaborated an International Security and Stabilization Support Strategy (ISSSS) as a UN mechanism to accompany the Government's efforts toward the stabilization of the areas selected.

To understand the context of the creation of STAREC, it is important to remember that at the end

of the second Congolese war (1998-2003), the international community chose to focus on the state level as a strategy to accompany the political transition (2003-2006) and to guarantee a more or less fair general election which was expected to take place in 2006. Although this support in organizing the election brought hope to the Congolese population, the presence and the activism of armed groups in the eastern part of the country undermined this hope. The end of the transition and the organization of the election of 2006 did not resolve the problem of armed groups and the historical tensions among local populations. The creation of STAREC and ISSSS was considered by both the Congolese government and the International Community as a response to deal with the above problems with the focus on the provincial and local level. Besides STAREC and ISSSS, some international humanitarian and peacebuilding NGOs as well as Congolese civil society organizations had begun implementing projects before 2008. Most of these projects dealt with the humanitarian response assisting the displaced populations in the rural areas while short-term projects of conflict management were developed.

For example, the Norwegian Refugee Council (NRC) has been working in North and South Kivu provinces since 2001, focusing its main activities on Camp Management (CM) and Emergency Food Security and Distribution (EFSD), Shelter and Education programs for the internally displaced (IDPs). Alongside its humanitarian response, NRC also developed, in synergy with other activities, a program called Information, Counselling and Legal Assistance (ICLA) aiming to deal with land-related tensions and other conflicts between displaced and the host populations. Apart from NRC, other peacebuilding NGOs have been working in North Kivu since the beginning of the 2000s.

During phase one of the ISSSS (2008-2013) in collaboration with STAREC, sixty-nine projects with a budget of US$367 million were implemented (SPP-ISSSS report, 2012). According to the evaluation report (SPP-ISSSS report, 2013) of the ISSSS-Phase I, few results were achieved, mainly for four reasons. First, the lack of a common vision and common objectives of the different stakeholders; second, because the monitoring and assessment framework was overly basic and focused only on quantitative indicators such as roads and schools being built; third, because programs were conceived in an emergency, focusing on a top-down approach; and fourth, because the Government's support for the work of STAREC was missing and sustainable reforms (in security, economy and justice) were not achieved as expected. This failure was not only condemned by the SSU-MONUSCO. It was recognized by a key figure responsible within

STAREC/North Kivu, who stated on the record that:

> we have done less than what we expected, for different reasons. Of the total budget approved by the government, less than 30% has been provided so far. For the rest, we apply for funds from other donors, notably international organizations, the World Bank or European Union. That is why most of our plans and projects have not been executed and are stuck on our shelves (Interview in Goma, IV.03.14).

Moreover, since the creation of STAREC in 2008, it has not undergone any program evaluation. Even when the SSU-MONUSCO evaluated the ISSSS programs in 2013, STAREC was not part of this evaluation. According to the interview above, STAREC could not evaluate its programs partly because many of them have not been implemented yet, partly because neither the ISSSS nor the government support STAREC financially.

The International Crisis Group's report (2012:8) has shown that neither STAREC nor the ISSSS met the expected results in eastern DR Congo. This report strongly criticizes the programs implemented, for lack of consultation with the targeted populations, over-emphasis on material reconstruction at the expense of governance reform, lack of international coordination and lack of financial commitment from the Congolese government. International Alert's report (2012) goes further in showing that various programs designed to restore peace in the East had achieved little success due to their failure to take on board the underlying causes of the conflicts in any meaningful sense and their strong focus on technical aspects, while neglecting underlying political issues. These critiques have not only led UN agencies and other international NGOs to revise their strategy. They have led some international organizations to the design of peacebuilding programs that emphasize the 'local', while simultaneously scholars on the Congolese conflict continue to question this discourse of the 'local turn'. In the next paragraphs, I discuss how the local turn paradigm has been driven by the 'local ownership' discourse as debated amongst scholars and how, in the Congolese context, it allowed international peacebuilding interventions to construct 'local communities'.

During the past decade, the conceptual discourses and empirical evidences of the local turn in peacebuilding have taken an important place in the academic debate. While both peacebuilding

and development actors agreed on the necessity of turning to 'local', a specific group targeted by these actors was (and remains to date) local actors. As result, the recognition that local actors should be in the driving seat of peacebuilding projects is firmly established in theory and practice, fundamentally inspired by Jean-Paul Lederach's work on conflict transformation (1997) and by scholars such as Mac Ginty and Richmond (2013) from the field of critical peacebuilding research (Paffenholz, 2016:210). While Paffenholz acknowledges that the above two schools of thought offer a counter-narrative to outsider-driven international peacebuilding, she also demonstrates how the local turn paradigm directly derived from these narratives, which is the role of local actors and their capacity to build sustainable peace.

Recently, the question how the capacity of local actors can be effectively promoted in international peacebuilding activities has been repeatedly raised as a core concern of both peace studies and development studies (Özerdem and Lee 2015:1). To address the limitations of standard peacebuilding approaches and to equip local actors to work effectively, Özerdem and Lee argue that international organizations have begun to emphasize the importance of 'indigenous' ownership of peacebuilding. Based on this necessity to promote local ownership, a number of international organizations, including UN agencies and bilateral donors, have confirmed their strong commitment to the promotion of local ownership. The term 'local ownership' has also been used frequently in debates on development and foreign aid and brings into focus the implied conditionalities of external (financial, technical) support and peacebuilding (Reich 2006:5).

However, while the above organizations have taken local ownership for granted, assuming that peacebuilding programs would successfully be implemented in societies affected by violence, Özerdem and Lee challenge this belief. According to them, so far, in contemporary academic discussion about local ownership there is no clear definition of what actually constitutes the 'local'. Recently, Sarah von Billerbeck joined this debate on local ownership in the context of a UN peacekeeping intervention. In questioning this concept, she asks why the UN advocates for local ownership based on a set of purported benefits while operationalizing it in a way that undermines the achievement of those very benefits (Billerbeck, 2017:3). She argues that the emphasis on local ownership may be viewed as an attempt by the UN and other international organizations to reconcile the two major principles (self-determination and non-interference) in countries of intervention. By giving local actors a leading role in peacekeeping, the author continues,

interventions are supposed to minimize the degree of imposition entailed by their operations and maintain the ability of local actors to determine their own political path.

In the above discussion, although the local turn paradigm and the local ownership discourse strongly emphasize the need to include direct actors at the local level, all the authors seem to agree that there is no clear definition of what these concepts mean on the operational level. While conceptually there is a common sense of how they may relate to each other, the challenge arises when external interventions, in terms of programs and projects, have to be evaluated based on the conceptual meaning of local ownership. Still, one would wonder 'which actors actually own what', and at what level the ownership is practiced? The next section discusses how 'local community' in the Congolese context has become recurrent in the discourse of peacebuilding organizations as a translation of the local turn and local ownership.

4.2.2 The construction of the 'local community' in the Congolese context

The scholarly analysis of conflict dynamics has not only influenced peacebuilding organizations by providing arguments against the top-down approach: it has also become a springboard for an approach that would differentiate peacebuilding NGOs from institutional donors such as the EU, UKAID, USAID and certain UN agencies. Around 2010, some of these NGOs started to develop a new narrative about the importance of taking the 'local' into consideration as a modality to achieve durable peace.

To grasp the meaning of 'local community' in the context of this study, I rely on an idea that 'community' is socially constructed and, as such, it is used both as a concept and as a targeted category of population from which projects can be framed by institutions and organizations. Wiswanath *et al* (2000:30) for example discuss the notion of 'civic engagement' as a community tie. They contend that engagement with 'local community' issues is helpful in a participatory democracy in the sense that membership in community organizations is not usually based on vertical relations, but rather on horizontal relations of trust, solidarity and interdependency. These authors believe that networks of horizontal ties within communities can facilitate the flow of information, and boost participation and action to solve community issues.

This view of community as a 'given' entity in which members may need an external intervention to shape its organization and to improve people's life insinuates the idea of members' vulnerability. It is

in this sense that Christmann *et al* (2014:148) introduced a constructivist thought into vulnerability and resilience concepts, assuming that social constructivist approaches can better explain the emergence of socially shared perceptions within societal processes. In this regard, social construction of a community can be shaped where potential threats are collectively assessed and negotiated by its members. Therefore, conclude the authors, constructing vulnerability means that a given entity, which is defined as being valuable and to be preserved, is delimited and located at the center of an actor-network structure at a certain point of time.

This construction of the community, based on the vulnerability of members, is also supported by Stoutland (1999:168) in her study of the levels of the 'Community Development System'. She argues that 'community development' is defined to include all people who live or work in low-income neighborhoods as well as actors (both people and organizations) at city, state, and national level whose work serves (or is supposed to serve) these neighborhoods. This categorization of communities on the basis of income level has also inspired development interventions to design programs to improve the quality of life of the people living in those communities (Ferguson and Dickens 1999:5). Although the above discussion of the construction of the 'local community' emphasizes the external dimension (in the etic perspective), members of a given community may not be passive agents in the process of the construction of the 'community' idea (emic perspective).

This was already demonstrated in the 1970s by Kasarda and Janowitz in their studies of community attachment in mass society, in which they discuss how the dynamics of local communities function. They emphasize how 'location in communities of increased size and density does not weaken bonds of kinship and friendship between members of a local community'. They discovered that even when the size and the density of a local community increase, community sentiments often remained compatible with a desire to avoid the negative features of local community life (Kasarda and Janowitz, 1974:338). From the above discussion, it is noticeable that the idea of local community is discussed as a geographical construction in which groups of people are seen as locally settled. Alongside this construction of the 'local' in academic work, policy makers continue to design programs based on the idea that local communities exist and are geographically locatable. Before I provide examples of how 'local communities' are constructed and emphasized in some peacebuilding programs, I first introduce the conceptual meaning of 'local community' in the Congolese legal framework.

When one refers to the idea of 'local community' in the Congolese context, what comes to mind is the representation of ethnic groups. Ethnic identity as both a political and sociological construction in many African societies has been used by scholars as an important category to describe opposing groups in the context of conflict (see John Lonsdale, 1994; Carola Lentz, 1995; David Welsh, 1996). In the DR Congo, for example, Lumuna (1998:52) recognizes the preponderance of ethnic identities when he argues that the democratic process launched in the early 1990s failed because of the superposition of ethnic and tribal groups that conflicted with the democratic principles put forward by the democratization attempts. As I discussed in chapter two, reference to local communities in conflict analysis in the literature often means associated population groups and their ethnic affiliation, such as Hunde, Nande, Hutu, etc. However, 'local community' as based on ethnic group is not a category constructed by peacebuilding workers per se, but has a juridical foundation in the Congolese legal framework.

Article 388 of the Land Law, for example, refers to 'land occupied by local communities'. This law, however, does not define who constitutes the 'local community' although it recognizes the existence of such communities. The Forestry Code attempts to provide a definition in Article 1, which holds that the '*local community is a population traditionally organized on the basis of customs and united by the links of clan solidarity or blood ties which form its internal cohesion. It is characterized however by its attachment to a homeland*' (Article 1, section 17).

This definition provided by the Land Law and the Forestry Code concerning 'local communities' produces two effects: one, it raises the distinction between two categories of groups, one which identifies itself as natives or autochthons and another seen and described as non-autochthon. For example, when the Forestry Code connects the entitlement of a clan to its attachment to a homeland, the population that claims to be the native population (the Hunde in this study) tend to claim the exclusive right to own land over those considered as non-natives (Banyarwanda in this study).

This happened in Masisi when the Banyarwanda arrived during colonial rule: keeping the status of immigrants, the Banyarwanda continued to struggle for national citizenship even after Congolese independence. This notion of 'local community' has not only affected the notion of citizenship, it has reinforced the use of ethnic identity to designate communities. This explains why, for example, Willame (1997), Lemarchand (2009), and Mararo (1997) referred to the violent

conflict of the early 1990s in Masisi as 'interethnic' or 'intercommunity' conflict. Taking this understanding of 'local community' on such a basis, several conflict resolution projects in the early 2000s began to target 'local communities' portrayed in these NGOs' discourse as 'victims' of the violent conflicts. However, International NGOs and UN agencies are not only the ones using the 'local community' discourse. For example, in 2015, to implement the second phase of the stabilization plan, the ISSSS and STAREC defined a Provincial Strategy which emphasized that:

> supporting local and provincial dialogue initiatives aims to articulate a collective vision for a clear and long-term peace and to affirm the essential role of *communities* in improving the political, security and socio-economic situation in the eastern DR Congo (p. 67).

International NGOs also used the category of 'local community' as beneficiaries in their interventional framework in some of their programs.

The first is the 'Tufaidike Wote' (working together for everyone's benefit), a project implemented in North and South Kivu provinces by a consortium made up of CARE, the Food and Agriculture Organization (FAO) and International Alert from January 2012 to December 2016. Funded by USAID, this multisector project was based around three pillars: (1) reinforcing the capacity for conflict prevention, management and resolution in **communities**; (2) improving citizen participation and good governance of **community** assets; and (3) promoting agricultural livelihoods and alternative livelihoods. The overall aim of the project was to strengthen the socio-economic stability of the **communities** through the promotion of management mechanisms and conflict prevention, good governance and livelihoods.

The second project is 'Social Cohesion and peaceful cohabitation in Masisi and Rutshuru *Territoires*' implemented by Search For Common Ground in 2015. The objective of this project was to 'Promote peaceful cohabitation between **local communities** and to strengthen the intercommunity links in order to contribute to a reduction of conflicts and intercommunity violence.

The third example is a program called **Community** capacity building in conflict management and peace promotion in the eastern DR Congo', funded by the Government of the Netherlands to support the stabilization strategy undertaken by ISSSS and STAREC since 2012. Under the

heading '*Projet Chapeau*', some UN agencies (UNDP, UNICEF, FAO, MONUSCO) and international NGOs (International Alert, Life & Peace Institute, Norwegian Refugee Council) implemented several projects in the provinces of North Kivu, South Kivu and Province Orientale. The overall objective of this 'Projet Chapeau' was to contribute to the emergence of conditions for peaceful dialogue amongst **communities**. In North Kivu, the *Territoires* of Masisi and Beni were selected as sites for the project activities.

The fourth example is a Conflict Transformation program implemented by Life & Peace Institute (LPI) in partnership with a Congolese organization (Action pour la Paix et la Concorde-APC) between 2008-2009. A participatory action research (PAR) conducted in the Territoire of Kalehe identified four population groups (Tembo, Havu, Hutu and Tutsi) under the label of 'local communities'. This PAR found out that the major conflicts between these 'local communities' are related to land, power and the presence of armed groups which are affiliated to those communities (Life & Peace Institute report 2012). In 2011, after consultation with these local communities, local committees for dialogue and mediation (CDM) were set up in Kalehe as mechanisms to manage intercommunity conflicts. While I was working with LPI, I was part of the team that visited Kalehe in early 2011 to meet different delegates from all the four communities. The purpose of the visit was to prepare an intercommunity roundtable which was supposed to bring all these communities together to agree on an action plan to be implemented by CDM. Similar to this APC program, LPI supported another Congolese organization (Action Solidaire pour la Paix-ASP), also focusing on 'local communities' in North Kivu, specifically in Bashali (Masisi). I discuss this in chapter six as an illustration of the 'local trap'.

From the above examples of international peacebuilding programs, one can notice how the 'local community' is constantly emphasized across several peacebuilding programs. This 'local' shift in the eastern DR Congo context can be understood from two perspectives. Firstly, at a time when MONUSCO-ISSSS (stabilization strategy phase one) recognized its own failure in dealing with the causes of violence, some international NGOs were able to raise funds directly from international donors by promising to fill the gap that UN agencies overlooked (International Alert 2012). Although this shift to the 'local' has been constantly claimed by peacebuilding NGOs,

programs in many places in the eastern DR Congo are not implemented exclusively by them. UN agencies are also becoming involved in projects, as in the examples of programs given above.

Secondly, the opportunity for international NGOs to access funding from donors such as the EU or UN has become slimmer as the UN mission in DR Congo (MONUSCO) started to directly fund Congolese organizations (for example STAREC). At the same time, one cannot clearly distinguish which organizations are peacebuilding ones. During fieldwork for this study, I noticed that because of the lack of coordination in the international funding framework, there is a multiplicity of donors and, on the ground, the programs and projects sometimes overlap. A joint evaluation of 'conflict prevention and peace building in the Democratic Republic of Congo' carried out by Research Channel (2011) put it clearly that:

> when it comes to addressing the key drivers of peace and conflict, the problem arises in the multiplicity of policies and coordination mechanisms. The multiplication of budget lines, of decision making locations (capitals, embassies, projects, contractors, national authorities, local authorities) follows the strategies. The absence of synergy in donor approaches layers on to this complexity (p. 67-68)

Another example is the local structure for conflict management (CLPC) created by the ISSSS through STAREC while at the same time similar structures (such as *Paillottes de Paix*, CDM, CITC) had already been created by other international NGOs through Congolese local organizations. Despite this lack of coordination and harmonized approaches, both UN agencies and international NGOs continue to use the 'local community' discourse to legitimate their intervention on the local level. The main strategy used by these organizations to reach the 'local community' as target has been and still is based on collaboration with Congolese civil society organizations, which I term 'peacebuilding brokers'. In order to implement their 'local' strategy of engagement with the 'local communities', international peacebuilding NGOs sought out Congolese organizations to partner with, ones which were assumed to enjoy a certain legitimacy and social support among 'local communities'. Next, I discuss how local Congolese civil society organizations have constituted an entry point for intervention by international NGOs and UN agencies.

4.2.3 Local organizations in the process of the 'local community' construction

Local Congolese organizations were active in DR Congo from the 1980s onwards as members of civil society, many of which used to intervene in the development programs sector (Matsuura, 2015:58). An important shift occurred in the aftermath of the second Congolese war in the early 2000s, when humanitarian and peacebuilding efforts had become a focus of international organizations. In this new context, many Congolese local organizations were ready to abandon their initial strategic plans in order to accommodate international NGOs' programs, in the hope of benefiting from the funding available at that time on the one hand; while on the other, international NGOs needed 'broker partners', whereby local organizations were seen as merely intermediaries between international NGOs and 'local communities'. Over the last decade, this 'marketization' of peacebuilding interventions was accelerated by the massive presence of international NGOs in areas where 'local communities' were seen as peace 'clients,' only too ready to accommodate peacebuilding programs through collaboration with Congolese local organizations.

The 'marketization' of peacebuilding fell into the realm of civil society when international donors expressed concerns about the inability of states to manage public aid effectively during the 1980s. The proliferation of armed conflicts and the increased level of violence in the post 1990s period have led the international community to step up its engagement in peacebuilding in the countries affected: in Africa for example, grassroots-level NGOs, mostly working for indigenous development (in sectors including public health, agriculture and small business) were perceived by international peacebuilding organizations as reliable partners to address the causes of violence. Based on the perceived importance of local NGOs in the areas of welfare and development aid, Western institutions developed the idea that local NGOs enjoy the social recognition of local communities as well as working within distinct spheres of activity (Neubert 2014:6).

Yet, during the 1990s, the concept of civil society was not commonly used in local discourse and it remained difficult to categorize local NGOs as civil society actors in terms of the Western understanding of what civil society means. Neubert (2014:18), for example, observed that the concept of civil society with its rigid normative standards is too narrow to allow the description of different processes through which local organizations emerge, shift and develop, which may often defy conventional expectations. Nonetheless, in post-conflict areas, a thorough understanding of civil society's roles and potential for peacebuilding is still required. This need is well expressed

by Paffenholz and Spurk (2006:33) when they suggest that merging civil society discourse and civil society peacebuilding would lead to a much clearer and focused understanding of what one would expect as the role of civil society in conflict resolution. In spite of this understanding of the concept of civil society, one should remain cautious that its role, its mission and its function can vary and can be shaped by the political or socioeconomic context within a country in which these organizations emerge.

In DR Congo, for example, there are generally two groupings of civil society organizations. The first is what is known as the 'official' body and is engaged in politics, often as a member of the political opposition. It is organized in different structures, from the local to the national level, and its member organizations work in different sectors. From time to time, this body has been accused by some of its members of taking the regime's side instead of being on the population's side. During the past ten years, internal divisions among member organizations of the official civil society body have led to the creation of a radical platform, which claims to be the 'real voice of the population'. This body was created in 2013 under the name of '*Dynamique de la Société Civile en République Démocratique du Congo*- NDSCI-CHUNVI YA CONGO/ Dynamic of the civil society in DR Congo) and works in parallel to the previous one.

Meanwhile, local NGOs (associations, cooperatives, faith-based organizations, etc.) continue to claim their affiliation to civil society. The distinction between the two bodies of civil society was at issue when international organizations wanted to select local partners, even though within each of the two bodies there are differences based on the sector of intervention, which in turn, changes and shifts depending on opportunities for funding. This opportunistic situation relates mostly to the second category, in which some Congolese organizations recognize themselves as peacebuilding civil society organizations. For example, in March 2014 in Goma, I attended a workshop organized by International Alert and Search For Common Ground, respectively a British and an American peacebuilding NGO, during which a new synergy of civil society organizations was created by several local Congolese organizations from North and South Kivu. The official name this platform took was '*Les Acteurs de la Paix à la Base*-Actors of peace at the grassroot level' whose members are exclusively peacebuilding-oriented organizations.

Prior to the creation of the above platform, Life & Peace Institute, for example, selected local partners in North and South Kivu in 2008; the conditions for partnership were that the institutional

and financial support it provided would be allocated to those organizations which would agree to abandon the other activities they were involved in (such as education, public health, and the environment) and devote themselves entirely to conflict transformation. Those organizations which signed the deal became 'Professional Centers for Conflict Transformation'. Thus, international organizations did not only influence a change in focus of many local Congolese organizations through this money-based partnership; one of the consequences was that Congolese organizations lost track of the priorities they were focusing on before international peacebuilding became marketized. Clearly, international organizations needed to partner with local ones, not just as civil society members per se, but as an organizational bridge to reach beneficiaries.

In the context of peacebuilding interventions, Shinoda (2008:98) explains this principle of local ownership in two ways. First, because international actors involved in the process of peacebuilding have never abandoned the framework of the sovereign nation-state as the basis of international and domestic order, respect for local ownership is often highly expressed. Second, no matter how long international actors remain involved in the process of peacebuilding, they rarely enjoy direct results without the ownership and the active participation of the so-called beneficiaries. Hence local ownership is desired as a strategy to build and maintain durable peace. However, the local ownership principle posits that international intervention should not directly engage with local communities. For years, most donors have been unanimous in agreeing that the local civil society *must* be reinforced institutionally, technically and financially in order to serve as intermediaries between international programs and local communities.

 In the Congolese context, this principle of ownership has been used by international NGOs not only as a way of avoiding the top-down approach largely criticized by scholars, but also as an argument to be used in fundraising, presenting Congolese local organizations as community-based initiatives suitable for building durable peace. This call was followed by several local organizations that claimed to work for peace. Under EU funding, for example, International Alert report (2010) conducted an inventory of peace initiatives in the eastern Congo, finding 171 organizations (81 active in North Kivu, 69 active in South Kivu, and 21 operating in both provinces) identified as operating in the peace, governance and human rights sector; 25 of them in Masisi. Today, this number has increased even more. In brokering peacebuilding deals between international and local organizations, the idea of local ownership was quickly assumed by both

parties without a deep understanding of the links between conflict actors, conflict dynamics or the scales involved in the conflict. Based on the fact that violent conflicts have been driven by the triangle of land, power and identity, one could question if peacebuilding programs have always considered this triangle in their interventions.

Since scholars such as Mararo (1997), Van Acker (2005), Vlassenrrot (2013), Autesserre (2008) have emphasized the relationship between the land, power and identity triangle in the Congolese conflict, international actors took this triangle as the interventional framework through which programs and projects can be implemented. Some of these organizations, for example, International Alert (2010), Oxfam (2012), Search For Common Ground (2014), published reports in which they emphasized the need for addressing the causes of violence using the triangle lens. Moreover, in 2014, the SSU-MONUSCO decided to launch a series of *conflict analysis and need assessment for stabilization* from the perspective of implementing Phase Two (2013-2017) of the stabilization plan. The objective was to produce a coherent and effective programmatic approach for intervention, based on key dynamics of conflict identified after the evaluation in the first phase: the security dilemma (trying to understand the persistence of violent conflict despite military efforts by the government and UN troops), land and identity issues, exploitation of natural resources and regional dynamics (the role and connections of neighbor countries in the Congolese crisis). Beyond the triangle of conflict, MONUSCO decided to add these four dynamics, not only to avoid the failure of Phase One, but also as a strategy for MONUSCO and other UN agencies (UN Habitat, UNDP, …) to join peacebuilding NGOs who had been working with Congolese organizations on the community level. For example, the ISSSS-MONUSCO provided financial support to conduct this *conflict analysis and need assessment for stabilization* in several areas (Life & Peace Institute in South Kivu, International Alert and Search For Common Ground in Masisi). In Kitchanga (Bashali-Masisi), it was reported by Search For Common Ground that the most frequent conflicts that divide communities were around questions of land, power and identity (SFCG:2014).

Table 2: Summary of conflict identified in Kitchanga-Bashali

Dynamics of conflicts	Types of conflicts
Land	● Farmers vs pastoralists ● Complex land tenure legislation ● Large-scale land owners vs peasants ● Women excluded from land inheritance ● Land scarcity
Identity	● Armed groups organized in terms of shared ethnicity ● Customary chiefs' support for armed groups ● Political leaders' support for their fellows of the same ethnic groups ● The Banyarwanda (Hutu and Tutsi) seen as foreigners, thus without right to land ● Security forces (army and police) tend to favor populations of their own ethnicity
Power	● Customary vs state authority ● Armed groups support leaders of the same ethnic group ● Authorities privilege nepotism and patron-client relations ● Complicity between customary chiefs and armed groups

SFCG, 2014: p. 32

Observations made during the fieldwork showed that for security reasons (mostly), the population continues living in camps as IDPs. These camps are built in areas which are far from IDPs' homes, which has increased the demand for land for their survivors because there is little humanitarian assistance in terms of food production. Because the available farmlands surrounding IDP camps often are owned by private individuals, this means access to even a small plot of land for agricultural activities has become expensive and not affordable for the displaced population. However, some of these landowners have agreed in some places (Rubaya for example) to rent some plots of land but still the rental price per hectare is very high compared to the population's standard of living. The information I gathered during a focus group discussion in Rubaya revealed that anyone in need of land would pay between 300 and 400 US dollars, only for one cropping season (about 5 months).

IDPs camp of Rubaya (Masisi)

Rubaya-center (Masisi)

In these agglomerations of population, space for survival and for agriculture has become another source of tensions. On the one hand, these settlements are surrounded by huge pastoral lands owned by some powerful individuals (politicians and senior officers of the Army), which makes

it difficult for the families to live in proximity to the farms. Not only do these families need some plots of land for survival, they also need a guarantee from state authorities for their rights to use the land they occupy. These tensions have still not been resolved by peacebuilding organizations working in these areas. Families that can afford the price can negotiate a few hectares for rent for some agricultural activities. In Kilolirwe, compared to Rubaya, one hectare costs around 300 US dollars per cropping season (or sometimes payment can be made with agricultural products after the harvest). Testimonies gathered in several research sites of this study showed that because of this lack of opportunities to access land, some families were to move to other areas, still, as displaced people expecting to receive humanitarian assistance to survive, as shown in the pictures below.

IDPs camp of Mungote in Kitchanga (Masisi)

IDPs camp of Kahe in Kitchanga (Bashali-Masisi)

The exact number of IDPs in each of the sites is not known because of the fluidity of people's movements searching for safe areas and where some land can actually be accessible. In its report of March 2016, UNOCHA claimed there were 782,000 IDPs in North Kivu, of whom 75% were in Masisi and Lubero. In the previous year, the Internal Displacement Monitoring Centre (IDMC: 2015.13) published a survey report giving a number of 1,003,400 IDPs in North Kivu with 60% of them in Masisi. The very weak land tenure management, as I discuss in chapter five, the persistence of armed groups and the political control on the local level by 'string pullers', continue to characterize the situation in Masisi in general and Bashali in particular. It is in this complex picture that peacebuilding organisations, especially MONUSCO decided to pursue another phase of the stabilization process.

The operationalization of the second phase, based on these findings, is supposed to run until 2017. In addition to MONUSCO's attempt to implement projects in areas identified by the ISSSS strategy, several activities and projects were already being implemented but other international NGOs. The question then is, if land, power and identity are the main factors of violent conflict, to which extent have these factors been considered in the programs implemented? The next section uses some examples of activities by international organizations on the local level and examines the link between these programs and land, power and identity.

4.3 Program implementation and the 'land-power-identity' triangle

After the peace agreement between the government and armed groups in Goma in 2009, the establishment of STAREC and the ISSSS benefited from the collaboration of certain UN agencies and international NGOs involved in conflict resolution. Some academic work published around this time (see Mararo 2009, Lemarchand 2009, Autesserre 2009) had already emphasized the need to deal with local tensions and to some extent advocated for a more thorough understanding of the conflict drivers. This call was largely heard by a number of international organizations which responded with a series of diagnostics at the community level, not only for the sake of conflict diagnostics but also in terms of building a strategy that would allow projects to be implemented.

Map 5 Peacebuilding organizations and areas of interventions in Masisi
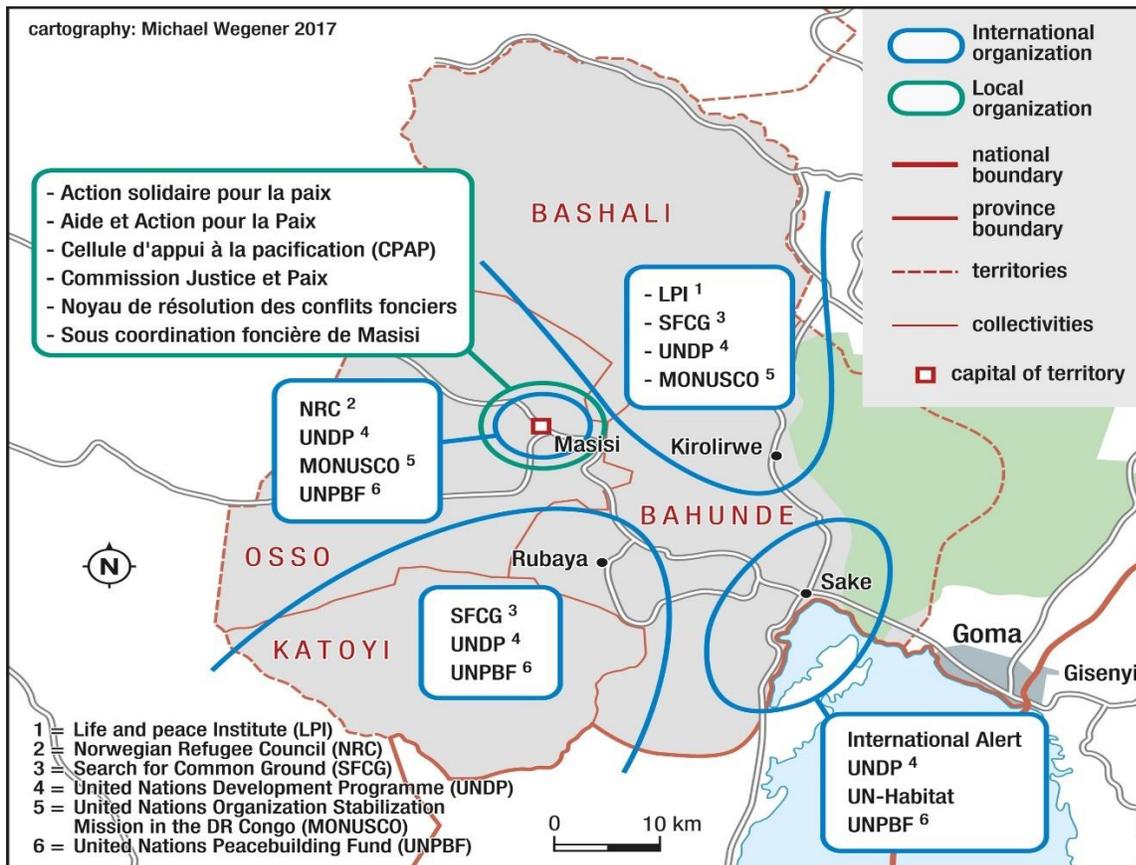
In May 2009, UN-HABITAT in partnership with UNHCR implemented a program which aimed

to prevent and mediate land conflicts in Masisi and Rutshuru *Territoires*. In Kitchanga (Masisi), a land mediation center was set up by UN-HABITAT where the center staff are expected not only to offer training and raise awareness in the local population, but also to mediate conflicts at the request of the different parties involved. In 2012, Search for Common Ground (SFCG) in partnership with UN HABITAT and Dynamiques des Femmes Juristes (DFJ), a Congolese organization, implemented a joint project aimed at contributing to a quick response to the protection of IDPs and social cohesion in both Masisi and Rutshuru. The main objective of this project was to reinforce community resilience to violence and human rights abuse. According to the evaluation report written by the three organizations, the project and activities focused mainly on the capacity building of community members (including local authorities, leaders of associations and cooperatives at local level, and faith-based organizations) in monitoring and implementing activities relating to conflict prevention and conflict transformation around land (see evaluation report of the 'project chapeau' 2015, Search For Common Ground 2014). Some of the types of conflicts identified involve opposing groups such as (a) agriculturalists vs. pastoralists; (b) populations living around Virunga National Park (claiming that the park area belonged to them until it was confiscated by the colonial state) vs. the state bodies of the park management; (c) small farmers against large-scale landowners; (d) conflict between families around land heritage; (e) and conflict between individuals about shared land boundaries.

From 2010 to 2012, under the heading 'Promotion of community dialogue,' the UN Peacebuilding Fund (PBF) financed a project covering eastern DR Congo. This project was implemented by UNHCR, PAM, UN-Habitat, UNOPS, GIZ and NRC. Like some of the programs that I mentioned previously, the main objective was to 'contribute to the process of peacebuilding in the eastern DRC through capacity building, with strong emphasis on land conflict management'. Alongside these UN agencies, other international NGOs including the Norwegian Refugee Council (NRC), International Alert and Caritas International framed conflict resolution in terms of land issues among local communities. At the national level, the government has created local structures for reconciliation (Comités Locaux Permanents de Conciliations- CLPC), through STAREC, as a space where conflicts should be settled. These local structures are composed of members representing the population at the village level, the government, customary chiefs and security services (that is, the army and police).

In 2009, the Congolese organization *Forum des Amis de la Terre* (FAT) benefited from financial support from the EU through partnership with the French NGO *CCDF-Terre Solidaire* in carrying out a study on conflict in Masisi and Lubero. The aim of this study was to understand land issues in North Kivu in order (a) to build the capacity of Congolese local organizations in land conflict management and (b) to come up with a strategy to address the conflicts around land. The two major recommendations made by this study were the implementation of local mechanisms of mediation and reconciliation of land-related conflicts, and advocacy for land reform and new modes of land tenure management. According to a local expert on land issues I met during my fieldwork in Goma, the rationale behind this diagnostic was to advocate for a legal mechanism that would allow protection of land used by small-scale farmers and families. He said for example that

> land-related conflicts remain very important than other types of conflict in Bashali and other places in Masisi. It is for this reason that many UN agencies and international NGOs have been focusing on the prevention of violent conflict' (interview Goma V.01.15).

As one can notice, although different analyses of the conflict in Masisi and its surroundings strongly emphasize the three factors of violence, the focus on land issues has become a central theme in several programs implemented, with very little (or even no) consideration of the question of power and identity. Some of the project documents I collected from different organizations can show this clearly. In 2013, for example, UNDP, UN Habitat and FAO implemented a joint program titled 'Program of the securization of land tenure for the integration and community recovery in eastern Congo'. Two main arguments were given by the organizations behind this program. The first was that peacebuilding in eastern DR Congo depends on a durable solution to the problems caused by land issues. The second, along the same lines as the first, emphasizes that the recovery of land for the purposes of meeting the population's needs, particularly in rural areas, depends upon access through the use of 'secured' land and other natural resources. This program is premised on the idea that most small-scale farmers have only limited access to arable land; moreover, that the limited access to land they possess is in danger of expropriation by large-scale farmers known as 'grands concessionnaires'. These two arguments, widely put forward by civil society organizations, both Congolese and international, since 2008, have led to the development of a number of initiatives around land questions both at provincial and national levels.

The first major initiative was the creation of a Land Coordination Group called '*Coordination foncière*', a working platform that included UN agencies, Congolese and international organizations involved in land issues. This initiative was taken in 2013 by UN Habitat in cooperation with the provincial Ministry of Land Affairs of North Kivu. Members of the Land Coordination Group meet once a month to share their experiences and to discuss how they can better coordinate their efforts on the ground. Although the provincial ministry leads regular meetings, UN Habitat acts as the secretariat of the platform and continues to show a strong interest in taking a leadership role, especially in policymaking. In 2013 for example, UN Habitat drafted an *Edit* (different from a law, an *Edit* is a legal text equivalent to the law but at the provincial parliament level) which proposed guidelines for a collaboration between customary authorities and public institutions on land management. This *Edit* successfully persuaded the provincial Ministry to advocate a vote for it in the provincial parliament so that the Governor would sign it. When the minister was replaced, the legal procedure slowed down and the *Edit* has still not been implemented.

Even so, international and Congolese NGOs remained concerned by land issues and continued to advocate for what could be a long-term solution and one which could involve the government of the DRC. It is from this perspective that International Alert (see International Alert report 2012) expressed the need for what it termed a 'grounded approach to peacebuilding'. To this end, two Congolese organizations (*Forum des Amis de la Terre*-FAT and the *Federation des Organizations des Producteurs Agricoles du Congo*-FOPAC) received financial support from International Alert to carry out a series of concerted efforts at the 'local community' level, both in North and South Kivu provinces.

Unlike the general Land Law (discussed in detail in chapter five) the Land Code is precise and focuses on the local mechanisms of conflict resolution. One of these members mentioned that '…*the Land Code will provide effective tools to deal with the current land-related conflicts, namely when I see different stakeholders who are supposed to be working in the structures this law provides…*' (Interview Goma, III.03.14). Different informants I met were, however, pessimistic about the chances of implementing the Land Code if the central government does not support it through a deep reform of the land tenure system. Meanwhile, the necessity to push the government toward this desired reform is clearly expressed by international organizations through

different funding programs. For example, in order to support this idea of 'securitization' of land, USAID granted UN Habitat a fund to boost the land reform process. At the same period, the Global Land Tool Network (GLTN) followed the same example in funding UN Habitat for one year to support land reform and other related initiatives. At the time I was collecting data during fieldwork, I was interested in the outcomes of these programs. Apart from a few workshops organized by these UN agencies there was nothing concrete related to land 'securitization' or any relevant step towards the promised land reform process on the provincial level.

These joint efforts finally led the Congolese government to announce a land reform process (discussed in chapter five). The first step was the organization of a national workshop on land reforms held in Kinshasa in 2012. During this workshop, participants identified three major concerns: the need to set up a legal mechanism that would promote the 'securitization' of small-scale farmers; clarification of the extent and limits of authority between public services at different levels; and the need to clarify the status of customary chiefs, as defined by Article 389 of the Land Law of 1973 and Article 207 of the constitution. The second step in land reform was Decree No. 13/016 of 31 May 2013 issued by the National Ministry of Land for the establishment, organization and functioning of the National Committee in charge of the land reform process. While actions relative to this decree were supposed to end by 2017, the roadmap signed by stakeholders in Kinshasa during the national workshop has not been implemented yet. So far, both the land code and all the *Edits* cited above have not yet been approved by the parliaments.

Again, what was supposed to a peacebuilding approach that would deal with the entire spectrum of conflict causes and drivers at different levels turned into an approach focused only on land issues, disconnected from other dimensions of the conflict. Both UN agencies and international NGOs failed to provide an integrated approach to conflict resolution, despite collaboration with Congolese civil society organizations and local populations developed over the past two decades. The question which remains here is why such a strong focus on land? I discuss and argue in the next section that external peacebuilding intervention by UN agencies and international NGOs reflects the global agenda which relates to natural resource management discourse as a way to prevent violence (Bruch et al:2016). In this discourse, land has become subject to a variety of legal and governance frameworks in foreign policy aimed to prevent conflict, supported by international agencies such as the UN Environment Program (UNEP), USAID, and recently the World Bank

(see World Bank report 2015).

4.4 Land as development asset versus land as conflict driver

When the UN and other international donors intensified their activities in the DR Congo around 2010, land issues were one of the most important issues several programs wanted to address. While some peacebuilding organizations continued to see land as a local conflict driver and raised funds to address land issues at the local level, land is still depicted in global policy as one of the key drivers of socio-economic development and therefore in need of good governance. For example, in 2003, the World Bank published a report advocating for strong land policies, identifying the promotion of secure property rights as crucial in poverty reduction. The report argues that '*for most of the poor in developing countries, land is the primary means for generating a livelihood and main vehicle for investing, accumulating wealth and transferring it between generations*' (2003: xix).

In February 2014 in New York, the International Organization of Migration (IOM) held a session during which several actors agreed on the fact that good governance of land can promote peacebuilding:

> it was generally agreed that neither durable peace nor sustainable development can be achieved without giving due attention to land, access to land and hence land rights. It was widely noted that land tenure and property rights are important tools for promoting peacebuilding and durable peace, and should therefore be included in the UN Post-2015 Development Agenda' (IOM 2014:1).

Recently, in March 2015, the World Bank conference in Washington under the heading 'Linking land tenure and use for shared prosperity' again re-emphasized the need to strengthen land governance as the cornerstone of poverty reduction and foreign investment for the better use of land. Even the African Union in its framework and guidelines on land policy (2010:1) clearly associates land with development and poverty reduction. These opposing views of land (as conflict driver versus economic asset) between international donors and some peacebuilding agendas is well pictured in the case of Masisi.

As I have shown in the previous section, it is not surprising that land concerns became the central theme of the international organizations which are advocating for land reform. For example, the same international agencies (FAO-UNDP-UN Habitat) intervening in land-related conflict in DR Congo have been advocating for the 'securitization' of land rights, not necessarily as a mechanism to deal with the roots of violence, but more generally, in the promotion of agriculture and the reduction of poverty. FAO, UNDP, USAID, EU, and UN Habitat also practice along these lines in terms of land issues. In Masisi, for instance, Beck (2012:56) observed that most of the activities supported by these organizations range superficially from mediation to capacity building to advocacy. He argues that the basic approaches of the different actors seem to be largely congruent, and most organizations seem to share the same global objective of the creation of a pro-poor land tenure system, as recommended by the World Bank and other international donors.

However, the consequence of all this is that land conflicts have been disconnected from the entire analytical framework (land-power-identity) and set aside to be separately considered as a single issue that can be tackled by land reform and secure land tenure. This disconnection was clearly identified by some informants working with the Congolese civil society organizations, arguing that international peacebuilding NGOs have so far failed to utilize the funding from donors and channel it in ways which include other aspects of the conflict, not only land. One these informants for example said:

> international NGOs do not associate us in the project design process where we can suggest what the real needs of the population are. As they have money, they spend it on land and very little on other aspects of the conflict (interview, Goma II.02.16).

The second point is that the local turn approach which emphasizes the driving role of the local populations (seen as beneficiaries) has largely allowed international organizations to escape the criticism directed at the top-down approaches supported by international donors. It is in this shift to the 'new' approach that Congolese civil society organizations played the role of intermediaries or 'brokers' so to say, based on assumptions that they represent the aspirations of local populations, but in reality, they were more often merely project implementers. As an informant put it,

> although the presence of international NGOs provided a financial attraction to the Congolese organizations, the basis of the collaboration between the two remains

on the financial mutual benefit and not on the content of projects that address the needs of communities' (interview Goma II.0 2.16).

It is agreed by many informants in this study that neither these local Congolese organizations nor the local populations are consulted about the needs that these projects are supposed to meet. Here is where one can argue that international organizations are falling into their own trap. This trap consists of putting the local ownership label and 'local community' discourse in their intervention framework but without actually allowing any meaningful ownership by local communities.

The principle of local ownership remains far from being a reality in the context of globally-driven agendas such as land issues, as I stated at the beginning of this section. Yet as long as peacebuilding NGOs depend on the funding generated by these agendas, very little can be expected and the promised alternative approaches to top-down will remain absent on the ground. Taken from the angle of local ownership, Von Billerbeck (2016:4) recently found in the case of DR Congo that UN agencies adjust and limit local ownership both conceptually and in practice, relying on it primarily as a discursive tool for legitimation but not an operational principle to achieve an impact among the population affected by the conflict. Throughout different research sites, especially in Masisi where most of projects are implemented, complaints about the lack of consideration of the 'real' needs of the populations were raised by some farmers, local traditional and public authorities I spoke to. One of the informants I met mentioned that

> international NGOs profit from the political chaos in our country to make money and sometimes fund our governmental institutions. In such a context, it remains difficult for the government to hold them accountable for what they do and the impact of their programs' (interview, Goma II.02.16).

The third point is that not only are local populations excluded from designing the projects premised on the principle of local ownership, but the projects implemented under the banner of local ownership have reduced the whole complex system underlying conflict to questions of land, as shown in the previous section. Such is the gap between the conflict analysis in the literature and the practices on the ground. But even in questions solely to do with land, very little indicates the input of the population that is supposed to benefit from the programs; land issues continue to be treated through the globalized lenses of donors, who approach land issues with international standards and expectations. This plays out in strategies such as land 'securitization', land reform,

capacity building and mediation, all of which exclude dimensions of the conflict other than land. Throughout several reports and projects I collected from international NGOs, it is almost impossible to see how they associate land issues with identity and power questions in the activities on the ground.

As discussed in chapter two, the literature clearly shows that land in Masisi has never been an isolated factor for the ongoing violent conflict. Though the literature agrees, in theory, with a multi-layered analysis of conflict among local populations, in practice they have lost their empirical sense in the types of peacebuilding intervention currently implemented. One of the crucial missing points of this intervention is the 'de-politicization' of land issues. As shown, land in Masisi has very little to do with the conflict in terms of economic assets. Land has played a significant role in the negotiation of local citizenship between Banyarwanda and so-called autochthons and has driven violent conflict for decades in eastern DR Congo. Since 1970s, the Banyarwanda political elite (especially in Masisi) has sought land not primarily for economic reasons but as proof of being a Congolese citizen. This quest for land has been contested by other community groups because land has been used as political tool through which patron-client relationships between the elites and their constituencies remain salient.

Peacebuilding interventions have totally overlooked this complex set of issues, extending far beyond local land disputes; the approaches used have also totally depoliticized local communities, fundamentally failing to recognize them as ethnic groups (as they see themselves) that are linked to ethnic fellows who are political elites in positions of power. Land issues have been expected to be addressed through land tenure reforms, all the while ignoring that the implementation of these reforms depends very much on the political elites who act as members of the government and the parliament. Because the outcome of the reform would inevitably affect land allocation through land redistribution, some of these elites in state institutions are the Banyarwanda who would like to see the reform blocked.

4.5 Concluding remarks

The aim of this chapter was to analyze and better understand why international peacebuilding organizations chose to construct the 'local' as a response to the critiques of top-down approaches. In the aftermath of the second Congolese war resulting in the formation of a transitional

government in 2003, the international community demonstrated apparently strong support for political transition in the Congo. This support was premised on the assumption that strengthening political institutions through elections would legitimize them to effectively address the root causes of conflict. Several macro-scale programs were implemented and huge amounts of funding were directed towards key sectors such as DDR and SSR, the development of infrastructure and improving public administration.

While the international community has been concerned with restoration of the state authority, this chapter expanded upon substantive critiques made by scholars and policymakers of this top-down approach used by international institutions. A considerable body of literature and the failure of these approaches on the ground suggest that the international community's intervention has failed to address the real causes of violence, namely the question of land, power and identity, which generate conflicts between local communities at the local level.

In response to these critiques, I provided examples through the programs and projects of some UN agencies and peacebuilding NGOs which have tried to follow the recommendation of addressing the conflict at the local level. This chapter discussed how the construction of the 'local' by international agencies largely relied on the belief that after they have been strengthened, 'local communities' would be capable of addressing the causes of violent conflicts. This short-cut to understanding local dynamics was partly influenced by a narrative that portrays the conflict in Masisi and many other places in eastern Congo as between opposing ethnic groups around the triangle land, power and identity, and not limited to a concrete conflict-affected category of a group of people these organizations would rely on to transform conflict and to build a durable peace. Local community, as I have shown, is a discursive concept and under construction, whereas the Congolese legislation does not make a difference between a community and an ethnic group. It is discursive in the sense that it provides international NGOs with a narrative to raise funds, but when it comes to the implementation of funded programs, ethnic groups' claims come to the fore.

I found that the intervention of peacebuilding organizations has not only largely focused on land issues at the expense of other key drivers of violence (identity and power), but that these organizations, under the banner of 'local ownership,' have also created a category of local intermediaries which play the part of brokers. These intermediaries are the Congolese organizations that were supposed to facilitate the implementation of programs. As a consequence

of these compromising bargains, most Congolese local organizations have not only become clients of the internationally driven peace market, but also failed to play the serious role of interface between international organizations and the local population as they are supposed to do.

Drawing on discussion by Neubert (2014) and Paffenholz and Spurk (2006) on the definition and the role of civil society, I have argued that attempts by international organizations to categorize Congolese organizations as civil society agencies were used strategically to legitimize their presence on the local level; and also as a mechanism to channel advocacy (for example about land reform) towards the Congolese authorities. It was noted that in the present configuration of international intervention, Congolese civil society organizations may continue to play the role of 'brokers,' having limited scope to participate in any other role due to lack of both strategy to address the causes of conflict and the necessary financial resources.

I argue in this chapter that international peacebuilding organizations have indeed considered the key drivers of violence to justify their intervention on the local level, but that the programs they implemented nonetheless failed to account for the whole of the triangle at the center of conflict. Some of the key programs I described in this chapter lack coherence and clear strategies to incorporate all the dimensions of conflict. I have shown that to a large extent this is because both local populations and Congolese civil society organizations are ignored in the design of peacebuilding programs, also that international organizations still do not share the same vision of what is peacebuilding intervention and what is not.

Here is where the major trap in dealing with the local enters the picture. First of all, while most programs deal with land, the solutions envisaged seem to shift from the local level to the national and international levels, one example being the advocacy for land reform. Secondly, land has suddenly been taken to be merely an economic issue by peacebuilding programs, overlooking its crucial function as a factor in multi-layered conflict. This is because peacebuilding NGOs continue to receive funding from donors whose thinking and priorities lie with an economic agenda for the use of land: not only in DR Congo but in other African countries.

Finally, I examined why international organizations failed to address the entire triangle and focused mainly on land. I have shown that it is not because other dimensions (identity and power) are less relevant than land but because land fits well in the global agenda driven by international

donors. Although donors tend to prioritize land at the expense of other dimensions of conflict, it came out in this chapter that even by funding land-related programs, there is still a lack of a long-term strategy to address the root causes of violence and concrete population groups as beneficiaries, instead of a vague concept of local community. Land, power and identity and the related conflicts are not solely local. Although they drive violence on the local level as the literature has shown, they are structurally imbedded and overlap in a set of political, institutional and legal frameworks at different levels. Trying to address them on one level (local) is simply counter-productive. I explain this claim in the next chapter.

Chapter 5 Land, power and identity as multi-scalar issues

5.1 Introduction

As discussed earlier in chapter two, there is a considerable consensus on how the issues of land, power and identity interconnect in many societies in Africa and beyond. This recognition has not only been widely discussed among scholars (see Sikor and Lund, 2009 ; Lund, 2011 and Boone, 2014); it has also been embraced by policymakers designing programs that aim to address related conflicts, as shown by the World Bank (2015) or the International Land Coalition (ILC) in its 2016-2021 strategy to promote land rights. In the case of Masisi, the previous chapter demonstrated how peacebuilding organizations focused their programs at the local level, putting 'local communities' at the center of interventions. In so doing, it was emphasized, these organizations failed to address the causes of violence related to land, power and identity, in two ways.

The first way refers to the construction of the 'local' by peacebuilding organizations as the scale at which interventions take place and at which communities are seen as a category of actors attached to one particular spatial scale, namely the local. Drawing on the examples of peacebuilding projects, I have shown how the definition of 'local communities' in the Congolese context refers to 'ethnic groups'. Taken in this sense, these groups have been de-politicized by international NGOs, hence their links to the 'string pullers' at higher levels have not been taken into consideration in several programs. The second way lies in the fact that peacebuilding actors have taken a reductionist view of the local in their haste to distance themselves from criticized macro state-building interventions. For example, focusing only on land (not on power and identity dimensions) and on the local has only sidelined the other interconnected drivers of conflict and has completely ignored other scales.

It was also shown in the previous chapter that the temptation to advocate for land reform seems to be a recognition that other scales matter in addressing the causes of conflict. However, so far, this resort to the high scale (central government) as a way to tackle land issues has never been part of integrated strategies of the different organizations mentioned, to link the local to other scales.

Considering the above two points, this chapter takes a step forward in arguing that land could not be isolated from other factors, as it is linked to power and identity and these factors are by no

means exclusively local. Instead they are embedded in a framework of legislation and institutions across scales. This chapter seeks to examine the questions of land, power and identity at local, provincial and national scales and to figure out to what extent peacebuilding programs are likely to address the causes of violence.

The first section provides a historical overview of how the arrival of Banyarwanda in Bashali triggered issues of access to land, and at the same time, led to contestation over nationality by both Hunde customary chiefs and the Congolese state. It is demonstrated how these two pillars (land and nationality) came to constitute the core of the current problems and the means by which 'string pullers'exerted influence beyond the local level. The second section discusses some key laws related to land tenure management and nationality of the Banyarwanda as avenues to grasp how the scales are constructed and the 'string puller's strategies to control those scales. The third section discusses how 'string pullers'managed to 'jump' across scales through legal pluralism (mainly around land and nationality) to control strategic political positions and connect the scales.

5.2 The immigration of Banyarwanda in Masisi and the contested integration

When the former German colony Ruanda-Urundi came under Belgian mandate in 1922, the abundant workforce in these two countries attracted the attention of Belgian mining and agricultural enterprises located in eastern Congo. Around 1937, the colonial power set up an administrative structure, the *Mission d'Immigration de Banyarwanda* (MIB), in order to stimulate and organize the resettlement of Rwandans in the Congo. A first wave of immigrants (organized by both colonial and Rwandan authorities) arrived in Bishari from 1937-1945. A second category of immigrants was transplanted to other areas of Masisi (1950-1955) by which time the area was becoming overpopulated. A third category of 'spontaneous' immigrants continued coming (1955-1959) and lastly came Rwandan political refugees who arrived from 1959 onwards, mostly Tutsi fleeing from attacks by the newly installed Hutu regime. Tegera (2009:213) reminds us that the MIB was expected to settle 2,500 families per year, but already about 60,000 persons registered around 1950 (Willame, 1997: 41).

Although the Banyarwanda (both Hutu and Tutsi) were supposed to be under the local authority of Hunde chiefs, in reality they remained under the authority of the Rwandan king Mutara Rudahigwa, who nominated a couple of chiefs to rule over the immigrants in the villages where they were settled. In agreement with the colonial administration, the Rwandan king nominated Joseph Bideri as the 'big chief' of all Rwandan immigrants in the autonomous chieftaincy of Gishari. Bideri was later replaced by Wilfrid Bucyanayandi. To deal with the issue of 'cohabitation' between immigrant and host (mainly Hunde) communities, the colonial administration decided, at the request of the Banyarwanda chiefs, to create autonomous territorial entities for the immigrants, which were out of the Hunde chiefs' control. To successfully settle the immigrants, the colonial administration enlisted the help of André Kalinda, a Hunde traditional chief who had benefited from the support of the colonial authorities to become chief of the entire Bahunde area (Stearns, 2012:13). The collaboration between Chief Kalinda and the colonial authorities resulted in the purchase of 34,910 hectares of land from Kalinda by the colonial administration in 1939. This area became the autonomous chieftaincy of Gishari (Tegera 2009: 189).

After 1945, when the colonial administration declared Gishari chieftaincy an overpopulated area, thousands of Banyarwanda moved to the neighboring chieftaincy of Bahunde where the chief André Kalinda received them and facilitated their integration. By 1957 the colonial authorities were actively discouraging further immigration. The chief Bucyanayandi was arrested by the colonial court accused of insubordination to the colonial authority. During the same year, the chieftaincy of Gishari was abolished and returned to Bahunde, and all Banyarwanda came under the authority of Hunde chiefs.

This merger of Gishari and Bahunde was not a simple coincidence, it was a strategy to better control and to prevent any insurrection or territorial claims from Banyarwanda. As Rukatsi (2004:140) put it, this happened in the international context of the end of World War II and the creation of the United Nations, which fostered the ideas of decolonization. Rukatsi explains that the United Nations, through the Trusteeship Council, recommended that all colonial powers should consider the political aspirations of the populations under colonial rule. The Trusteeship was created as one of the main organs of the UN in 1945, under Chapter XIII of the UN charter, which assigned to it the task of supervising the administration of Trust Territories placed under the Trusteeship System. The main goals of the System were to promote the advancement of the

inhabitants of Trust Territories and their progressive development towards self-government or independence.

This establishment of the Trusteeship Council clearly constituted a sort of pressure on colonial authorities, while at the same time the direct links that the Rwandan king had with the Banyarwanda immigrants in Congo constituted a serious concern for the colonial administration. Both Rukatsi and Tegera comment that this international context could have provided grounds for strong demands by Banyarwanda leaders to contest both Hunde and colonial authorities. To prevent such an outcome, Gishari was abolished in 1957 by the colonial administration as an autonomous entity of immigrants and the Banyarwanda were put under the jurisdiction of the local Hunde indigenous chiefs.

This political change, comments Tegera, created a situation in which Hunde chiefs imposed their authority on Banyarwanda who were clearly not enthusiastic to collaborate. Fortunately for the Banyarwanda, this period of tough cohabitation with the Hunde coincided in 1957-1959 with the liberalization wave across Africa which culminated in the creation of political parties in preparation for independence.

In Congo and in Masisi in particular, imminent independence became an opportunity for Banyarwanda elites who hoped to compete with Hunde along two major fronts. First of all, already in 1959 (one year before Congolese independence), of approximately 30,000 families living in Masisi, 23,000 were Banyarwanda as compared to approximately 7,000 families of Hunde and other groups (Tegera, 2009:225). I did not find any source which could provide the exact number of persons corresponding to the above families. Nonetheless, these demographics were a major asset in the competition, particularly on the political level of winning positions if elections were to take place after independence. Secondly, even without elections, an independent Congolese state and institutions at provincial and national level were seen by Banyarwanda elites as an opportunity to escape from the customary authority of Hunde over the land and at the level of local power, and furthermore for Banyarwanda elites to seek opportunities for power beyond the local scale. The next section discusses how the Banyarwanda, despite local opposition by the Hunde, worked hard to access land and power in the post-colonial Congolese state.

5.2.1 The Banyarwanda struggles in the aftermath of the independence

The two major concerns of the Banyarwanda after the abolition of Gishari were access to land and nationality. The land they received from the colonial authorities (before Gishari was merged with Bahunde chieftaincy) and which was returned to the authority of Hunde chiefs, in addition to the nationality question and political rights, became the center of their political strategies. In the aftermath of independence, the central government of the Congo envisaged reorganizing its territorial administration. Thus, in Leopoldville (renamed Kinshasa after independence), a roundtable was held from 25 January to 16 February 1960, proposing a possible new territorial division under a federal system and taking into account ethnic affinity, economic needs and other relevant factors. However, the decision to create new political entities divided the political leaders in what would become North Kivu, the Banyarwanda leaders on the one hand and leaders of other communities on the other.

Table 3 Legal texts related to the study

Law/reference	Description
Electoral law n°13 of 23 March 1960	It reserved the exercise of political mandates to individuals recognized as Congolese
The constitution of 19 May 1960	This was the basic law devised by the Belgian parliament as a provisional constitution in order to prepare for independence and could serve as template for a new constitution to be written by the Congolese parliament after independence.
The constitution of 1 August 1964	This was the first constitution of the Congo post-independence, replacing the previous one.
Ordonnance – loi n° 66 / 343 du 07 juin 1966	Commonly called the 'Bakajika law'. The purpose was to nationalize all companies, especially those in the mining sector, which

	had been owned by the Belgian government and other international firms until then.
Law n °1972-002 of 5 January 1972	The first law to grant nationality
Law n ° 73-021 of 20 July 1973	The main law on land tenure management
Law No. 1981/002 of 29 June 1981	The law that cancelled the nationality law of 1972
Organic-Law n ° 08/016 of 7 October 2008	It concerned the composition, organization and functioning of decentralized territorial entities and their relations with the State and the provinces.
The constitution of 4 April 2003	was promulgated during the government of transition as recommended by the political agreement in Pretoria between the government and rebel movements. The aim was, among others, to grant nationality once and for all to the Banyarwanda.
The constitution of 18 February 2006	The current one. It completed the previous but was adapted to the new political context, especially to prepare the first general (including presidential) elections since 1965.

On March 26, 1962, elected Nande, Hunde and Nyanga officials jointly signed a petition calling for the creation of new provinces out of the province of Kivu-Central (comprising the current North Kivu, South Kivu and Maniema provinces) whose capital was in Bukavu (South Kivu). The Banyarwanda representatives were opposed to the idea of dividing the province, which would have affected their numbers in the parliament of the new province of North Kivu. This was because if Kivu-Central province was partitioned, the Banyarwanda delegates would have been obliged to

run for election in the new parliament (Goma was to be the capital of North Kivu) with a risk of losing given their limited number compared to the coalition of Nande, Hunde and Nyanga who were the majority.

To avoid any negotiation for a consensus with Banyarwanda, a coalition of Nande, Hunde and Nyanga officials called for a referendum to vote for the division of Kivu-Central. In so doing, Nande, Hunde and Nyanga leaders hoped that in the new province they would have a majority in parliament and would be able to isolate the Banyarwanda and limit their political influence through a lack of political allies and a lack of electoral constituencies. Also, in the case that a referendum was to succeed, the Nande and their allies hoped to gain a monopoly in politics and business, cutting out the Banyarwanda. Before this referendum had even been authorized by the national parliament, tensions mounted between the Hunde, Nande and Nyanga on one side and the Banyarwanda.

In the course of the tensions around March 1963, a parliamentary commission released a report concerning the situation in Kivu and accusing the Commissar of Goma District, who was a Tutsi, of having recruited large numbers of Rwandans to settle illegally in Congo, receiving voter registration cards for their participation in the upcoming referendum to vote against the attempt to divide the Kivu-Central province. The parliamentary commission concluded that, in the case of a referendum, the Banyarwanda were likely to prevail in the two disputed districts and advised cancelling the referendum to prevent violence. This decision did not please the supporters of the referendum and escalated tensions. The Hunde obtained the help of Nande and other groups and got a vote which resulted in the replacement of all local Banyarwanda chiefs by Hunde chiefs in Masisi (Willame 1997:50). In Bashali, farms, cattle and many other goods were forcibly seized from Banyarwanda by Hunde and their allies. In the course of these conflicts, the election of 1965 finally led to a referendum. The 'yes' vote won the majority and North Kivu became a new province. Nande, Hunde and Nyanga became the leading political forces while the Banyarwanda elites contested the referendum result in vain, and attempts to organize protests failed.

In October 1965, the provincial parliament issued a 'resolution-law' aimed at the expulsion of all Banyarwanda from Congolese territory, using accusations that the Banyarwanda were organizing a separatist militia. On 24 November 1965, the military coup by Mobutu drastically changed the power dynamics in the Kivu region. On 7 June 1966, concerned by the situation, Mobutu signed

an ordinance which aimed to address 'ethnic-based tensions' in the eastern provinces. Through this ordinance, Mobutu urged a reduction of the 21 provinces created in 1963 to only 8, while still keeping Goma and Rutshuru as districts of North Kivu.

With the arrival of the new regime under Mobutu, the Banyarwanda apparently abandoned politics at the local level. By the end of the 1960s, most Banyarwanda elites in the region, especially Tutsi, were predominantly involved in business rather than in politics. As Willame explains, the *Association for the economic promotion of Banyarwanda*, a business-based association, became prosperous and Mobutu therefore became interested in collaborating with it:

> the support given to the Banyarwanda was part of Mobutu's political strategy of granting
> political power to the representatives of ethnic groups who did not pose a threat to his
> regime' (Willame, 1997*:* p53).

At the beginning of the 1970s, many Banyarwanda elite gained high political positions while maintaining their business networks in Kivu and beyond. Willame argues that this period marked an important turning point for politics in North Kivu with the emergence of ethnic-based exclusion arguments on the political scene, which would serve in terms of both economic competition and political mobilization.

The political and economic breakthrough of Banyarwanda at the beginning of the 1970s represented a fundamental shift in the political trajectory of Banyarwanda leaders. On one hand, the ongoing opposition to Banyarwanda citizenship rights by Hunde, Nande and Nyanga was exacerbated by fears that if Banyarwanda collaborated with Mobutu's regime, they would gain influence at the national level and eventually influence laws in their favor. On the other hand, for Banyarwanda, working with Mobutu had a huge impact on questions of both rights to citizenship and access to land. The first significant political opportunity for Banyarwanda happened in May 1969 when President Mobutu appointed Barthélémy Bisengimana as the chief of cabinet, his 'right hand': his occupation of this position became a 'golden opportunity' for Banyarwanda to negotiate their rights to citizenship.

In March 1960, shortly before the declaration of Congolese independence, the Belgian parliament had passed a law that determined who had the right to vote and to stand for office. Article 1 recognized the right to citizenship of any person born to a Congolese mother, but who can prove

that he/she comes from the Ruanda-Urundi territory and who has been living on Congolese territory for ten years (between 1950 and 1960). As Tegera (2009: 290) reminds us, the population from Ruanda-Urundi transplanted to the Congo between 1950 and 1955 were allowed only to vote but could not be elected, becoming *de facto* stateless. Although the Banyarwanda could vote without having any representative in parliament, Tegera comments that the Belgian parliament set the grounds for a political conflict between the Banyarwanda established in large numbers in Masisi and the 'autochthonous' Hunde who considered Banyarwanda as secondclass citizens'. One wonders if the Belgian parliament deliberately left this gap hoping that the Congolese independent state would resolve the problem of Congolese citizenship.

The Congolese constitution of 1964 was clearly concerned with the question of nationality, not only in regard to Rwandan immigrants but also regarding other populations situated along the national borders with potentially more than one nationality. Article 6 of the constitution insists '…*there is only one Congolese nationality. It is given to anyone descended from a person who is or was a member of one of the tribes established on the Congolese territory on 18th October 1908*'. Thus, Article 6 is at odds with the law passed by the Belgian parliament which specifies that the right to nationality is for those who were established on Congolese territory between 1950 and 1960. The question of the nationality of the Banyarwanda remained unsolved up till 1967, when Bisengimana entered office.

With Bisengimana at the center of Mobutu's regime, an ordinance (no 69/067 of 25 February 1969) was signed immediately. The decision was to replace the certificate for indigenous peoples (*certificats d'indigènes*) with an identity card (national ID). One year later, the distribution of ID cards began; in Masisi, however, local political authorities refused to deliver the cards to Banyarwanda, arguing that Banyarwanda were not Congolese citizens (Rukatsi 2004:165). To deal with the tensions generated by this refusal to deliver ID cards, a government commission was sent to Masisi. Afterwards, in July 1970, an official statement was made that all Banyarwanda were to be recognized to be citizens. This decision became an ordinance-law (no 71-020 of 1972), specifying that all citizens from Ruanda-Urundi living on Congolese territory on the 30th June 1960 can qualify as Congolese citizens. Although this law seems to be favorable to Banyarwanda, a problem arises in that this law recognizes the status of who can be granted nationality, but does not itself grant nationality *per se*.

This gap was emphasized by a member of parliament in 1978, who criticized the law of 1972 stressing that granting nationality to all Banyarwanda established in Congo in 1960 was not correct because immigrants, political refugees and other 'undocumented' immigrants had all been merged into one category. Another argument made by the parliament was that most of the Rwandan refugees (largely concentrated in Masisi) held Rwandan nationality. Granting them Congolese nationality *en masse* was argued to be unconstitutional. A group of the members of parliament went so far as to accuse Bisengimana of having manipulated the law of 1972 in favor of Banyarwanda. According to Rukatsi (2004: 153), one year after Bisengimana was dismissed from his strategic position in 1977 the parliament voted in favor of a law that abrogated Article 15 of the 1972 law. Their argument was that there were no legal grounds for granting Congolese nationality to Rwandan immigrants on the same basis as persons who were Congolese by 'origin'. Although President Mobutu refused to promulgate this law, Bisengimana's absence from the government left a space for sharp cleavages to arise on the national scale. Moreover, Hunde and Nyanga political lobbying seemed to have succeeded in making an impact, but the 1972 law on nationality still remained valid at this point.

In 1980, the question of nationality was put at the center of political debate by the national parliament; parliamentary members from North Kivu also attacked the Banyarwanda right to access land, denouncing what they termed an 'illegal acquisition' of land. The first casualty was RWACICO, a company owned by a Tutsi, close collaborator of President Mobutu, who owned a farm of 230,000 hectares. As the result of parliamentary pressure, the Minister of Land Affairs cancelled the title deeds of RWACICO's farm. In March 1981, a petition was addressed to Mobutu by members of parliament backed by customary authorities originating from Kivu (Hunde, Nande and Nyanga) in the following terms:

> We, Bahunde, have always considered our Rwandan brothers as foreigners in our country ... We were convinced that after the famine in Rwanda, the Banyarwanda would return to their country. But they did not because they have found our land rich ... They settled in our land but on condition of not demanding at any time customary and political rights. Today we digest badly that those we have received according to the African hospitality, are sharing political rights, access to land and even nationality on the same conditions like we do ... This country has been bequeathed to us by our ancestors and it is not possible to claim that the Banyarwanda also have the right to Zairian nationality

for only having belonged to pre-colonial North Kivu ...we demand and insist that the Zairian nationality be withdrawn from Banyarwanda ... In the case the nationality could be carefully granted to some of them, we highly recommend that they leave Masisi to other places in the country and to not let them being the majority on the land of Muhunde tribe' (Rukatsi 2004: 166).

This pressure had a severe impact on the political status of the Banyarwanda. Under parliamentary pressure, President Mobutu promulgated a new law no. 81-002 of 29 June 1981, replacing the 1972 law that had favored Banyarwanda interests. One of the features of the new law was the suppression of the collective character of the acquisition of nationality (of the 1972 law) and the requirement of individual application for nationality (Article 9). Taking this even further, Article 4 of the 1981 law states that membership of one of the tribes established within the geographical limits of Congolese territory on August 1885 is a key requirement for applying for Congolese nationality. As the law understood it, there was no proven presence of any Rwandan population on Congolese territory in 1885. If establishment on Congolese territory by this date was to become a key condition of obtaining nationality, all Banyarwanda would face one of two options: remaining stateless in Congo, or returning to Rwanda.

The next opportunity at which Banyarwanda could hope to solve the question of nationality was the National Conference (CNS) of 1991. This conference took place amidst considerable tensions: on the one hand, the Banyarwanda were in an extremely uncomfortable situation with regard to the nationality law of 1981. Furthermore, Hunde and their allies could use the potential withdrawal of nationality from the Banyarwanda as legal leverage for withdrawing Banyarwanda land rights. The problem however was that the 1981 law did not completely resolve this issue from the perspective of the Hunde and their allies, because the law established conditions for obtaining nationality but without establishing any political or juridical mechanism for its implementation. By default, the Banyarwanda somehow wound up in a position to claim the right to nationality. Another gap in this law was that it referred to the date of 1885 without differentiating the groups of Banyarwanda immigrants who arrived at different periods, under different conditions and at different locations. For example, it intermingled the Banyarwanda living in Rutshuru, who are less concerned with migration disputes, with Banyarwanda living in Masisi.

5.2.2 The struggle of Banyarwanda after 1990

This political and juridical gap left by the 1981 law was exploited by Hunde, Nande and Nyanga when the government organized the elections of 1987. One of the consequences of the fall of the Berlin Wall, the democratization of ideas across the African continent and the promotion of multi-party regimes in the late 1980s was the organization of elections at all levels. When the Congolese government organized local elections in 1987, the Banyarwanda candidates from Masisi were deemed unqualified to stand for local election on the basis of the 1981 law. In early 1990, the multiparty wave was rising. President Mobutu was under pressure to face the new reality of needing to share power with the opposition and likely to lose the next election, if there was to be one. In his speech of April 1990, considered to be the announcement of the third republic, Mobutu offered the country an apparently new direction, toward a multiparty political system.

As observed by Mararo (1997: 530), Mobutu's speech had significant repercussions, both locally and nationally. While Mobutu's authority was contested everywhere in the country and followed by the loss of control of local administrative entities, the regime was competing with the emergence of hundreds of political parties, all created in the beginning of 1991. With existing tensions among local communities, the formation of political parties relied on support from ethnically based organizations (*Mutualités*) that had arisen in several regions of the country. In North Kivu, for example, Nande were organized around the Kyaghanda organization, Hunde around Bushenge and GEAD (Groupe d'Etudes et d'Appui au Développement), the coalition Hunde-Nyanga-Tembo around ACUBA, Tutsi around ACOGENOKI, Umubano, ACODRI and AMICOR and Hutu around MAGRIVI.

While national political actors were focusing on the national conference (CNS) in Kinshasa, these ethnic-based political movements also wanted to make their voices heard during the conference. For example, participants from the coalition of Hunde, Nande, Nyaga and Tembo raised the question of the nationality of the Banyarwanda during the conference. After they succeeded in convincing other political factions to vote against Banyarwanda participation in the conference, the Banyarwanda were excluded from the list of participants: only a small number of Hutu participants, members of MAGRIVI in Rutshuru, participated; not a single representative of the Banyarwanda of Masisi attended.

While the Banyarwanda wanted the question of nationality to be resolved during the conference, all of the recommendations made in favor of Banyarwanda nationality were contested by the coalition of Hunde, Nande and Nyanga leaders (Mararo 1997:531). The conference ended without any resolution. Not only was the nationality question not resolved, the overall conference created frustrations among participants who returned to their respective provinces unsatisfied. At least, it was agreed that Etienne Tshisekedi would be the prime minister once the government of transition was formed at the end of the conference, although the designation of Tshisekedi was contested by several political forces. On the local level, frustration at the failure of the conference to resolve tensions left local population using "any means necessary" in taking their fate in hands.

It is important to note here that the question of nationality affected the Banyarwanda of Masisi, not those in Rutshuru. This was because the immigration organized by the colonial administration settled the population from Rwanda in Masisi, not in Rutshuru. This is why the term Banyarwanda was (and still is) contested by Hutu and Tutsi of Rutshuru because they continue to consider themselves as citizens of the DR Congo claiming to have been living in Rutshuru before the current national borders were established. This claim seemed to be accepted by the government because the Hutu and Tutsi of Rutshuru were officially invited to the national conference, but not the Banyarwanda of Masisi, as an informant put it:

> nobody from the Banyarwanda of Masisi was invited to the national conference because they were considered as Rwandan refugees without any political status that could allow them to participate. None of them could be candidate to election or any administration post. The first leader of Banyarwanda from Masisi to be appointed to an official post was Nzabara Masetsa as the Mayor of Goma town in 1998 by the RCD rebellion. (Interview Goma, III.04.14)

On March 20th 1993, only five months after the end of the national conference, a war started with the massacre of Hutu peasants by a Nyanga group in Ntoto village (Walikale territory) (Mararo 1997: 534). Three weeks after this massacre, the Hunde in Masisi followed in the Nyangas' footsteps. In Mararo's analysis, the aim of the Nyanga and Hunde offensives was to chase Hutu out of Masisi and Walikale. In the face of this threat, the Hutu in Masisi were swift to benefit from support from the Hutu of Rutshuru, who were already organized around MAGRIVI. During this Congolese political deadlock, the solidarity between Hutu of Rutshuru and those of Masisi was strengthened by the establishment of MAGRIVI in Masisi. On the other side, Tutsi of Masisi were

in a difficult situation and created solidarity with Tutsi of Rutshuru (Mararo 1997:530).

At the regional level, the campaign led by the Rwandan Patriotic Front (RPF) against the Hutu regime of President Habyarimana from 1990 onwards reinforced the existing mistrust and division between Hutu and Tutsi of Masisi and Rutshuru. Moreover, the progress of the RPF against the Habyarimana regime coincided with the frustrations and fear of Congolese Tutsi, which encouraged them to look for an opportunity for a strategic alliance with the RPF. Between 1991 and 1993, many Congolese Tutsi families sent young people to Rwanda via Uganda in support of the RPF rebellion (Braeckman *et al* 1998:44). They speculated that once the Tutsi were in power in Rwanda, they would benefit from military and political support from the new regime. When the genocide was stopped by the RPF in July 1994, the massive number of Hutu refugees who fled to Congo constituted a security concern for Congolese Tutsi. This was because among the Rwandan refugees were ex Rwandan military forces and other Hutu militias and were all armed (Belaid 2008:9). While the arrival of Rwandan Hutu refugees was welcomed by Hutu of both Masisi and Rutshuru, thousands of Tutsi (from all phases of migration) from Masisi and Rutshuru crossed the border to Rwanda after the RPF took power, many of whom were accommodated in refugee camps where they remain until today.

On one side, local tensions between Congolese Hutu and Hunde and Nyanga in Masisi on the one hand and with Nande in Rutshuru on the other were still at play. On the other side, Congolese Tutsi in refuge in Rwanda remained determined on their political struggle, especially the right of nationality. It was only an opportunity to act that was missing. When the Congolese rebellion (AFDL) started in 1996, it was not by accident that the General Secretary of AFDL was a Tutsi from Masisi. When the AFDL took power in Kinshasa in May 1997, the question of nationality immediately become one of the political priorities that the parliament was supposed to address. But when President Laurent Désiré Kabila took power in Kinshasa, only one year later, he decided to get rid of the AFDL allies (Rwanda and Uganda) as well as Tutsi collaborators and founder members of AFDL. In such a context of political turbulence, the questions of nationality and local tensions around land access could have not been resolved.

The creation of the RCD rebellion in August 1998, however, brought leaders of both Hutu and Tutsi Congolese together in a political military movement. Two years later, a Hutu leader, Eugene Serufuli, became the governor of North Kivu, replacing a Tutsi, Leonard Kanyamuhanga. The

RCD war against the regime of Kabila ended in 2003 with a political agreement signed in Sun City (South Africa) and culminated in a government of political transition.

The transitional government of 2003 to 2006 allowed a significant number of Tutsi and Hutu elites from the two Kivus to participate in both the parliament and the Government and offered a 'golden opportunity' to solve the nationality issue. The new constitution of April 2003 stipulates in Article 14 that

> all ethnic groups and nationalities whose individuals were established on the Congolese territory on 30th June 1960 have the same right and must equally benefit from the state protection…The Congolese nationality is one and exclusive…

However, during a parliamentary session of 22nd September 2004, members of the political, administrative and juridical commission did not agree on the wording of Article 14 with regard to the stipulation regarding "*all ethnic groups and nationalities whose individuals were established the Congolese territory on 30th June 1960*". The commission argued that as long as the Rwandan constitution does not revoke the right to nationality when the holder takes a second one, the case of the Banyarwanda would present the problem of potentially retaining a Rwandan nationality while applying for a Congolese one.

The overriding political factor that allowed the government to overcome opposition to Article 14 was the privileged position of former RCD Banyarwanda elites in the government, notably the Tutsi Azarias Ruberwa as Vice-President of the Republic in charge of Defense and Security. In a context where the Banyarwanda political party (RCD) represented only 3% in the parliament (15 seats out of 500 members of parliament), the Banyarwanda elites needed to use serious political pressure to get the nationality question solved. Missing the 'golden opportunity' of the political transition would be cause for considerable despair given that, in the likely outcome of elections scheduled for 2006, the Banyarwanda would disappear from the national political scene. It is not a coincidence that the dissident General Laurent Nkunda emerged some months after the transition began in 2004 after he had refused to join the national army, claiming to stand up for the protection of the Banyarwanda community and their rights.

The military incursion led by Nkunda in Bukavu city (South Kivu) in support of another Tutsi dissident senior military officer, Jules Mutebutsi, in August 2004, allegedly to protect the Tutsi community, has been interpreted as a strategic exercise of pressure on the government regarding the question of nationality (Omasombo and Obotela 2006:254). An important factor to remember here is that this military incursion of Nkunda and Mutebutsi happened in August, only one month before the contestation of the above Article 14. It is undeniable that the creation of CNDP by Nkunda in 2005 added significant pressure to solve the nationality question, only one year after the new constitution of 18th February 2006 provided a legal basis for addressing the question of nationality. In Article 10, the constitution states that all individuals and ethnic groups who were on Congolese territory on 30 June 1960 are Congolese citizens. One of the major outcomes of this legal victory of the Banyarwanda was the national elections, which made them the second most powerful political force in North Kivu after the Nande. In Masisi, the Banyarwanda were elected without any contest with regard to nationality. Until today, they are the leading political force in Masisi, which has not pleased Hunde, Nyanga and Nande in Masisi at all.

Although the constitution recognizes the Banyarwanda right to nationality, one could still argue that nationality has provided political rights to Banyarwanda under the category of 'national citizenship' but not under the category of 'local citizenship' explained in the study by Nguya N'Dila (2001). In their struggle, the Banyarwanda needed to gain nationality as the key to obtaining political rights: once legally recognized, they could go on to claim rights to local citizenship which would entail rights to local belonging and access to resources. In the understanding of Nguya N'Dila, local citizenship is not always legislated because it is assumed to be a matter of negotiation through kinship with customary authorities. In other words, even though the nationality question was decisively resolved by the constitution, the so-called autochthonous Hunde and other communities still do not regard Banyarwanda as natives of Masisi and still continue to believe that only customary authorities can grant the right to access land. One of the Hutu leaders from Masisi stated that.

> what matters for us is not the national nationality provided by the constitution, but the local citizenship which implies that we can be considered by other communities as such. Being a citizen of Masisi is more important than being a Congolese citizen because the national citizen profits only to a few political elites who do not change our situation – Banyarwanda. (Interview Gisenyi, III.02.15)

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This view was stressed by one of the former RCD members in the national parliament (2003-2006) and who participated in the debate about nationality during the transition. She mentioned that:

> although the nationality question was solved by the constitution, that was more of a legal victory but it does not solve entirely the conflict between Banyarwanda and other local communities around land. Up to now, Hunde, Nande and Nyanga continue to contest the ownership of land held by Banyarwanda and the constitution does not provide any alternative on how having the nationality would secure our land. That is why the 'cahier de charges' of CNDP rebellion strongly emphasized the return of Congolese refugees from Rwanda to Congo and occupation of their land occupied by other communities. (interview Gisenyi, III.03.14)

This idea of linking nationality to land access shows that solving the question of nationality by the recognition of national institutions has been a political victory for Banyarwanda while at the same time providing a legal cover to claim land rights. The problem here is that in the understanding of the other communities of Masisi, the nationality right only grants national citizenship but access to land has to be granted locally by customary chiefs. To escape this local dependency on customary authority, the Banyarwanda preferred to use all kinds of opportunities offered by the laws. As an example, in spite of the denial of nationality to Banyarwanda in 1981, affluent Banyarwanda were able to capitalize on the 1972 law and to acquire large tracts of land in Masisi and beyond, due to the land law that was promulgated in 1973.

However, the law on nationality was not enough in itself to acquire land. The presence of certain Banyarwanda elites in strategic national and provincial institutions served as assets in the negotiation of title deeds for large tracts of land. Here is where, clearly, the idea of jumping in scales comes in. It would not have been possible for the Banyarwanda to acquire land without holding political power at different levels. Indeed, though political struggle over the right to nationality caused major human suffering for over two decades, from 1981 to 2006, conflict with regard to land at the community level continues to perpetuate a cycle of violence until today. Before analyzing the land issues, it can be argued that, like the question of nationality, violent conflict over land is embedded in national juridical as well as institutional landscapes. The next section expands on this hypothesis. It considers the structures and dysfunctions arising from the different laws and institutions that relate to land tenure governance: in Congo and, more

importantly, on land in rural areas.

5.3 The multi-scale analysis of land tenure governance in DR Congo

5.3.1 Institutional and administrative organization of the land tenure system

The legal landscape of land management in the DR Congo is made up of multiple coexisting regulation systems and both formal and informal mechanisms for settling conflict, with custom as an important source of regulation (Mukokobya 2013: 58). Research on legal pluralism in DR Congo has largely been oriented towards questions of land, emphasizing contradictions in the existing legal framework and the lack of a transparent land governance frame (Mugangu 2007:386; Huggins, *2010:*12). The major characteristic of legal pluralism in land tenure management in DR Congo has been the overlapping of laws within the existing legal framework as well as the conflict of competence between institutions in charge of the implementation of these laws.

Another problem is how these laws and institutions apply in rural areas where customary authorities continue to claim ownership of land and the authority to distribute it. In this section, I intend to outline the structures and institutions related to land tenure management in the DR Congo. Afterward, I will discuss the setting of land-related laws and show how violent conflicts around land are deeply rooted in and fueled by a framework of laws and institutions. By so doing, I intend to argue that the analysis of the legal framework and institutional setting of land management can help to connect scales, from local to provincial and national.

The aim of this chapter is to follow up on the claim made in the fourth chapter that peacebuilding organizations both overemphasize the local level and disconnect it from other levels. This analysis of the legal and institutional framework for land tenure management provides an account of how scales are connected to each other and provide avenues for 'string pullers'to secure land and political power. As the chart from the central government below illustrates (Figure 5.1), ministries dealing directly with land do not all follow the same logic in terms of hierarchical lines. While the Ministry of Land functions with its local structures in a 'déconcentré' logic, the Ministry of Internal Affairs functions in a 'décentralisé' logic.

Figure 3: Conflict of competence in land management between state institutions
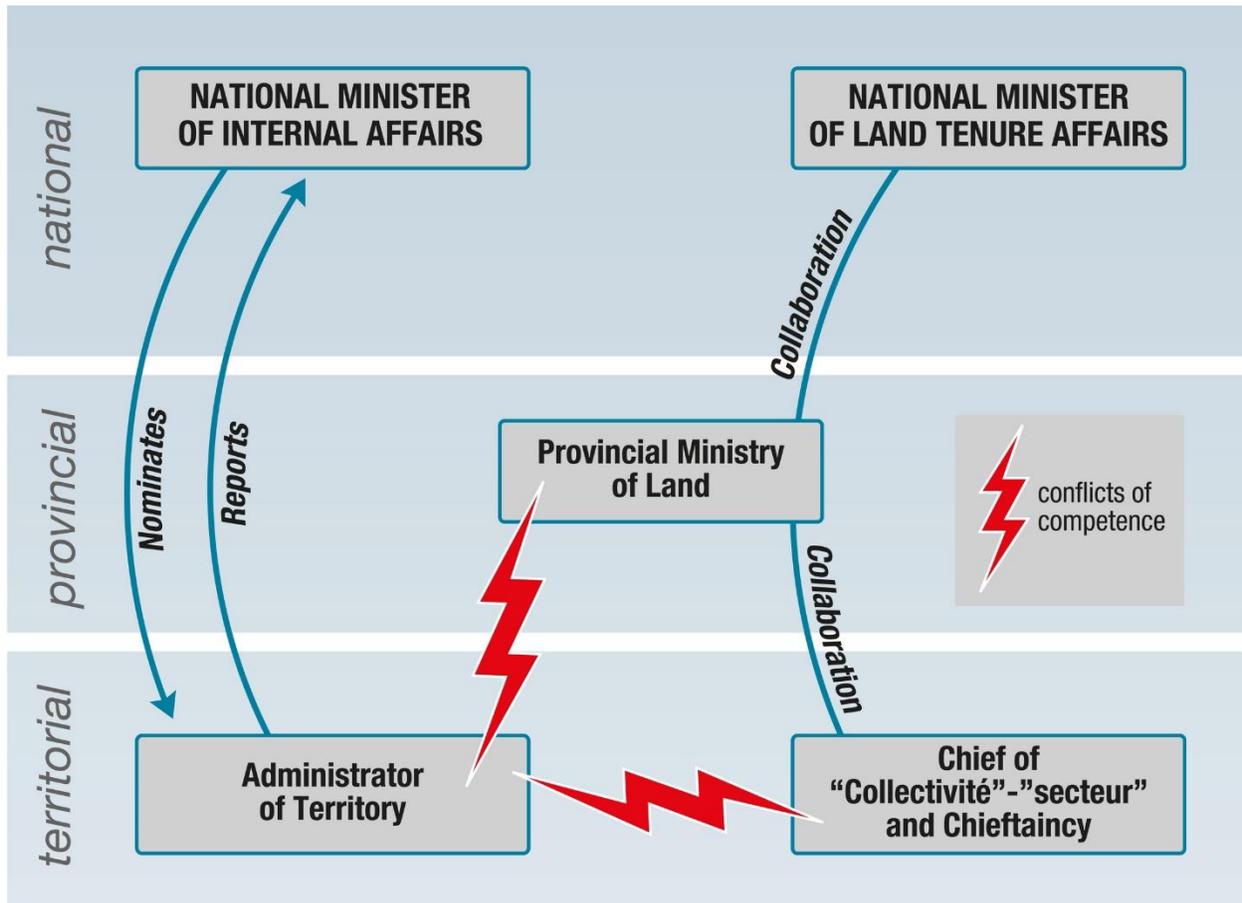
To explain in more depth, 'deconcentration' is a process of unitary state planning which consists of establishing administrative authorities representing the State in local administrative districts. These authorities are deprived of all autonomy and legal personality. They cannot be elected; instead they are appointed by the national Minister. Meanwhile, decentralization implies a unitary state management process that involves the transference of administrative powers from the state to local entities (or communities) distinct from the state. These local entities have autonomy and public authorities in these entities are elected representatives. In DR Congo, 'deconcentrated' entities have existed since the first and second republic dating from the 1960s. Although the decentralization law has existed since the 1980s, the first substantial outcome was the creation of provincial government and assemblies in 2005. From then onward, both 'deconcentrated' and 'decentralized' entities have co-existed and functioned in parallel, with the result of generating contested decision-making and perpetuating an ongoing crisis of authority between the two

administrative systems.

Through the decree-law n° 081 of 2 July 1998, which provided for the administrative organization of entities as modified and completed by the decree-law no 018/ 2001 of 28 September 2001, the government decided to create provincial governments and assemblies in 2005. With the creation of the provincial governments, each of which had a Ministry of Land and Customary Affairs, land tenure affairs came to be entirely managed by the National Ministry of Land via the Division of Land Tenure (see Figure 5.2 below). Since 2005, the National Ministry has operated via the Division of Land Tenure while at the same time the provincial Ministry of Land Affairs functions in parallel with the Division. The decentralization structures are controlled by the provincial government whereas the 'deconcentration' system is composed of the services that directly represent national ministries on the provincial and territorial level through structures called 'Divisions' for each national ministry. However, the terms of collaboration and the limits of competences in land management between decentralized and 'deconcentrated' structures are not provided thus far by any of these laws. Before discussing the conflicting role allocation between decentralized and deconcentrated structures, the organization of land tenure management might be useful to consider.

Figure 4: Conflict of competence in land acquisition procedures
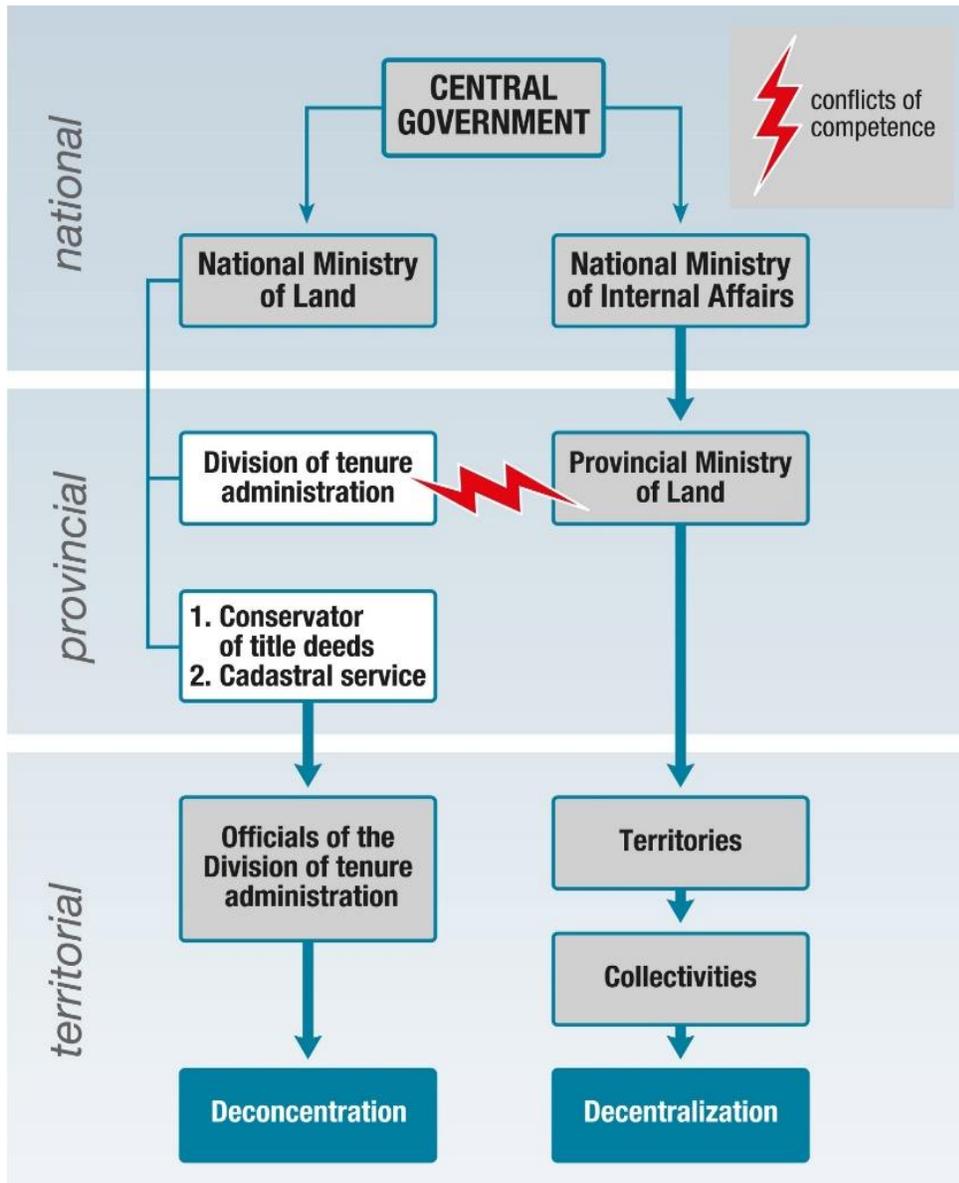
The organization of land tenure administration depends on the Ministry of Land Affairs in Kinshasa and the Division of Land Tenure (*Circonscription foncière*) at the provincial level. The latter is composed of the 'Conservateur des titres immobiliers' (Conservator of Title Deeds) and the 'Division du cadastre', a technical service. The national Ministry of Land Affairs is responsible for the allocation and management of all land through the 'Circonscription foncière' in each province. For North Kivu Province, two 'Circonscriptions' were created in 1996. One is in the city of Butembo and covers Beni and Lubero Territories and the second is located in Goma covering

Goma town; Masisi, Walikale, Rutshuru and Nyiragongo Territories. Under the Ministerial Arrêté (order or decree) of 22 May 2004, Masisi and Walikale formed their own 'Circonscription'. According to the delegation of decision-making provided by the law, these 'Circonscriptions' report only to the national Ministry of Land, not to the provincial Ministry. The provincial Ministry of Land can only propose policies or *Edits* to the provincial government or Assembly to deal with specific land tenure issues, which limits its competence in the decision making process.

As an example of this, the Constitution of February 18 2006 gives provinces the exclusive authority to deliver title deeds. While the modalities of application of these competences have to be further clarified by a specific law, the Provincial Ministry of Land Affairs, in theory, can legislate on land issues under the form of an edict or decree. For example, an edict was proposed by the Ministry and voted in 2012 by the Provincial Assembly of North Kivu. This edict was meant to clarify the responsibilities, duties and rights of different stakeholders of land tenure management at the provincial level. This edict has not yet been implemented because the lines of competences between the provincial Ministry of Land and the division of 'Circonscription foncière' (Division of Land Tenure) have not been clearly established, which continues to pose a serious problem for land tenure management in North Kivu, as Figure 5.2 shows.

These conflicting roles were recognized by a provincial Minister of Land Affairs:

> the decentralization law has created the conflict of competence between the provincial Ministry and the division of 'Circonscription foncière' when it comes to land acquisition. We hope that the next reforms of land tenure systems will clarify our mutual competences in land tenure management. (interview Goma IV.01.15)

In this situation, the Provincial Minister of Land seems to have only a political and not a legal role in land management; his collaboration with the Conservator of Title Deeds remains ambiguous and competitive. On the territorial level, the 'Administrateur de Territoire' is deconcentrated, as is the President of the Tribunal de Paix/Peace Court (in 2013, this court replaced customary courts which had existed since Congolese independence), but neither are authorized by the law to intervene in issues of land tenure management such as providing a title deed. However, the Chefferies (chieftaincies) such as Bashali are decentralized entities and the 'Mwami' (chief of chieftaincy) is supposed to collaborate with the administrator of the territory, at least on an

administrative level, without reporting to him on land management or financial management of the 'Chefferie'. Within this context of difficult collaboration between the two authorities, a further complicating factor is the fact that the officials of the division of 'Circonscription foncière' at the territorial level do not report to either of the above authorities. In the table below, one can see that the 'Conservator of title deeds' has the authority to issue a title deed, not the provincial Minister of Land:

Table 4 Land acquisition, Institutions and levels of competence

Level	Rural land	Urban land
Parliament (national level)	≥ 2000 ha	≥ 100
President of the Republic	>1000 ha and <2000 ha	> 50 ha and < 100 ha
Minister of Land Affairs (national level)	> 200ha and ≥ 1000 ha	> 10 ha and ≤ 50 ha
Governor of the Province	≤ 200ha	≤ 10 ha
Conservator of Title Deeds (provincial level)	< 10 ha	< 50 ha

This lack of coordination and lack of clear limits regarding competences in land tenure management was attested by the President of the 'Tribunal de Paix':

> the real problem is the lack of coordination and transparency between public land management services. Most of the time, these services issue land title deeds to two or more persons but for the same plot of land. Conflicts generated by these situations are transferred to us, unfortunately without adequate resources. (Interview Masisi, IV.10.14)

Still, in Masisi, a considerable number of the people who have received land from customary chiefs have managed to acquire title deeds from the 'Circonscription foncière' in order to legally cover their land. This quest for titles deeds has frustrated customary chiefs, not only because they no longer receive a fee on the land covered by title deeds, but also because the public authorities in the 'Circonscription foncière', both in Masisi and at the provincial level, do not make a distinction between land acquired in chieftaincies and land acquired in the public domain. In the customary domain, the chief can offer land to a family representative: not as a commercial transaction, but as

a means of survival for members of local communities. Many of the people who received land from customary chiefs and later on managed to register it are somehow independent from customary authorities who continue to consider this way of accessing land a usurpation of customary authority. Yet, even some customary chiefs also registered some parts of customary land in order to get title deeds; some even apparently procured title deeds in their own names and not for the people under their authorities. This was criticized in interview:

> during our research in Bashali, we found that the Mwami (Customary Chief) is selling land to individuals who are not members of the Hunde community while this land belongs to the Hunde royal family. We can say that what the Mwami is doing contradicts, in principle, the Hunde's indigenous philosophy claiming that the land of ancestors is undeniable. Some local Hunde leaders begin to question the legitimacy of the Mwami. (interview Goma, II.01.15).

As the political dimension in land disputes seems important in conflicts over land, the question becomes whether or not it would be useful to transfer the role and authority of the 'Conservator of title deeds' to the Provincial Ministry. In doing so, one would assume that there would be no overlapping of authority in land tenure management, at least on the provincial level. During the discussion with the provincial Minister, he seemed to hope that the land reforms announced in 2012 would tackle this issue. It is also important to note that although the provincial Ministry of Land is assumed to be playing a political role whereas the division of 'Circonscription foncière' is assumed to be playing a technical role, in practice, not only do the competences overlap, the position and role of the chairman of this Division has also been subject to politics. For example, during the RCD rebellion (1998-2003), the chairman of the North Kivu Division was nominated by the rebel administration, not by the central government.

The fact that during the AFDL and RCD rebellions first a Tutsi and later a Hutu served as the Governor of North Kivu province, allowed an easy access to land and title deeds, at least for some Hutu and Tutsi elites. This was made possible on two levels. On one level, by nominating a Conservator at the Division, powerful individuals in the rebel administration and other close collaborators of the administration acquired huge tracts of land and legalized title deeds. An example of this is the Société Internationale de Commerce et des Industries Agricoles (SICIA), a former colonial plantation acquired by Mr Mwenenge, a close collaborator of President Mobutu, during the zaïrianization in the aftermath of the land law of 1973. This plantation, which is

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approximately 4000 hectares, was divided into 28 plantations in 1998 with the authorization of the governor and shared between only 10 or so RCD individuals (senior founder members of RCD). In November 2014 when I visited this former SICIA plantation, I managed to meet with a group of people among the hundreds of families that were expelled between 2000 and 2002 by the new owners. Many of these families are still living in IDP camps.

Moreover, since the time of the RCD administration under Serufuli as Governor, the Conservator of Title Deeds has been and is still to the present day a Hutu, from the same ethnic community as Serufuli. Not only did certain Hutu and Tutsi members of the RCD rebellion manage easily to acquire title deeds: Some of them, including senior military officers, obtained title deeds of up to 200 hectares (the maximum a Governor can offer, as shown in the table above). On the second level, during the political negotiation between the RCD and the government, it was agreed that all juridical acts of the RCD administration, including court decisions, appointments to administrative posts and title deeds, would be considered as 'legal' by the new government.

At the beginning of the government of transition in 2003, many former RCD senior cadres gained administrative and political positions at the national level. These positions allowed them not only to secure their land in Masisi and elsewhere within eastern DR Congo but to acquire even more land and to register this land at the national level: some of them even gained land certificates of perpetuity. Different rebellions have allowed the Banyarwanda elites to access not only land but also political power across local, provincial and national scales. Although land tenure management in the DR Congo continues to foster patterns of violent conflict at the local level, the maintenance of this institutional dysfunction seems to provide 'string pullers' with avenues to navigate across scales.

5.3.2 Land tenure as a political niche for Banyarwanda elites

As discussed in the previous section, the struggle for citizenship rights mobilized the Banyarwanda elites as it was a way to access and to secure land. In this section, particular attention will be given to an analysis of key laws affecting the land tenure system: the ways in which they contribute to ongoing conflict, while powerful individuals simultaneously benefit hugely from inherent ambiguities within the legal framework around the land tenure system.

The first post-independence land-related law in 1966 was called the "Bakajika Law" and targeted

the nationalization of the Katanga mining sector. It was only in July 1973 that a more general land law was introduced: this law of 1973 still remains the most important legal reference in current land tenure management. For example, Article 53 of this law clearly states that 'the land is the exclusive, inalienable, and imprescriptible property of the Congolese state'. In this regard, the State has become the exclusive owner of the land both in rural and urban areas. This begs the question why the state would be so keen to emphasize this exclusivity, since in any case, the state is sovereign and can make any decision.

At the time when this land law came out, only one decade after independence, many agricultural companies in the Kivu were still owned by Belgians. This law of 1973 became the legal device for claiming a state monopoly over all resources and particularly to get rid of both external control of mining companies and even customary supremacy over certain rural lands. The 1973 law not only reinforced the Bakajika law of 1966 but also opened up a legal avenue for political elites close to the regime to acquire huge plantations that once belonged to the Belgian companies. Another contextual factor regarding the land law of 1973 is Mobutu's 'Zairianization' ideology, active from 1975, consisting of nationalizing all companies held by foreigners. Before discussing how this law contributes to the current violent conflict, an analysis of its key references is needed to understand how 'sting pullers' control land across scales.

One of the problems with the land law is that it begins with the distinction between what it terms 'terres du domaine public' and 'terres du domaine privé'. 'Public land' means areas in which public services or specific activities by the state can be located, whereas 'private land' refers to areas in which the state can offer a plot of land to individuals or companies. The land under customary authority in chieftaincies has been defined as 'private land'. According to Article 53 of the land law, the state can grant land to any individual or company, both in public and private land areas. Here is where the current tensions between customary chiefs and the public institutions are rooted. In designating customary land within the category of 'private' land, there was no longer any distinction between which kind of land customary chiefs could exercise their authority over and which land the state could use without interfering in customary land transactions. Customary chiefs continue to complain as public services in land tenure management continue to issue title deeds on customary areas based on Article 387, which stipulates that the 'land occupied by local communities enters, from the entry into force of the land law, into the public area'.

However, in promulgating the land law, parliament seemed to anticipate eventual tensions over Article 387, and in Article 389 provided details of how anyone could acquire a plot of land in areas where local communities are settled. This article states that a '*Presidential Ordinance will be issued to clarify the status of land occupied by local communities as well as customary competence on those lands*' (Article 389). However, no ordinance has been issued since 1973. The remaining puzzle is how customary land areas (entities in which local communities are recognized to be subject to the chief's authority) should be managed in the absence of this ordinance.

For Mugangu (1997:390), the question raised by this article is whether parliament intended, through the promise of an ordinance, to maintain the *status quo* and to leave the issue of rural land tenure to a future law. He suspects that if the answer is yes, then it could be argued by the Supreme Court that until the promised presidential ordinance is signed, this land must be managed according to the customary rules. In practice, public institutions continue to prevail and issue certificates, and thus to reinforce the dualism between customary authorities and public agents. Incidentally, this dualism is far from being resolved, even though the 1973 law apparently gives exclusive management of land to the State. An alternative pathway to resolution seems to be offered within the Constitution of February 2006: Article 34 provides that *'public services of land management must respect all rights acquired in accordance with the customary procedures,'* meaning that public institutions cannot issue any certificate to peasants who received land from customary chiefs. Unfortunately, Article 34 remains subordinate to Article 389 of the land law, which also refers to the presidential ordinance.

Considering that violence around land is reportedly experienced mainly at the local level due to the involvement of the local community, peacebuilding organizations have bought into a dichotomy between state authorities (legal and institutional frameworks) and customary authorities. In Masisi and Bashali specifically, there is a widespread narrative of land conflict, centered on the idea that land in Masisi belongs to autochthonous communities (Hunde, Nyanga, Nande). This is because, first of all, the distinction between the two categories of land mentioned in the land law are not documented and mapped, meaning it is no longer possible today to locate the real boundaries between customary areas and public land areas. Secondly, there is a strong assumption held by customary authorities that the land in Bashali and Bahunde chieftaincies is exclusively customary property.

This dualism has extended beyond functioning as a narrative: it has also been taken on board through several peacebuilding programs. Local committees implemented by international NGOs in different villages of Masisi to promote dialogue and to resolve land-related conflicts clearly reflect this binary conception: this is apparent when one looks at the composition of the members of those local committees. Each committee, for example, includes both customary chiefs and local state representatives, carrying the assumption that both parties can provide common ground for transitional solutions to violence.

This dualism has been strongly emphasized in the existing literature concerning land in eastern Congo. However, this dualism has to be treated with a degree of caution. According to the cadastral service, not all land in chieftaincies is necessarily customary property, as claimed by customary chiefs. This duality was already rooted in the colonial administration where customary entities were recognized as territories within which customary chiefs had the authority to distribute resources, mainly land, to community members. The problem is that, while recognizing customary authority over land, the colonial administration privatized thousands of hectares of land for farming in Masisi, regardless of whether or not this land was in customary areas. After independence, what the land law of 1973 did in nationalizing the land was to legally allow any individual or company to access any land, anywhere through public institutions.

It is in this context that many Banyarwanda elites acquired almost all the former colonial farms with fertile soils and, more importantly, ideally suited for cattle farming. As shown by a report by Action Solidaire pour la Paix (2014:55), the colonial administration had already divided Bashali into 'plantations' in the 1950s. The table below reflects approximately the number of farming 'blocks' that are registered today in Bashali.

Table 5 Farming 'blocks' identified in Bashali in 2014

N°	Name of the 'Plantation'	Code	Date of creation	Tract/Size
01	Lwama	M2	14/03/1940	1200ha
02	Ngandjo	M4	14/06/1940	2035ha
03	Burungu	M5	10/06/1940	500ha
04	Mushununu	M36	15/09/1949	81ha
05	Mbati Mukungo	M42	24/10/1949	90ha
06	Luama Ngoniba	M44	08/05/1952	373ha
07	Bushaalanyabula	M45	06/05/1952	504ha
08	Kalonge	M46	06/05/1952	66ha
09	Kipfunwe Mulinde	M47	24/06/1952	127ha
10	Kalembe	M48	06/05/1952	425ha
11	Mihara	M49	06/05/1952	478ha
12	Kihunda	M51	06/05/1952	480ha
13	Kirumbu	M51a	17/05/1952	520ha
14	Ndotsho	M54	22/05/1952	2320ha
15	Entre lacs Mbalukira et Mbita	M59	15/06/1952	305ha
16	Hinduka-Biriba	M66	22/07/1952	184ha
17	Rusoma	M69	15/08/1952	500ha
18	Ndeko	M70	26/09/1952	480ha
19	Muhu	M73	28/11/1952	428ha
20	Kihimba	M74	14/12/1952	525ha
21	Ngereko	M91	18/12/1952	268ha
22	Mulinde	M93	15/03/1953	275ha
23	Mutsiru	M94	16/04/1953	460ha
Total area = **12,624 ha** (**126.24** km²)				

Altogether at least 12.5% of the entire area of Bashali was divided into blocks. This share is generally seen by both customary chiefs and NGOs as belonging to the public area, with the remaining land (87.5%) under customary authority. Here is where the frustrations of customary chiefs come from: Article 54 of the land law completely ignores this perception of land distribution and instead stipulates that all kinds of land in any area belongs to the state; access to land must therefore follow formal procedures in accordance with the law. The question that remains today is how these laws and institutions apply in such a complex situation in which customary claims remain dominant: peasants owning land without title deeds; and when there is no official geospatial data to locate land.

Given the dire ramifications of the dysfunction of the land management system, various actors within civil society have expressed the increasing need to reform the land sector: even the central Government seems to be committed. Civil society actors, provincial and national authorities have already demonstrated willingness to push the government towards a land reform. However, expectations and priorities for reform vary according to whether this comes from the government (national or provincial), from civil society (local or international) or from foreign investors. A national workshop on land reforms in Kinshasa in 2012 identified two major concerns. Firstly, legal security for peasants' lands and issues of governance involving harmonizing collaboration between public services (that is, the decentralized and the deconcentrated). Secondly, the need to clarify the status of customary chiefs as defined by the 1973 Land law and by article 207 of the Constitution. The expected outcome is the legal redistribution of land in order to reduce inequality between landowners and peasants. Decree No. 13/016 of 31 May 2013 on the establishment, organization and functioning of the National Committee of land reform is an important step toward beginning this process. However, the roadmap signed by different stakeholders has been not implemented yet, even as the expected actions were supposed to be finished by 2017.

In some African countries, experiences in land governance have shown that having policies is one thing and implementing them is another (Boone 2007:559). This is particularly the case with regard to sensitive issues such as natural resources. Even though it is commonplace to understand land reforms as a form of direct state intervention in property relations, the capacity of the state in most African countries to carry out land reforms is severely limited: especially so when it takes the form of redistribution or resettlement. Often, it is less the result of direct state action and more the result of the actions of private individuals within the state (Manji 2001:328). As seems to be the case in

the DR Congo regarding the land reform process, initiatives and activities are largely carried out by local NGOs with the support of international organizations and UN Agencies.

The Congolese Government's role in this reform falls short of willingness to get fully involved. One of the reasons for this is the potential costs of reforms that may be too expensive to implement. Another factor is that political elites from North Kivu may fear negative repercussions of land reform, since they are among the biggest landowners, even as they hold power in key institutions supposedly boosting the land reform process. An individual example is Eugene Serufuli, who was the Governor of North Kivu during the RCD rebellion, later the National Minister for Rural Development and currently the Minister of Small and Medium Enterprises. Considering his current position and his personal interests in Masisi and Rutshuru, he is one of the important actors (also a 'string puller') that are key to facilitating land reform. At the present moment, the abounding legal ambiguity within the land tenure system seems not to be a concern for 'string puller'. As long as the plurality of laws and institutions provide this maneuvering space, the role of 'string puller' and their strategies across scales will continue to challenge current approaches to account for the rationales of conflict dynamics in Masisi and other places in the eastern DR Congo.

5.4 Concluding remarks

At the beginning of this chapter, the struggles of the Banyarwanda community in North Kivu to obtain citizenship and the right to access land provided a case study of how these parallel struggles were displayed across scales, becoming at the same time political spaces in which powerful individuals emerged and became 'string puller' across the spectrum. Rather than being exclusively local problems, as they are often incorrectly depicted, the citizenship question and questions of land access are both strongly embedded in a larger legal framework that in turn continues to maintain confusion which directly impacts on local tensions. Even as the legal framework for questions of nationality and land tenure have fueled violent conflict in the case of Banyarwanda, the same problematic framework has allowed the Banyarwanda elites to succeed in navigating across scales (locally, at the provincial and national level) and gaining legitimacy and power across them. It is within this challenging relationship between 'string puller' strategies and the current legal and institutional frameworks that I intend to discuss the notion of legal pluralism.

Instead of focusing on the general notions of legal pluralism, I prefer to restrict myself to what Kyed (2009:88) terms, "legal pluralism as a policy concept". Kyed has observed that, on an official level, legal pluralism tends to convey recognition of the socio-cultural diversity of the legal domain within a nation state. This is exemplified by the import of non-state 'law' into state law and by recognizing the role of existing non-state authorities, such as traditional leaders, chiefs, clan elders, and religious institutions, in matters of justice and dispute resolution. Kyed argues that this state recognition of non-state legal orders is not a technical, neutral process, but rather an inherently political one. This process occurs through public institutions in which political actors often include non-state actors (customary chiefs, community leaders, etc.) in policy programming in order to serve multiple purposes, one of them being to build up constituencies. At same time, non-state actors seek legitimacy and the protection of their interests through collaboration with political actors, both in formal and informal ways.

In most African societies, this phenomenon was already apparent in the colonial period, when local traditional chiefs became collaborators and nominees of the colonial administration, and when traditional regulations were accommodated into the colonial legal systems through what is known as an 'indirect rule' system (Matthieu 1937:434). After decolonization, this complicated embeddedness and negotiation between the two systems was replicated in different ways in the new post-colonial states, in many cases with some of the attributes of customary authority becoming a part of state legal systems (Mamdani 2002:494). This has been further complicated by the government's direct role in land allocation in some African countries, which has created direct relations between land users and the state institutions, rather than mediated through neo-customary brokers. Boone and Nyeme (2014:8) argue that a direct linkage is visible in the presence of institutional channels by which land-related conflict can "scale up" through a hierarchy of national judicial and electoral institutions. One of the factors to be considered within this hierarchy of institutions and their effects on the relations between political elites and particular interests is the ambiguity caused by a multiplicity of institutions that compete to sanction and validate rival claims, in attempts to gain authority (Lund 2011:72).

An under-explored area of contemporary legal pluralism studies is an account of how actors and networks interact with competing interests and fight to maintain their power and positions across scales of institutions. Tamanaha (2008:409) observed that people and groups in social arenas with coexisting, conflicting normative systems will, in the pursuit of their objectives, play these

competing systems against one another. Sometimes, argues Tamanaha, these clashes can be reconciled or put aside: they can even operate in a complementary fashion, with major social and political ramifications. This is likely to occur in situations of overlapping authority between institutions and laws, obliging social actors to refer their claims to a variety of legal political institutions across levels of scale.

The preceding analysis of the Banyarwanda fight for nationality and other political rights and its implications regarding rights to land tenure not only allows us to detach so-called 'local' conflicts from a vague local scale and to see them in light of a larger legal and institutional framework within DR Congo: the preceding analysis also challenges the assumptions of peacebuilding interventions in Masisi. It is arguable that what peacebuilding actors continue to narrate as local conflict is not only local - at least, not in an epistemological sense. Local conflicts are the manifestations of the causes that are deeply embedded in legal systems and institutions beyond the local scale.

The two key factors used in this chapter to illustrate this hypothesis have been the land tenure system and the question of the Banyarwanda's nationality. Even while criticizing the peacebuilding organizations in their focus on land conflicts, one must admit that the land tenure management system continues to play a significant role in ongoing conflicts in Masisi and many other places in eastern Congo. In a recent publication, Mathys and Vlassenroot (2016) recognize that many land-related disputes are not only about land but are also an expression of the effects of the Congo's governance crisis. Both authors stress that many of the attempts initiated by donors to address land conflicts have failed to deal with the fact that land remains a highly valued political stake. They suggest that structural responses to land governance challenges should be addressed in terms of conflict resolution rather than in terms of conflict management which has been focusing on tensions at the individual level on a daily basis: furthermore, that there needs to be better grounding of mediation efforts in local understandings of land tenure systems and state law, as well as more support from local and higher-level authorities.

While this is true, one can argue, however, that these suggested solutions seem to be falling under a policy-based approach to land tenure management because of the authors' 'normative' view of the preponderant role of the state in land conflict management. What we can learn from the example of Masisi is that what makes the Congolese state is both formal institutions and actors but

who sometimes perform effectively in informality as we see it with 'string pullers'. These actors include highly placed politicians and senior officers in the national army who control land and other resources. Suggesting that the Congolese state (in the Weberian sense) is the key actor to resolve land-related conflicts is true but might be only a theoretical track of solution. In a context where these individuals are involved in informal networks and play the role of 'string pullers', any attempt to solve structural problems is likely to fail. In analyzing the legal and institutional framework that shapes land tenure governance, this chapter has shown that, in the case of the Banyarwanda community, the nationality question and its impact on land access have been at play more through military victory through rebellion and through informal control of scales rather than through political will of the central government and formal institutions. If it is the case that resolution of land disputes must involve higher political authorities, under the assumption that the state is by nature keen to solve conflict, current efforts to solve structural conflict (such as over land) are likely to remain without impact. This chapter criticizes current policy-based approaches towards land and argues that land reform is more of a political process than a technical matter of policy (normative). While peacebuilding organizations strive to make conflict resolution a state-driven process, powerful individuals through informal networks will continue to pull hidden strings wherever any intervention efforts threaten to compromise their interests.

Through this chapter my intention was to demonstrate how conflict around the triangle land-power-identity in Masisi is not a local phenomenon per se. The examples of the nationality and land questions as contested between Banyarwanda and other local groups (Hunde, Nyanga, Nande, …) supported the argument that this triangle is located within juridical and institutional levels beyond the 'local'. Current efforts to solve the related conflicts have ignored this multi-scalar character of the conflict: even as several programs focus on land at the expense of power relations and questions of identity, the presence of 'string pullers' in formal institutions will continue to challenge current intervention efforts unless and until peacebuilding actors revise their approaches. At the moment, it is difficult to imagine this happening in the near future. This chapter analyzed the legal pluralism of both nationality and land tenure institutions in DR Congo, showing how they are connected to different levels and how what are seen as local conflicts are, in reality, the symptoms of multi-scalar causes. One can argue that the existing dysfunction of institutions and confusions in land management are politically and economically preserved or tolerated by powerful individuals who can afford to gain power at different institutional levels. In this sense,

navigating across scales has been a strong strategy for Banyarwanda leaders to better negotiate power in order both to gain the nationality right and to access and control land. The next chapter analyzes and discusses different strategies of the production of scales by powerful individuals. An example of a conflict transformation project is also discussed as to what extent are peacebuilding interventions capable of bringing 'string pullers' into the peace process across levels.

Chapter 6 'String pullers', conflict transformation and the 'local trap'

6.1 Introduction

In the previous chapter I discussed the construction of the 'local' as the most important scale of conflict resolution by peacebuilding interventions and how these interventions failed to provide an approach that could link the 'local' to other levels. By focusing on land and nationality questions as parts of the triangle of conflict, I demonstrated that this triangle of conflict is far from being exclusively 'local'. Further, I argued that conflict resolution by peacebuilding interventions failed to consider the legal and institutional framework in which land, power and identity issues are structurally embedded and are controlled by powerful individuals. It was stressed in the previous chapters that it is the current legal as well as institutional framework that has provided possibilities to the Banyarwanda elites to navigate across scales in order to secure their citizenship and land tenure rights.

The analysis of the legal and institutional frameworks of land tenure and citizenship as the main sources of violent conflicts perpetuated over decades between the Banyarwanda and other groups in Masisi has provided an account of how different scales matter. Linking the local to other scales and showing the cross-scale dimensions of the conflict has not only questioned the 'local', it has also explained the extent to which the Banyarwanda elites have been able to navigate across scales to control land, political power and identity (expressed in terms of citizenship). It was shown that the widespread narrative through which peacebuilding organizations often tend to locate the causes of conflict on a local scale has failed to provide an approach to intervention that takes other scales into account. This intervention on the local scale has also largely ignored the role and the influence of 'string pullers' across scales. It is this gap that I will address in this chapter.

As previously discussed, the literature about the main Congolese wars (1996-2003) has largely relied on the regional and international context to provide the reasons and agendas behind these wars (e.g. International Crisis Group 2010:2; Spittaels and Hilgert 2008:5), with very little on dynamics at the local level. In this chapter, I will discuss the conditions under which armed groups emerged in Masisi and how they involved multiple actors at the different levels. I argue that local

dynamics and actors, such as claims for control of land, customary power, etc., and the role they have played in different wars are often overlooked and reduced to general narratives of economic wars. The aim of this chapter is not to provide details about rationales and the 'resource war' explanation of different rebellions. Rather, it is to demonstrate the relationship between armed groups and powerful individuals on the one hand, and to explain how peacebuilding NGOs' interventions are challenged by these individuals on the other hand.

This chapter is organized around five points. It begins with the rise of powerful individuals through the analysis of three armed groups: CNDP (Congrès Nationale pour la Défense du Peuple, established by Laurent Nkunda), Nyatura (linked to former Governor of North Kivu Eugene Serufuli and Robert Seninga) and APCLS (Alliance des Patriotes pour un Congo Libre et Souverain, led by a military leader Janvier Karairi). For the purpose of this study, I chose these three groups for two reasons. First, that the process of their formation contributes to the understanding of how land, power and identity are linked to violent conflict and second, the three groups are active in the research area of this study. Taken in this sense, I do not approach the rise of armed groups as primarily the causes of violence, rather as the response by various actors to claim specific interests. In this perspective, I intend to show how armed groups became a springboard for some actors to connect different scales. The second part of this chapter examines the strategies through which scales were produced. Networks I am referring to are formal and informal alliances and rivalries among a set of actors. They include ethnic based organizations, political parties, and armed groups. The third part discusses an example of a conflict transformation project in Bashali. The aim is to understand how networks function and the extent to which they constitute a challenge to peacebuilding interventions. The fourth part brings the *politics of scale* into the discussion to explain how the choice of the 'local' has become a trap for peacebuilding work, providing both a theoretical contribution to the peacebuilding approaches and a policymaking outlook for current and future conflict transformation initiatives.

6.2 The rise of 'string pullers' through the 'first' and 'second' Congolese wars (1996-2003)

The *resource war* explanation which has frequently been employed with reference to the DR Congo largely follows the 'greed and grievances' theoretical model elaborated by Paul Collier and Anke Hoeffler in the 1990s. The assumption that natural resources play a key role in triggering, prolonging and financing conflicts (Bannon and Collier, 2002:17) has influenced a growing body of research on the causes of civil wars, with several examples from sub-Saharan Africa. However, this narrative, which was dominant for a long time, has been more and more questioned with regard to political, social and territorial control (see Autesserre, 2008, 2009, 2010; Vlassenroot, 2013; Huening, 2013; Mararo, 1997).

For example, Ndikumana and Kisangani (2003) analysed the causes of eight civil wars that occurred in the DR Congo since 1960, and investigated how the Congo case fits the Collier and Hoeffler model of civil war. They found that the struggle for control over natural resources by domestic and foreign actors, the manipulation of the law on nationality and the influx of refugees, which are factors not formally included in the Collier-Hoeffler model, also increased the risk of war. The authors noted that there are important factors that are not formally accounted for in the existing models of 'civil war' that are critical in explaining the timing of rebellions and the risk of conflict in Congo, and suggested three factors beyond natural resources and foreign interests to be considered.

The first one is the identity question and the law on nationality that targeted the Banyarwanda community. The second is the influx of Rwandese Hutu refugees in eastern Congo in 1994, which disrupted the ethnic balance and threatened and marginalised the Congolese Tutsi. The last one is the cross-border presence of Tutsi-supporting regimes in Burundi, Rwanda and Uganda and the political and military support these countries provide to the Congolese Tutsi. However, what the authors left out of their analysis is to explain how these armed conflicts have led to the emergence of 'string pullers' and allowed them to navigate across scales. In this chapter, I focus on Masisi to analyse how local actors got involved in different wars in North Kivu between 1996 and 2013 and to understand the extent to which land, identity and power continue to sustain the violence and challenge peacebuilding intervention.

The 'first Congolese war' was launched simultaneously in the provinces of North and South Kivu in October 1996. In May 1997 the AFDL overthrew President Mobutu and took power in Kinshasa. The commander in chief who led the war was James Kabarebe, a Rwandan senior officer and 'right hand' of Paul Kagame. Kabarebe became the chief of staff of the allies' armies (AFDL, RPF and Ugandan forces). Shortly after the AFDL took power in Kinshasa, the relationship between Kabila and Rwanda and Uganda rapidly deteriorated when Kabila decided to expel his Rwandan and Ugandan allies in order to structure his own political regime and control of the military without any interference in Congolese affairs by Rwanda and Uganda.

The breaking of this alliance immediately led to a new rebellion by the newly formed Rassemblement Congolais pour la Democratie (RCD, Congolese Rally for Democracy) in August 1998. The RCD set up its headquarters in Goma, from where it occupied a third of the national territory until it joined the transitional government after the Sun-City agreement in 2002. In 2003 RCD became a political party, but without any significant political influence, until today.

At the creation of RCD in 1998, some Hutu leaders in Masisi did not join the rebellion, but preferred to ally themselves to Kabila, which allowed a rapprochement between Hutu combatants and some Mai-Mai groups (local self-defence militias) and facilitated the formation of a potential military force on which Kabila could rely against the RCD. However, this alliance only lasted for a while. While the rebels expanded their political, military and economic control in the entire eastern DR Congo, the Hutu leaders in Masisi became more and more isolated from the national government in Kinshasa (both politically and because of the distance), especially after the assassination of Laurent Désiré Kabila in January 2001. Internal disputes between the Hutu community leaders led to the formation of two groups. Robert Seninga, Bigembe, Miganda and Ngirira as well as Colonel Mugabo decided to attach themselves to RCD whereas Colonel Mayanga and his battalion resisted and joined the government's side.

During this period, Congo was politically and militarily divided into three parts. One was controlled by the RCD supported by Rwanda, the second by the 'Movement pour la Liberation du Congo' (MLC: Movement for the Liberation of Congo) supported by Uganda, and the third by the Government.

Map 6 Areas under control of the Congolese Rally for Democracy (RCD) 1998-2003

The cease-fire of 1999 prepared the way for the 'Global Congolese Dialogue' in South Africa, with strong support from the international community, which saw the reunification of the country as a priority.

With the Sun City peace agreement in 2002, which resulted in the formation of a transitional government in 2003, one of the crucial points to implement was the 'Brassage' operation, which consisted of merging the former rebel troops with the national army in a single structured command. At that time stakeholders considered this 'Brassage' as the end of the armed groups, although armed groups in the eastern Congo were excluded from the Sun City talks. To launch the 'Brassage', President Kabila explicitly asked Colonel Mugabo with his troops to join the

'Brassage' centre located in Mushaki (Masisi). After the 'Brassage', only Colonel Mugabo was promoted to a higher position in the national army. Many disappointed Hutu fighters withdrew from the re-structured army units and returned to their strongholds in several places in Masisi. At the same time, Laurent Nkunda, opposed to the presence of FDLR, created the 'Comité Militaire pour la Défense du Peuple' (CMDP) installed in Kitchanga (Bashali/Masisi) where the majority of Tutsi families were living. In order to avoid being seen as solely a protector of the Tutsi community, Nkunda created the 'Synergie Nationale pour la Paix et la Concorde' (SNPC: National Synergy for Peace and Concord) in 2004. This was welcomed by Hutu leaders in Masisi, many of whom were disappointed by the government plan to deploy former rebels to other provinces, far from North Kivu. Since the message of CNDP was officially to protect the interests of the Banyarwanda in general, some important Hutu and Tutsi leaders from Masisi joined Nkunda. One year later, in 2005 SNPC was replaced by CNDP with headquarters in Masisi, from where it started fighting against the government until 2008 when a cease-fire agreement was signed in Goma.

The end of the RCD as a rebel movement and its political integration in the transitional government in 2003 had led to the reconfiguration of actors and alliances at the local level. The creation of CNDP (2005) and PARECO (2007) (Coalition de Résistants Patriotes Congolais) in Masisi constituted a shift from the regional dimension to the local, although, at this point, it is difficult to identify in the discourse and claims of these armed groups the issues related to land and identity. What is clear is the quest for political positions and military ranks. The next section examines the political and military survival of the CNDP and PARECO and then identifies the link between the new claims and the land, power and identity triangle.

6.2.1 CNDP, PARECO and the Amani Program

The ceasefire signed in 2008 led to two major events in the dynamic of armed groups. The first event was the surrender of CNDP and PARECO troops to the government military structures and the second the arrest of Laurent Nkunda (principal leader of CNDP) by Rwandan authorities on 20th January 2009. On 21st March 2009, under the auspices of former Nigerian President Obasanjo with the diplomatic support of the international community, three 'Acts of Engagement' were signed at Ihusi Hotel in Goma town as the follow up to the 2008 ceasefire agreement. The first was signed between the Congolese Government and armed groups of North Kivu, the second between the government and armed groups of South Kivu and the third between the government

and CNDP. In reality, the Goma agreements between CNDP and PARECO and other Mai-Mai groups from North and South Kivu was rather an agreement of surrender because all the troops had already been integrated into the national army in 2008. In this situation, leaders of these armed groups could hardly negotiate their demands because they were in a weak position. One of the PARECO leaders who signed the Goma agreement put it in this way:

> we were caught in a difficult trap because we were forced to sign under some promises by the government of political positions and the recognition of military ranks for our officers. This arrangement actually was made possible through a political deal between Congolese and Rwandan authorities, without even the involvement of the international community. (Interview Goma, III.01.15)

However, to make this 'unofficial' political arrangement, the Congolese authorities suggested to the mediators to jointly draft the three 'Acts of Engagement', and asked the armed groups' representatives to sign them. According to the above informant, this 'forced' integration of former rebels in the national army was a great benefit to some of them who got promoted to high ranks whereas very little was done for the political cadres. A good number of political leaders who were unhappy about this integration could have led to the resurgence of a new rebellion. It was to prevent this eventuality that the Goma agreements provided that the Congolese government would create a specially funded program to implement the agreements and to prevent any escalation. This program was called the Amani program, established by a Presidential Ordinance No. 08/008 of 2nd February 2008 for a period of 6 months.

The Amani program was designed as an executive body in charge of the implementation and monitoring of the Nairobi Agreement I of November 2007 between CNDP and the Congolese government and of the Goma *Acte d'engagement* signed on 23rd January 2009. The Nairobi Agreement I was about a cease-fire between CNDP troops and the government army (FARDC) whereas the *Acte d'engagement* was about the commitment of different armed groups to surrender and to be integrated into the FARDC.

The aim of the Amani program was to provide conditions for the security, pacification and stabilization of North and South Kivu provinces. It had two main executive bodies. At the national level, there was the monitoring committee composed of the Minister of the Interior, the Minister for Foreign Affairs, the Minister of Justice, the Minister of Finance and the Minister of Social

Affairs. The second was the Coordination Unit. It was chaired by a coordinator and four deputies, each with a technical commission. The Peace and Security Commission, the Pacification and Reconciliation Commission, the Stabilization and Reconstruction Commission and the Finance and Projects Commission. Besides these commissions, there was a body of international players involved in the Amani program which formed a Task Force created in January 2008 and whose role was to facilitate the implementation of several projects and the above agreement between former armed groups and the government. Members of this Task Force were the United States, Belgium, UK, France, Canada, South Africa, the European Union, the UN, the African Union and the Southern African Development Committee (SADC).

The implementation of the Amani program became difficult because of this configuration of actors and unclear agenda, also because of the bureaucracy caused by a difficult chain of communication between the members of the commissions. For example, one of the priority tasks of the peace and security commission was to organize the absorption of the armed groups' troops into the national army. However, the execution of this task divided those affected into two different tendencies. According to Mararo (2009: 128), the first was of the Mai-Mai armed groups and a faction of PARECO who complained that the presidential ordinance (which established the Amani program) had appointed the CNDP delegates to the strategic posts in the Amani program, to the detriment of the other groups. This tendency also thought that the disarmament of their troops should be achieved through negotiation and not by force.

The second tendency was that of the CNDP's representatives. On the one hand, the CNDP demanded that the FDLR should return to Rwanda and the Congolese refugees in Rwanda should be assisted to return to DR Congo and, on the other hand, the CNDP demanded higher positions in the government and the army while the Congolese Government did not want to give in to these demands. In such a complicated coordination, many complaints from members of different commissions started to emerge when everything seemed to be stuck. Some delegates from these commissions started to denounce the Government's lack of political will to push the Amani program forward. At this point, it is important to remember that the Amani program was based on the Acts of Engagement agreement of January 2009. One of the major concerns expressed by parties involved in the program was the need to eliminate foreign armed groups present in North and South Kivu provinces, notably the FDLR. The first attempt was joint military operations against the FDLR called *Umoja wetu* (in Swahili meaning Our unity) from 20th January to 25th

February 2009, involving the Congolese army and Rwandan army in collaboration with the UN mission in the DR Congo.

These operations ended while the Nairobi Agreements I of November 2007 between the Government and CNDP was still pending. Not only were CNDP leaders not convinced about the results of *Umoja wetu* operations, the Nairobi agreement of 2007 was only a ceasefire agreement without any significant political engagement reflecting the demands of both sides. It was on 23rd March 2009 (two months after the Acts of Engagement were signed) and the end of the above military operations that the government and CNDP (without other armed groups) signed the Goma agreement. The main points in this agreement were (a) the transformation of CNDP into a political party (art 1), the release of political prisoners, members of CNDP (art 2), an amnesty for CNDP leaders (art 3), the resolution of local conflicts that pit ethnic communities against each other (art 4) and the return of Congolese refugees still living in neighboring countries (art 6). Disappointment increased in the CNDP camp, which accused the government of not implementing the 23rd March agreement. As result, René Abandi (representative of CNDP in the Amani program), a most important member of one of the key commissions (peace and security), decided to resign, followed by some PARECO representatives who also suspended their participation. The culmination came in April in 2012 when some ex-CNDP military officers decided to create another rebellion called the Movement of 23rd March (M23) demanding the full application of the Goma agreement of 23rd March 2009 by the Congolese government.

Unlike when CNDP was created, many important Hutu leaders in Masisi did not join M23, for two main reasons. The first one relates to how M23 started. Several Hutu leaders from Masisi I spoke to mentioned that the motivation for the new rebellion and its goals were not clear to them. Additionally, they were convinced that compared to previous rebellions, M23 did not have mass support from the population and that its political vision was vague. The second reason was the national legislative elections of 2011, which had given some Hutu leaders in Masisi an opportunity to gain political power peacefully without fighting. Only a very small number of Hutu leaders who did not win in elections joined M23. M23 was defeated by the Congolese army supported by UN troops in 2013; troops and political cadres are still in refuge in Rwanda and Uganda. The end of the RCD as a rebel movement and its political integration in the transitional government in 2003 had led to the reconfiguration of actors and alliances at the local level, precisely in Masisi. The rise of CNDP and PARECO in Masisi allowed, to some extent, to bring the dynamics of actors

locally into a broader regional picture of actors that has been emphasized in the literature mentioning the Rwandan and Ugandan military support to AFDL, RCD, CNDP and M23. Up to this level of analysis, it is nevertheless difficult to identify in the discourse and claims of these armed groups the issues related specifically to land and identity. What is clear throughout this analysis is the search for political positions and military ranks. The next section examines the place of land, power and identity through the claim of Nyatura and APCLS armed groups as well as current influential individuals and their networks.

6.2.2 Nyatura: The quest for land and power in Masisi

Origin of Nyatura, its aim and the 'string pullers'

Nyatura (whose meaning in Kinyarwanda is beat, kick out, castigate) resulted from two major situations experienced by the Hutu community in Masisi. The first incident was when many Hutu leaders in Masisi withdrew from CNDP after Laurent Nkunda's pronouncements in which he repeatedly emphasized the protection of the Congolese Tutsi community. This mention of Tutsi (in priority over other communities) was not well received by influential Hutu leaders who then preferred to stay away from the CNDP movement. The second incident was the Goma conference after signing the Acts of Engagement in 2009 followed by the integration of ex-armed groups in the Congolese army. According to a former influential leader of PARECO whom I have met:

> this military and political integration in government institutions did not profit the ex-PARECO leaders compared to the ex-CNDP. A few PARECO leaders who received positions within the army preferred to withdraw from the Amani program because of an unfair distribution of political and military posts. (interview Goma: III.02.16).

Although the Hutu elite controls Masisi politically, military and economically, Nyatura still does not have a single chain of command. Within Nyatura there are several factions located in different villages, each obeying a group of leaders based on where their interests lie, and the links between these factions and some leaders are not always politically and ideological stable and coordinated (interview supra). Initially, it was a group of young Hutu many of whom were former PARECO combatants. They were informally organized in several villages in Masisi, without any particular name. According to the interviewee (interview Goma- V.03.16), these young people became

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actively violent against some owners of large tracts of land in the areas where Hutu were living, claiming this was to protect the Hutu. When the Hutu peasants realized that huge tracts of land were increasingly being purchased by some individuals (political and economic elites), which prevented them accessing land for their own agriculture activities, violent resistance became their strategy to force land owners either to leave a piece of land to allow surrounding peasants to cultivate it, or to face violent eviction. This is what happened for example, in 2011, when an individual purchased a farm in Kaniro (Masisi), whereas this piece of land was at that time occupied by many Hutu families who considered it theirs despite the fact that none of them possessed any title deed. When the new owner asked those families to leave the land without any negotiation, a group of Hutu young men killed more than 200 cows, as a strategy of forcing the owner to leave the area.

A local Cooperative (CAJEL) working in Masisi shared a report with me in which they reported that 19 cows were killed in July and 102 in August 2014, and between February and March 2015, 68 were killed in Kitchanga (Bashali). This strategy of killing cows continues to be used in Masisi by unidentified groups. CAJEL senior members suspected this killing to be done by some Nyatura and APCLS groups of people, as a strategy to force land owners to negotiate or leave the land. However, in some places in Masisi there have been some negotiations whereby some farmers provided spaces to peasants who might need land for their survival activities, as a strategy to prevent violence.

Another example of local Hutu resistance is the case of Mwangacucu Hizi International-MHI, a company owned by Mr. Mwangacucu, a Tutsi of Masisi who obtained a business licence to exploit minerals in Masisi. For many years, MHI has experienced strong resistance from Hutu peasants who claim not to recognize the legality of the MHI licence. Tensions between MHI and peasants over the mining sites were extremely high until a deal was negotiated between MHI and a local cooperative society of miners (COOPERAMMA), represented by Robert Seninga, one of the most influential Hutu leaders in Masisi and a member of the provincial parliament, also known as one of the key leaders of the Nyatura militia (see chapter one).

It was only after the 2011elections that some Hutu political leaders wanted to have a strong local control, not only to deal with APCLS resistance but also many other Mai-Mai groups in and around Masisi. To achieve this, Nyatura started to be organized and structured by some leaders in order

to build up a strong constituency in many villages in Masisi. A recent report by UN experts on the DR Congo (2017: 11) identified local armed groups operated in Bashali. According to the report, these armed groups use the name Nyatura, an umbrella term for most Congolese Hutu militias. The three strongest are led by "Colonel" Kasongo Kalamo, "Colonel" Ndaruhutse Kamanzi, also known as Domi, and "Lt. Colonel" Muhawenimana Bunombe, also known as John Love. This UN report seems to be careful not to give the names of the 'string pullers' I identified during my interviews, who remotely control local Nyatura commanders. The reason is probably because the report is a highly politically sensitive tool based on which, in the past, UN sanctions targeted some of the Hutu leaders in higher institutions of the country. What remains tricky at the moment is that informal connections between local leaders of Nyatura and those at provincial and national levels are not clear to be easily drawn on paper. In addition to these informal connections, the mode of operation is also fluid and dynamic. Local leaders are often replaced, locations of troops keep changing as well, not only within Nyatura, but likewise within APCLS.

6.2.3 APCLS: the quest for land and customary power in Masisi

Origin of APCLS, its aim and the 'string pullers'

In the early 1990s when tensions between Hutu and Hunde occurred in Masisi, each side organized a self-defence system to protect its people. At that time Hutu leaders created a small group of resistance against the coalition of Hunde and Nyaga under the name of 'Wakombozi' (Liberators) in which a young man called Janvier Karairi emerged and later on, with significant support from Mai-Mai groups from Walikale *Territoire*. In 1996, when the AFDL rebellion started, Janvier Karairi joined the AFDL Army as a fighter on Kabila's side. In 1998 when the RCD rebellion was created with strong support from Rwanda against the Kabila Government, Karairi deserted from the army and started to organize local Hunde peasants in a militia (Mai-Mai) in Masisi against Hutu and Tutsi, considered by Hunde as Rwandan citizens.

When the operation of *brassage* described earlier (integrating former rebel combatants into a more structured national army) started in 2003 (following the Sun-City agreement), RCD, PARECO and all Mai-Mai groups in North Kivu gathered for training and briefing in Mushaki (Masisi) before being deployed in different provinces. However, Karairi soon became unhappy about the situation, and left the operation to return to his headquarters in Lukweti (Masisi). In December 2008, after

signing the Acts of Engagement during the Goma conference between the Government and different armed groups operating in eastern Congo, PARECO, CNDP and other Mai-Mai groups agreed to end the fighting and integrate into the national army through *mixage* (same operation as *brassage* in 2003). Karairi refused to sign this peace deal. This was the beginning of his militia group dropping the name of Mai-Mai and taking that of APCLS. Karairi's main argument was that both the *mixage* operation and the Goma agreement favored Hutu and Tutsi at the expense of the 'autochthonous' groups of Masisi (audio record of Karairi's speech officially launching the APCLS). In February 2011, Karairi addressed an official letter to the UN Secretary General representative in Congo and copied different embassies saying that "*we inform you that APCLS will never allow to live under the Rwandan and western countries' neo-colonialism, and decided to protect the population at any cost…*" In a public audio declaration of January 2012, one can hear Karairi arguing that "*the objective of APCLS is to fight against the countries that invaded our country which are Rwanda, Uganda, Burundi and their western supporters, in order to protect our sovereign and prosperous Congo*" (APCLS audio record).

In the same way as NYATURA, the Hunde community is not homogeneous in terms of political and ideology interests. Indeed, there are several trends and leaders with different visions. What seems to be common for all Hunde in Masisi is the idea of sharing the same culture, language and customary rites, which remain central to all ideological trends. However, when it comes to whether APCLS is a federating force that represents the interests of all Hunde, the views of Hunde leaders are divergent. For example, the Vice Governor of North Kivu is a Hunde, but his influence within the entire community is not clear, though his links with the APCLS leadership are highly suspicious.

 Even though Karairi is still seen by some analysts as a defender of the Hunde community, this vision of Karairi and APCLS is not shared by all Hunde leaders, nor even well known by Hunde peasants in Masisi. An informant who is a Hunde youth leader put it this way:

> I do not know what Karairi fights for. When he decided to create a militia, very few Hunde leaders were aware of it. It might be his own initiative, for his own ambition because he was promised by the government to recognize his rank as general of brigade. We, Hunde, at the beginning of his militia we did not understood his ideology. As a matter of fact, every time the Hunde populations

are killed by Hutu militias, Karairi did nothing to protect Hunde despite the fact that he is armed (Interview Goma, V.03.14)

However, although it is difficult to say that APCLS is the protector of Hunde interests, currently Karairi remains the only Hunde military leader who continues to fight in the name of protecting the ancestral land and taking it back from the Hutu and Tutsi, seen by many Hunde leaders as foreigners. At the political level, APCLS is not structured and influential members are not sufficiently known. Nonetheless, it remains an important network for the Hunde community although many Hunde leaders with whom I discussed APCLS were very careful and sometimes vague in their answers about Karairi and APCLS. While Karairi is the military leader, important others are Bakungu Mitondeke and Feller Rutayitshirwa. In 2004, Mitondeke was the Vice-Governor of North Kivu, in charge of political and administrative questions, when Serufuli (a very important Hutu figure) was Governor. In February 2012, Mitondeke was arrested at his residence in Goma Town by public security forces, accused of trafficking weapons to supply APCLS in Masisi. Erneste Kyaviro, a spokesman of the provincial government, had this to say on radio Okapi: '*We could see with our own eyes eight types of assault rifles AK 47 assault rifles and two Belgian manufacturing of the Fal brand, and there were plenty of Mai-Mai elements in his residency…*'. Mitondeke was transferred to Kinshasa where he was judged and jailed for one year. Later on, he was released, and today he lives in Kinshasa. Although Mitondeke prefers to stay in Kinshasa, his influence in Masisi is still important within the Hunde community.

Another leader is the current Vice-Governor of North Kivu, Feller Rutayitshirwa. In 2011 Rutayitshirwa was cited by the media as the sender of a truck (car) that was arrested by the Congolese intelligence service (ANR and T2) around Bihambwe, which is a village in Masisi. Apart from Mitondeke and Rutayitshirwa, there is a Hunde business elite based in Goma, but with less political influence. It is not even clear whether or not this elite group plays any significant role in Masisi. Likewise, the Mwami Bashali and Mwami Nicolas (of Bahunde Chieftaincy) only hold a moral and ideological authority, and not political influence compared to the three Big Men. Compared to Nyatura, APCLS operates on a lower scale. Although its headquarters used to be Lukweti, Karairi and his troops often move across villages at the border with Walikale *Territoire*. At the provincial and national level, APCLS does not have a significant network. Even though Vice-Governor Rutayitshirwa in Goma or Mitondeke in Kinshasa are said to be supporting Karairi,

it is still not clear whether they do it only for Karairi and APCLS or the whole Hunde community interests in general. The lines of dependency between different Hunde leaders I met and the Hunde peasants I spoke to in Masisi and Goma remain unclear and, if there are connections, the degree of informality does not allow them to be grasped.

6.3 The rise of 'string pullers': From 'Tous Pour la Paix' (TPD) to date

During the RCD administration (1998-2003), two local associations emerged in Goma City, motivated by the need for rapprochement between Hutu and Tutsi communities of both Rutshuru and Masisi Districts. Damien Bivegete, a Tutsi from Rutshuru, managed the first association (without a specific name). The aim was to promote dialogue and solidarity amongst Hutu and Tutsi. The second one, the 'Association des Intellectuels' was also a reconciliation initiative between Hutu and Tutsi intellectuals and it targeted mainly politicians and businessmen. Eugene Serufuli, Bertin Kirivika (both Hutu), Alexis Makabuza and Albert Semana (both Tutsi) were among the founders, together with about 15 other members. After consultation between Hutu and Tutsi involved in this initiative, the idea of merging efforts and working together pushed Serufuli to convince Bivegete to create one single organization. This took the name 'Tous pour la Paix et le Développement' (TPD) (interview Goma V.03.16)

What is new in this dynamic is that the influential Hutu founders of TPD were not among the group of Hutu I mentioned earlier, who fought against RCD, and they were not even members of PARECO. I use the example of TPD as the trajectory through which current Hutu elites emerged and who to date constitute a strong network at many scales. It was on October 10th, 1998 that TPD was founded in Goma. Alexis Makabuza became chairman, Eugène Serufuli, deputy chairman, Célestin Nvunabandi secretary, and Damien Bivegete became an adviser.

During the first assembly of TPD, one of the priority projects decided by the coordination body of TPD was the mobilization and repatriation of Rwandan refugees, especially FDLR combatants. Serufuli played a significant role in this project under the label of TPD. Hundreds of FDLR combatants were repatriated and Rwandan authorities seemed to see in Serufuli a potential collaborator in the near future (see Tull 2005: 179-184). One of the TPD founder members in Goma revealed:

at the time Serufuli was the president of TPD, he was very committed in the DDR program that was targeting FDLR combatants. He was very much trusted by FDLR to the point that he convinced many of them to demobilize and return to Rwanda. Rwanda authorities appreciated his courage and collaboration. When the Governor Kanyamuhanga died, Serufuli was appointed by Rwandan authorities as the new Governor of North Kivu. (interview Goma V.03.16)

However, the official mission of TPD was not to be taken for granted. Some observers suspected its hidden agenda: "year after year, the TPD revealed itself to be the last card for Kigali in this part of the Democratic Republic of Congo (DRC). Indeed, it is Kigali which, in what the UN panel calls the 'Rwanda-linked network', dictates the policies and actions of the top leaders of the TPD. These leaders work as Kigali's mere tools whose margin of manoeuvres is too limited" (Mararo, 2004: 136).

Moreover, the creation of TPD did not only coincide with the period of diplomatic tensions between Rwanda and the DRC, but also followed closely on the creation of RCD just two months earlier. It is important to remember here that the Lusaka Ceasefire Agreement between RCD and the Government in Kinshasa in 1999 was supposed to be followed by the final agreement of Sun City in 2002. This new national and regional dynamic changed the configuration of the political and military landscape in the eastern DR Congo and increased Rwandan concerns in Kivu, especially about the presence of FDLR. With the expected formation of a government of transition resulting from the post-Sun City agreement, it was not clear whether the new Congolese Government would cooperate with Rwanda after the RCD no longer controlled the Kivu provinces. As such the preparation of a plan 'B' was somehow on the Rwandan agenda, with Serufuli being the central actor.

When the former governor of North Kivu, Gafundi Kanyamuhanga, died in August 2000, a Rwandan delegation led by the Foreign Affairs Minister, Charles Murigande went to Goma. At the funeral ceremonies, Murigande said in his speech in the presence of media '… *do not worry, we will give you another good Governor*…'. A few days later, applications for the Governor position were decided in favor of Serufuli, who simultaneously became the President of TPD. The Tutsi elite was sure to gain the post as they hoped to be supported by Rwandan Tutsi authorities, as was the case with Kanyamuhanga . One of the interviewees, who was amongst the applicants, revealed that 'there was no consensus amongst Tutsi to propose one candidate'. Another reason

could be the continuation of TPD's work that Serufuli started in 1998. By choosing Serufuli, Murigande's promise in Goma was fulfilled. Although Serufuli has become a 'strongman' of North Kivu, numerous Tutsi quit TPD, accusing it of being exclusively a Hutu network. With the creation of a CNPC in 2004 and CNDP in 2005, many Tutsi and some Hutu decided to join Nkunda. This seriously weakened TPD and noticeably reduced its local influence.

Another factor that weakened TPD was the United Nations Security Council update in July 2011 of a list of individuals and entities subject to a travel ban and assets freeze, imposed by paragraphs 13 and 15 of resolution 1596 (2005), as renewed by paragraph 3 of resolution 1896 (2009) and paragraph 3 of resolution 1952 (2010). The TPD was mentioned for having distributed weapons and munitions to local militias. Serufuli was on the list, followed by Robert Seninga and Bertin Kirivita, today the supposed top leaders of Nyatura armed group. Nevertheless, the provincial elections of 2006 were a new political opportunity to be seized by these leaders whose mandates remain valid until now. The political influence of these leaders also profoundly changed the local landscape of administrative power, especially in Masisi.

When he was Governor of North Kivu (2000-2007), Serufuli accelerated the strategy of appointing new agents in the local administration. When RCD started the war in 1998, many local traditional and administrative chiefs left Masisi for security reasons. To ensure continuity in local administration, Serufuli decided to replace those chiefs. For example, in Bashali-Mokoto, people designated by the RCD administration replaced 13 of the 15 customary leaders. Where Hunde customary leaders were not replaced, the RCD often appointed a Hutu to be an assistant, but later on most of them became the *de facto* authorities. This strategy was followed by the creation of 'Poste d'Encadrement Administratif' (CPA). In 27 *Postes*, 19 local chiefs are Hutu. Hunde traditional leaders have been complaining in vain since then. Although the circular by the Minister of Internal Affairs issued in February 2015 suspended all 'chefs de postes', nothing has changed on the ground so far.

Besides administrative and political power, customary power was also targeted by Hutu local leaders. An example is Bashali Chieftaincy where both Erasto and Nzabirinda have been claiming to be traditional chiefs. During the period of RCD control of Masisi, Erasto proclaimed himself as a traditional Hutu leader in Masisi and received considerable support from RCD and CNDP and even M23. With this support, Erasto has been pressuring the Mwami Bashali (the traditional chief

of the Hunde community). Attempts by top RCD and CNDP leaders to resolve this conflict of leadership between Erasto and chief Bashali have failed. Nzabirinda went to court against Mwami Bashali, and claimed that, since colonial times, the Chieftaincy of Bashali was and must remain an entity under the authority of Hutu and not Hunde (see chapter two).

During an interview (V.12.15) in early 2015 with a former active member of RCD and CNDP, it was revealed that Nzabirinda won the court case against Mwami Bashali, but Mwami Bashali denied Nzabirinda's victory, which he regarded as a political conspiracy against the Hunde chieftaincy. Nzabirinda went to Kinshasa to meet Bizima Karaha, the former Minister of Internal Affairs between 1996-1998. Unfortunately, Karaha refused to sign the document that recognized Nzabirinda as the Chief of Bashali Chieftaincy, for two reasons: firstly, by signing the official recognition, tensions would have occurred between Hunde and Hutu as in 1993. Secondly, Karaha wanted to avoid the pressure from his own ethnic community, the 'Banyamulenge' (Tutsi community of South Kivu) that was also claiming, and is still claiming, official recognition of Mulenge as an autonomous district (*Territoire*). Despite that, Nzabirinda proclaimed himself Mwami of Bashali Kayembe whereas Erasto became Mwami of Bashali Mokoto. During the period when Masisi was under the control of CNDP and M23, Erasto and Nzabirinda were very close to the Tutsi leaders, which was the reason that they lost the support of the Hutu leaders of Masisi, notably Seninga, Kirivita and Serufuli. Since the failure of CNDP in 2009 and M23 in 2013, Erasto and Nzabirinda live as refugees in the city of Gisenyi in Rwanda, although they still have strong social connections with many Hutu families in Masisi. This is regardless of the fact that their political influence in current dynamics on other levels (provincial and national) is weak.

During the interview (Goma- I.01.15) with Mwami Bashali, it came out that these claims to Bashali as a Banyarwanda chieftaincy raised by Erasto and Nzabirinda did not receive the support of either CNDP or RCD authorities because these authorities were more interested in the control of a large part of Masisi, not only Bashali. Indeed, as I stated above, the strategy of extending influence beyond Bashali was evident in the nomination of Hutu *chef de postes* by Governor Serufuli. On the other side, when I met Erasto and Nzabirinda in Gisenyi (Rwanda) both were still convinced that they will continue to fight for their rights in Bashali. Today one can say that since Erasto and Nzabirinda are living abroad without any political activity in DR Congo and without any significant connection with Nyatura, it may take longer to see them emerging in Masisi.

For the Hutu elite that has political and economic control in Masisi, it does not suggest that it is ideologically united and economically equal. Obviously, even though the trio Seninga-Kirivita-Serufuli is the most powerful, Hutu leaders in general, beyond Masisi, are divided into two major political forces. The first is the Parti National pour le Développement Intégral (PANADI), which is a Hutu intellectual elite group that emerged with relatively strong local support in the 1990s. In the 2011 general elections, PANADI won only two seats in the national parliament, while none of their candidates was elected to the provincial parliament. This is probably because most of the members live in Kinshasa, and have lost contact with the base, especially during the rebellions. That said, the political challenger to PANADI remains Union des Congolais pour le Progrès (UCP), a political party that Serufuli created with Seninga and Kirivita, which has succeeded in weakening PANADI. Not only is UCP strong in Masisi and Rutshuru Districts, more importantly, it is also a major ally of the presidential political coalition around Kabila (Majorité Présidentielle) in both Territories and continues to work closely with him.

In order to maintain the alliance between the above leaders and President Kabila, the elections in 2011 (see table 6 below) became an occasion for Hutu leaders to win seats in the national parliament, besides others who were already members of the provincial parliament since 2006. Their presence in provincial and national parliaments in addition to others who were appointed in different ministries and other governmental companies was a political asset to reinforce their constituencies at the local level while acting at provincial and national level.

Table 6 Political parties in Masisi during provincial elections (2006) and national elections (2011)

Year	Name	Political affiliation
2006	Seninga Robert (Hutu)	Union des Congolais pour le Progrès (UCP)
	Kirivita Bertin (Hutu)	Union des Congolais pour le Progrès (UCP)
	Sebishimbo (Hutu)	Parti National pour le Développement Intégral (PANADI)
	Banda (Hutu)	Mouvement de libération du Congo (MLC)
	Pilipili Mulemeli (Hunde)	Convention des démocrates chrétiens (CDC)
2011	Mwangacucu Hizi (Tutsi)	Congrès Nationale pour la Défense du Peuple (CNDP)
	Shomwa Mongera (Tembo)	Démocratie Chrétienne Fédéraliste-Convention des fédéralistes pour la démocratie chrétienne DCF/COFEDEC
	Ayobangira Sanvura (Hutu)	Union des Congolais pour le Progrès (UCP)
	Mukingi Oswald (Hutu)	Union des Congolais pour le Progrès (UCP)
	Gacuruzi Pandi (Hutu)	Parti National pour le Développement Intégral (PANADI)
	Safari Nganizi (Hutu)	Coalition de Résistants Patriotes Congolais (PARECO)
	Mugiraneza Jules (Hutu)	Parti National pour le Développement Intégral (PANADI)

The aim of the above sections was to review the key episodes of different wars from which powerful individuals emerged, became 'string puller' and continue to operate across different levels. This was shown through the analysis of context and conditions of emergence of armed groups, organizations and political parties. Since 2011, Serufuli and Seninga succeeded in establishing the *Union des Congolais pour le Progrès* (UCP) in both Masisi and Rutshuru as a strategic political party that the majority ruling parties around President Kabila can rely on. Seninga, apart from being an elected member of the provincial parliament (North Kivu), is a founder (with Serufuli and other influential Hutu) of COOPERAMMA (the artisanal mining cooperative I described in chapter five) based in Rubaya (Masisi). The 'unofficial' control they have on Nyatura armed group is a key asset to both secure their economic activities such as mining exploitation, but also to make sure APCLS and other Mai-Mai groups do not expand their control to where the Big Men's interests are located. It is with this complex picture of actors and networks in Masisi that I intend to analyze how peacebuilding interventions have dealt with conflict at the local level.

The next section discusses an example of a conflict transformation program that was implemented in Bashali (Masisi) to scrutinize how big men, peacebuilding interventions and the issue of scale interact in order to understand the failure of peacebuilding.

6.4 Conflict Transformation in Bashali and the 'local trap'

As discussed in chapter four, when state-building and peacebuilding organisations intervened in DR Congo, the first concern was primarily to deal with state institutions' reinforcement, notably through elections and reforms in several sectors. At the beginning of the political transition in 2003, a delegation of human rights and peacekeeping experts from American NGOs had visited the DR Congo to analyse the political situation in order to find ways the US and UN agencies could help the DR Congo to manage the transition and the post-electoral state-building process. One can read in this report that

> the DRC is now struggling to find its way out of war, and to make the transition
> to a stable, democratic and more prosperous future. Against a backdrop of many
> other urgent foreign policy crises, this report argues for greater American efforts
> to support this transition. The United States, its friends and allies need to increase

their diplomatic, security and economic support for the region and the UN's peacekeeping operations in the DRC. (Shattuck et al, 2003:4).

This international focus on the macro level viewed the armed conflicts in eastern DR Congo as direct consequences of the state's weakness, whereas the local dynamics of these conflicts have become the focus of some peacebuilding NGOs. While chapter four focused on the process of constructing the 'local' by peacebuilding NGOs, I demonstrated in chapter five that the 'local' issues (land, power and identity) are multi-scalar, connected to other levels and involve multiple actors and networks who are still ignored by peacebuilding interventions. This section uses an example of a conflict transformation in Bashali implemented by Life & Peace Institute (LPI, an international peacebuilding organization based in Sweden) in partnership with a Congolese organization, 'Action Solidaire pour la Paix' (ASP), to highlight the extent to which the 'local' is more complex than it seems. First, I will introduce LPI and ASP as well as the background of the project.

6.4.1 Presentation of Life & Peace Institute (LPI) and Action Solidaire pour la Paix (ASP)

6.4.1.1 Presentation of Life & Peace Institute (LPI): Strategy and approach

Life & Peace Institute is an international and ecumenical center based in Uppsala, Sweden, that has been working with peace and conflict issues since the 1980s. LPI was founded in 1985 as a result of a major international conference held in 1983 which was a response by the churches to the conflicts in the world, especially in light of the nuclear threat. Since then, LPI has carried out programs for conflict transformation in a variety of countries, conducted research, and produced numerous publications on nonviolent conflict transformation and the role of religion in conflict and peacebuilding. The main focus of LPI's work has been on Africa, with the Horn of Africa Program being established and well-known in the early 1990s. The Institute has strengthened the capacity of a substantial number of civil society organizations to address the conflicts in their own context, in some of the most difficult and war-torn countries (information taken from LPI's official webpage, www.life-peace.org).

Community-based peacebuilding of civil society in peace processes forms a basis for LPI's programs. Research also plays an essential role in the nonviolent conflict transformation approach, both as a precondition for understanding the context of engagement and as a means for conflict

transformation. While LPI's partners include a large variety of civil society organizations, depending on the context of engagement in the different country programs, the Institute puts special emphasis on engaging in work or dialogue with faith-based organizations. LPI's strategic priorities focus on three main points. One is civil society support and engagement. This is achieved through workshops, formal training and joint research initiatives. LPI supports its local partners in becoming effective agents for conflict transformation. Two, LPI is committed to policy work and awareness-raising by identifying key decision-makers and change agents, and three is the cross-fertilization of conflict transformation theory and practice. Here, LPI engages in knowledge transfer and making knowledge available to its partners, peacebuilding practitioners and researchers.

LPI's nonviolent conflict transformation work is based on an understanding that conflict is a natural part of societies. There is a potential for both constructive and destructive change. It also builds on the premise that peace can only be achieved through the active involvement of the local communities themselves. LPI's work, with a research focus, is carried out mainly through engagement with, and support to, civil society organizations.

6.4.1.2 LPI and Participatory Action Research (PAR) in practice

Participatory Action Research (PAR) is the privileged methodological approach applied to conflict transformation which LPI uses in most of its programs. In theory, LPI believes that the PAR process is participatory in that all actors concerned by a conflict are involved in learning how to address the problematic issues in a constructive manner. By applying the PAR, LPI assumes that the conflict transformation process is designed as research, because emphasis is placed upon empowering parties to a conflict to learn how to analyze complex problems and generate solutions that are viable in the long term. LPI sees the research process as an action-oriented in two important ways: First, the research process is a transformation of destructive conflict dynamics into constructive, co-operative inquiry. Second, the process includes a collaborative design of action plans to ameliorate issues identified by the community as problematic.

In order to address the conflict issues through the conflict transformation approach, LPI supports local partner organizations in different country programs becoming centers for conflict transformation. LPI helps build the capacity of its partners to become skilled at guiding their communities through PAR processes. In so doing, all parties involved in a destructive or intractable conflict are supposed to be engaged in a process of analyzing the multiplicity of interpretations of conflict causes and consequences, and the identification of constructive actions for the future.

In the DR Congo, LPI's program has its office in Bukavu in the province of South Kivu. Building upon 15 years of experience in the region, LPI supports and works with Congolese peacebuilding civil society partners in Bukavu (South Kivu) and Goma (North Kivu). LPI and its partners' work in the DR Congo relies primarily, but not solely, on Participatory Action Research (PAR) methodologies in which the communities that are part of and affected by a given conflict engage in the identification of the underlying issues of a conflict and work together with others to resolve their differences non-violently and build constructive relationships.

LPI launched its DR Congo programs in 2002 in response to an analysis of the situation which it conducted at the request of the Sweden International Development Agency (SIDA). The programmatic approach and theory emerged out of the realization that while conflicts in eastern DR Congo occur at different levels (from the local to the national, regional and international), peacebuilding responses focused on the national and sometimes regional aspects of the situation in DR Congo, while neglecting the local nature of the conflicts. LPI and its partners therefore work to transform local conflicts that are often centered around land, identity and power at the community level. LPI and its partners promote interethnic community dialogues, support existing platforms or help communities to establish new formal and informal structures that allow for non-violent transformation of conflicts among communities. It is in this strategy of supporting civil society organizations that 'Action Solidaire pour la Paix' (ASP) was chosen by LPI as a partner to implement a conflict transformation using PAR in Bashali (Masisi).

6.4.1.3 ASP and the Conflict Transformation (CT) project in Bashali

Before I introduce ASP, the context of its creation is important for this study. To better explain this, I begin by giving the background of the Community Action for Rural Integrated Development (ACODRI). ACODRI is a Congolese development NGO. It was created in 1989 by 12 peasant cooperatives that wanted to come together to promote agricultural activities in Masisi. Thus, ACODRI was created as a platform for the co-ordination of these cooperatives and its headquarters were established in Kitchanga in Bashali. Subsequently, tensions between the ethnic communities of Masisi in the early 1990s and later on the two Congolese wars of 1996-1997 and 1998-2003 had a negative impact on the social and economic life conditions of the population of North Kivu and Masisi in particular.

As I explained in chapter four, the end of the second Congolese war and the beginning of the government of transition provided an opportunity for international actors to intervene in the DR Congo. Peacebuilding NGOs are some of these actors and specifically they wanted to deal with conflict at the community level. I argued in chapter four that the process of constructing the 'local' led these NGOs to rely on Congolese organizations in order to reach communities at the local level. It is in this process that ACODRI created ASP as an independent organization that could be taken by an international NGOs as partner. Hence ASP was created in 2008 in Goma (North Kivu) after the promise of support by LPI. Simply put, ASP was created in a hurry without any strategic plan. It was meant to become (as well as other local organizations in South Kivu) a professional center for conflict transformation. The first deal after signing the partnership was to conduct a participatory action research in Bashali as part of the LPI's conflict transformation project.

Between 2008 and 2009, Action Solidaire pour la Paix (ASP) launched a context analysis to identify the dynamics of conflicts in Bashali and to understand the ways local communities are affected and how these conflicts can be positively transformed. Based on the report of this context analysis, LPI and ASP agreed to design a research project to be implemented in Bashali.

In 2010, a Participatory-Action Research (PAR) was launched to identify the main factors that drive violence in Bashali. The research's report explains the conditions under which conflicts in Bashali emerged by focusing on the immigration of Banyarwanda in Masisi and ways in which this arrival has changed the relations of power and economic rights between immigrants and the 'autochthonous' communities. The second aspect of the report is the land scarcity due to the

population density which sets pastoralists and farmers against each other around contested limits; and third, the overlapping land tenure systems in which state institutions are opposed to the customary authorities. This PAR's report also identified categories of actors involved in the Bashali conflict. The first category is the cattle owners (pastoralists) against farmers, the second is the local militias, which function as self-defence forces confronting each other on the issues of identity, land access and political power.

Emphasizing the participatory dimension of the PAR during the research process, ASP collected data from 900 participants, located in several places in Bashali: Mwesso, Kitshanga and Nyamitaba and in the cities of Goma, Kinshasa, Gisenyi and Kigali. These participants were actively involved in the process on behalf of their respective ethnic communities (Hunde, Hutu, and Tutsi). Other participants came from different civil society organizations from Goma and Bashali, as well as the political and administrative authorities. With the help of these participants ASP organized a series of intracommunity dialogues to discuss the progressive results of the PAR in each of the above three ethnic communities. ASP's strategy was to organize a wider intercommunity meeting in a form of round-table in which these communities would agree on the key findings of the PAR process. At the beginning of 2013, ASP convinced the above participants to nominate a few groups of delegates who will represent their communities at the round table.

From 5th to 8th August 2013, ASP organized a round-table in Goma, gathering 45 delegates from Hutu, Hunde and Tutsi communities and 5 customary chiefs to discuss and comment on the PAR findings collected since 2009. This round-table aimed at sharing the key findings of the PAR research and enabling the delegates to set up mechanisms for positive transformation of conflicts. In organizing this round-table ASP had expected, specifically, to bring delegates together to have a common understanding of land conflicts that have divided 'local communities' for many decades. The main themes or issues for discussion were (a) 'the unequal distribution of land between farmers and large land owners, and how the gap can be addressed', (b) small-scale pastoralists and landless farmers, (c) 'local power (customary authority versus state institutions) and land management'. One of the outcomes of the round-table agreements was the implementation of local committees '*Comités Inter-communautaires de transformation des conflits*-CITC' composed of ethnic community members in different villages in Bashali (Masisi). The CITC were designed and expected to be a space for dialogue and conflict resolution around

the above three themes. Another outcome was to write an action plan containing different phases and activities around 23 points and 7 resolutions as an 'Act of Engagement' to be implemented by the CITC.

ASP was convinced that community delegates and CITC would not alone successfully implement the action plan without the contribution and the participation of 'string pullers' who have direct interests in Bashali (and in Masisi in general). Some of the 'string pullers' attended the round-table (for example Serufuli and Seninga) but were invited in their official positions, some as Parliamentarians and others as Ministers. Surprisingly, none of the 23 points of the action plan specifically tells how these committees are going to engage with the 'string pullers' of Masisi, despite their presence in the dialogue. Even the 7 points of the '*acte d'engagement*' signed at the end of the round-table do not mention any engagement from these 'string pullers' in terms of concrete actions to be taken to address the conflicts. Moreover, not only were the Big Men not involved in different phases of the PAR process from the beginning until the Round-table took place, basically, they were there only as guests and not necessarily as stakeholders. The assumption of LPI from the beginning was that ASP would succeed in identifying key actors among local communities and these actors would be willing to make the project successful. What happened was that ASP selected different representatives of ethnic groups in Bashali and asked them to choose themselves delegates, including 'string pullers' living outside Bashali. Both ASP and delegates failed in convincing 'string pullers' (some of whom attended the round-table) to take concrete decisions towards conflict resolution. At the last day of the round-table LPI and ASP came up with the idea of a follow-up mechanism that could bring Big Men on board.

To follow this assumption, LPI and ASP created in the aftermath of the Round-Table, a mechanism called 'Groupe de Plaidoyer pour la Paix à Masisi-GPPM). Again, the hope of LPI and ASP was that 'string pullers' would voluntarily take responsibility for the GPPM leadership and would make it operational, using their relationships and connections with local community representatives. A few months later, the GPPM was established in Kinshasa. Not only it did not include key Big Men, it had not been established either in Goma or in Masisi where CITC are located. Technically, the local community representatives (through CITC) initially supposed to work closely with GPPM found themselves more than 2000km away in Kinshasa without any communication or meeting, even occasionally. It seemed that LPI and ASP had overestimated the capacity of the CITC to deal

with the complexity of the whole process, not only in terms of conflict management, but also and especially the ability to engage with Big Men. Clearly, the assumed influence of local communities on 'string pullers' was proven very weak and limited. This was confirmed within a group discussion held with ASP staff members in Goma, who declared that:

> in reality, we have convinced local community representatives to engage with more influential individuals (*tireurs des ficelles-* 'string pullers') who have political and economic interests in Masisi. But we have realized later that although 'string pullers' are very important in the process, they are also part of the problem. Most of them are big landowners and hold high political positions in the government and have strong connections with armed groups. It was naïve to think that they would collaborate with people (local communities) whose demands are articulated around land, identity and power questions. For sure, these Big Men cannot work against their own interests' (Group interview Goma, VI.03.16-)

As well as the challenge of involving 'string pullers' in the process, LPI is no longer able to fund ASP in order to facilitate a follow-up of CITC and GPPM activities. Not only is the GPPM not operational (members do not meet), ASP seems to be at the end of the PAR process, and will be abandoned by LPI because of the lack of funds to continue the project. However, according to ASP and LPI, CITC are supposed to continue - assuming that CITC are community-based initiatives - even when there is no external financial support. During fieldwork in October 2014, I visited a CITC in Bashali to discuss the issues of dealing with conflict transformation. Two major problems emerged from the visit and discussion in Bashali. The first problem is that, although the whole process of PAR involved 'local communities' and raised collective expectations in terms of solutions to the causes of violent conflicts, in the present situation neither ASP nor CITC are carrying out a concrete and effective program that can change 'string pullers' strategies. Given that these 'string pullers' are seen as the 'stakeholders' in the issues (land, political power, armed groups, natural resources) which have been put at the centre of the conflict by the PAR report, they would hardly, for example, agree to share the land they legally own with the population that feels dispossessed by some of these 'string pullers'.

The second problem, linked to the first one, is that Big Men are highly placed politically in public institutions. With this position, they would prefer not to be portrayed as conflict-associated actors while representing the state. This is what happened during the round-table in Goma. Some of the Big Men who participated were invited as state representatives, and clearly not as the real 'string pullers, which provided them a comfortable reason to participate without signing any engagement suggested by ASP and LPI. This multi-faced character of 'string pullers' (being both string pullers and state representatives) is what has mainly been challenging this conflict transformation process and will continue to do so unless there is an effective strategy to deal with them. Subsequently, some of the 'string pullers' I met informally during the research fieldwork showed an apparent mistrust of several projects implemented by international peacebuilding organisations on the community level. According to 'string puller',

> these organisations contribute to fuel tension when they confront us with the peasants, without even understanding the whole complexity of conflict. They constantly see us as the threat to conflict resolution and as manipulators of community members' (interview Goma, III.02.15).

Although there is a connection between 'string pullers' and some members of CITC, this connection does not have to do with the PAR action-plan or any other engagement resulted from the PAR process. Even the committee members of CITC do not believe much in the PAR outcome. This view was clearly shared by the Chairperson of the CITC whom I met in (Kilolirwe) Bashali:

> they (LPI and ASP) asked us to create a committee to solve our conflicts. Afterwards, they abandoned us. We do not have an office, no paper, no communication and transportation means! How can we affectively deal with such complex issues without money? Also, those 'watu wa juu' [people at higher level, in Swahili] who are politicians and owners of big plots of land do not live here with us. They are in Goma and Kinshasa and elsewhere and we do not know how to deal with them' (group discussion, Kilolirwe, VI.11.14)

The counter-productive effect in setting up CITC based on the assumption that community members ought to solve 'their own' conflicts, is that the creation of CITC based on members' ethnic group has not only reinforced the existing collective consciousness of the ethnic boundaries among communities and all the political implications associated with ethnic identity, it has also

simplified the entire conflict system to ethnic rivalries. Although the PAR's report provides a relatively nuanced conflict analysis to avoid the 'ethnicization' of the conflict and actors, ASP and LPI have fallen into the ethnicization trap by setting up CITC based on the ethnic group of the committee members. However, this is not an isolated or a new misconception related to ASP and LPI; this view of community as ethnic representation has been - and still is - shared by other international peacebuilding organisations, influenced largely by imported development approaches driven by donors' agendas.

6.5 Essentialising the 'local' as a counter-productive approach

As discussed in chapter four, local violent conflicts in the aftermath of 1990s in the eastern DR Congo have largely been portrayed as intercommunity conflicts. Congolese and international NGOs have since then been using the concept of 'local communities' to refer to ethnic groups, but also as the most appropriate target of peacebuilding programs.

In many places in eastern DR Congo, both peacebuilding and humanitarian organisations have set up local committees whose members are chosen within ethnic communities as a guarantee for success of the project. In the case of Masisi, the assumption was that once the projects were successfully established, these 'local communities' (example of CITC) would be able to address the causes of violence among themselves. During the past decade, the common label in many international organisations' discourse emphasizing the involvement of the 'local communities' has, at the same time, increased the idea that the causes of conflict are ethnically driven.

Now, the problem here is that 'local communities' continue to be seen by peacebuilding organizations as homogeneous ethnic groups fighting each other over land and power. At least in Masisi, I have noticed that using the label 'local community' has impeded the separation between the 'real' actors and the stakes around which violence is organised. Thus, *ethnicizing* both 'communities' and the conflict is simply missing the target. Furthermore, individuals who control land, for example, or mining in Rubaya are not necessarily mono-ethnically organized as such. As I show in this chapter, while some 'string pullers' in Masisi are landowners, one cannot say that they are solely Hutu, Hunde or Tutsi. Furthermore, some landowners are not even native or living in Masisi. This is the case of Serufuli, who is a native of Nyanzale village located in Rutshuru Territory, but politically and economically Masisi has become his stronghold. Again, ASP and LPI

have fallen into this trap of constructing 'local communities' as the target of the conflict transformation project instead of considering the specific categories or groups involved in the conflict (such as pastoralists and farmers, traditional chiefs, etc.) which are also, like 'string pullers', not homogeneous groups in terms of interest.

When I visited the CITC set up by ASP in Kilolirwe (in Bashali) in October 2014, I realized that the members of this committee are the representatives of ethnic groups, at ASP's request. But when I engaged in discussion about CITC work with the committee members, in form of a *group discussion*, there was no clear correlation between the so-called local communities and the 'real actors' I mentioned above. This example shows that in the creation of CITC and many other similar local structures implemented by peacebuilding organizations in Masisi, there is a risk going on of 'de-politicizing' the key drivers of conflict (such as land and power) by presenting these issues as locally rooted and controlled by the so-called 'local communities'. As I previously discussed in chapter four, the construction of the 'local community' as a scale for conflict resolution projects relies on the assumption that communities can easily accommodate international programs that promise to deliver peace and development, but not necessarily at a scale which other levels/scales could systematically get connected to. This choice of the 'local community' had not only led NGO programs to construct and to categorize the 'beneficiaries' groups (which are ethnic groups in this case); also, NGOs deliberately pushed Congolese local associations to be partners through which they can legitimize their strategy of the 'local' construction. An expert who owns a development and conflict management cooperative I met in Goma and discussed the issue of 'local communities' as beneficiaries, said:

> contrary to what international NGOs do, we have rather gathered peasants in several villages to create cooperatives in different socioeconomic sectors (agriculture, small-scale livestock activities, etc.) based on their need. However, we have noticed on the ground that international NGOs are failing because they do not care about what the peasants need. Even Congolese organizations which use money from international programs do it for financial purpose, not for whom they call beneficiaries. (Interview Goma II.02.16)

In Masisi the ethnic character of local committees set up by NGOs had somehow become an asset for international organisations, seen as a reliable bridge to reach local communities (beneficiaries) and ensure the sustainability of the projects' outcomes. Through the case study of Bashali, I found out that the design of the 'local' as a scale of intervention seems to provide a strong justification of international NGOs' work, especially in the context of 'absent or weak' state security institutions, as a strategy for building their legitimacy on the local level. Not only have international NGOs been providing emergency basic social services to the population at highly visible locations in many places in Masisi, they have also often behaved like *State Substitutes* because of the direct link they have with donors and diplomatic corps in Kinshasa, often avoiding Congolese officials controlling their budget and projects on the ground, as this informant put it:

 donors prefer to cooperate directly with international NGOs rather than with the state institutions, which reinforces the image that NGOs replace the state in the areas where they intervene. This has increased the expectations of the beneficiaries in the intervention zones, often beyond the responses of the implanted projects. The problem is that NGOs very rarely communicate the limits of their mandates or of the projects implemented. Even when they leave the project area, no one knows why' (Interview- Goma II.02.16)

Example of International NGOs visibility

Example of Government visibility

This sort of hegemonic image printed in the mind of peasants by the presence of international programs was strongly expressed by the Association of Masisi Youth (Coordination Territoriale de la Jeunesse Inter-communautaire de Masisi-JICOM) in its letter of 15th February 2016 to the national and provincial authorities to express discontent about the presence of NGOs in Masisi. One can read in the letter the following: '*some organizations, by staying for a long period in Masisi, have become like state institutions. They think they have a monopoly of intervention in whatever they want but, in reality, they are doing nothing so far*'. This letter signed by more than 450 persons clearly expressed their anger at external intervention, which, in the eyes of the population of Masisi, does not produce any change in people's life. In the same letter one can read that '*these NGOs profit from the situation of turbulence in Masisi to abuse millions of us dollars in behalf of local communities, but in reality, this money exacerbates the misery of the population*'. Prior to this letter, in 2009, the same movement organized a demonstration in Masisi which resulted in the suspension of international NGOs' activities in Masisi.

Image 6: Youth of Masisi contesting International interventions
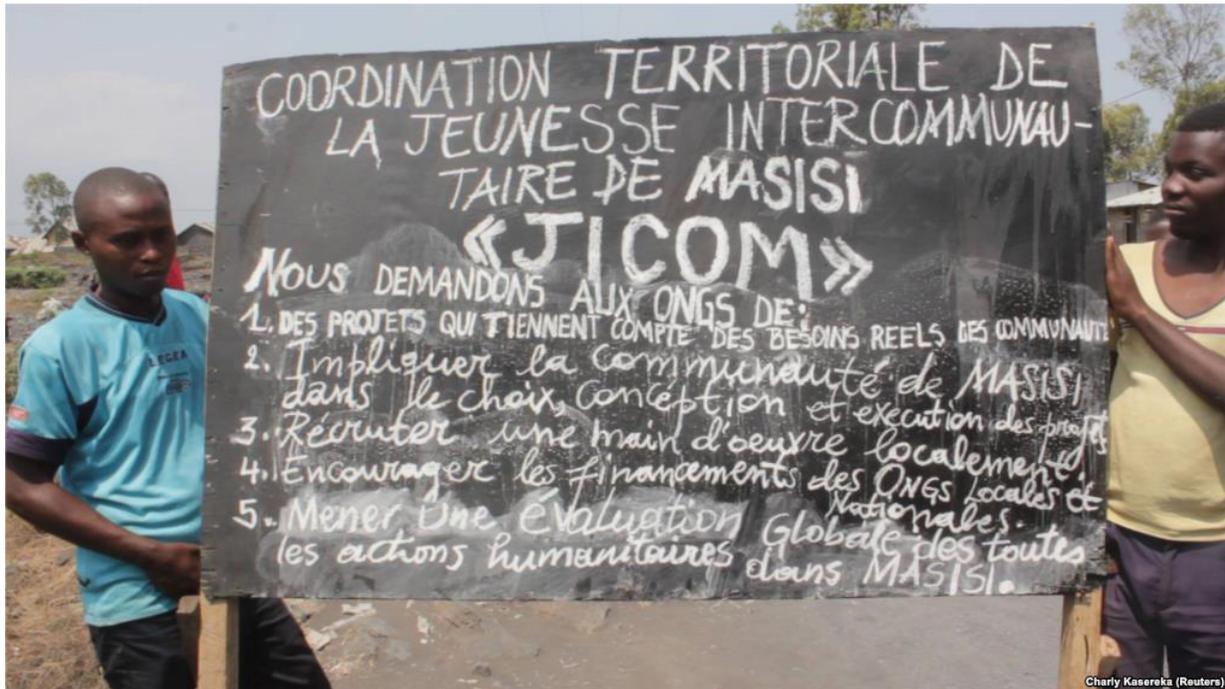
To address these tensions between the Masisi youth association and NGOs, the Governor of the province of North Kivu created the 'Cellule Provincial d'Appui a la Pacification' (CPAP), a body in charge of coordinating international organizations' work on the provincial level. Alongside the creation of CPAP, *Edits* n° 001/2010 of 18th May 2010 and n° 01/037/CAB/GP-NK/2010 were issued by the Governor as general guidelines applying to NGO coordination, and a ministerial *Arrêté* n°002/CAB/MIN/MPPBCP/NK2014 of 27th January 2014 providing the guidelines for implementation of the above *Edit* n° 001/2010. It seems that these guidelines have not been implemented yet because a recent letter of 5th April 2017 was addressed to the national and provincial authorities by the same youth association, calling for a round-table during which all NGOs working in Masisi should report on their projects and the impact achieved in the presence of state authorities and customary chiefs of Masisi. Moreover, this discontent is not only expressed by the youth. This form of 'hegemonic' behaviour by NGOs has also hampered the role and the visibility of the state authorities in Masisi who believe that international NGOs compete with the state. One of the local government officials met in Sake claimed that:

NGOs neglect us as state authorities…they only come to talk to us when they are looking for some administrative documents to launch their projects. Afterwards, they never come back, often we do not even know who benefited from their projects and what were the results' (Interview Masisi, IV.10.14-)

It remains unclear whether there is any political manipulation by state authorities behind the youth (JICOM) demonstrations against NGOs. However, both sides seem to complain of the same fact. On the one hand, NGOs' ineffectiveness in dealing with local problems in spite of a large amount of funds, and their insubordination to the state authority on the other. This lack of coordination and of a common understanding on the priorities NGO programs should focus on can be explained at two levels.

The first is the fact that international NGOs have a strong capacity to lobby, both with different embassies in Kinshasa (which sometimes provide financial support to NGOs) and with institutional donors. These two levels of connection put international NGOs in a convenient and privileged position over state authorities. However, on the provincial level, this conflict of authority preoccupies the provincial government of North Kivu. As example, on 29th November 2015, the provincial Minister of Planning (under whom international NGOs are supposed to be coordinated) gave an interview to Radio Okapi stating that '*in North Kivu, 20% (22 out of 102) of NGOs function legally*' and was calling for all NGOs to submit their projects and activities in detail. According to the Minister, '*this strategy will allow the provincial ministry to keep control of the activities implemented by NGOs whose projects rarely address the needs of the population*'. This warning by the Minister about NGOs was at the request of the provincial parliamentarians who, a few weeks back, reported that international NGOs impose their programs on the population without involving state authorities to discuss the priorities.

In addition to this conflict of roles and lack of coordination between the government institutions and international NGOs, so far neither side has shown an effective strategy to address the causes of violent conflict. In this competition, 'string pullers' remain the only category of actor that challenge both the state authorities and peacebuilding organisations in Masisi, by controlling scales, beyond the constructed 'local'. If addressing the violence around the triangle land, identity and power necessitates the participation or the involvement of 'string pullers', the case of Masisi has shown that a more elaborated and new approach is needed and would require a long-term

approach instead of a short and temporary action that depend on the unpredictable donors' funding. The above example of local opposition to international NGOs by both the youth of Masisi and government authorities provides a way to problematize the approach of essentializing the 'local' as a given scale where 'communities' are perceived as passive consumers of projects.

6.6 The politics of scale beyond the 'local'

While the local scale is recognized by both scholars and practitioners as the starting point to address the root causes of violent conflicts, the case study of Bashali in Masisi (North Kivu Province) allows us to argue that peacebuilding organizations have taken the community level for granted in addressing the complex settings of conflict dynamics. ASP and LPI assumed that the population at the local scale would be willing to work for peace and would even be able to convince 'string pullers' to adhere to peace processes. Even though current literature suggests that the nature of conflict is essentially local, the example of Bashali shows that interests at stake (power, citizenship, land and other natural resources) remain under the control of 'string pullers' whose networks operate across scales (local, provincial, national and regional). I have demonstrated that land, identity and power are multi-scale issues; although the manifestations of violence can be observed on a local scale, they remain embedded in provincial and national institutions and rooted in a historical and political struggle of different groups.

Whereas Kalyvas's model insinuates the existence of distinct groups of actors that cooperate either through 'cleavage' or 'alliance' at different levels - while each group maintains a sort of autonomy - we have not seen either a clear line of 'equal' cooperation between 'string pullers'and local communities when it comes to land or power issues, or any autonomy of local community representatives vis-à-vis 'string pullers'. What we have witnessed, however, is that some of the 'string pullers' navigate easily across scales, decide how and when to collaborate informally with influential individuals across scales but still for their own interests. This absence of linearity with scales and lack of interdependence between powerful individuals ('string pullers') and local community members constitute the limit to Kalyvas' model of actors and scales. This observation falls to some extent into what Marston et al. (2005) call 'horizontality' in politics of scale. According to these authors, horizontality does not consider a scale as a concrete entity in the sense of verticality. Rather it seeks to study humans and objects in their interactions across a multiplicity

of social sites without any reference to levels or scales.

The example of Bashali shows that top-down approaches to peace-building cannot be replaced by bottom-up ones, much as there is a clear boundary between the two approaches when it comes to addressing the causes of conflicts that transcend a single scale and where the role of 'string pullers' and their networks challenges international interventions. Through the analysis of the emergence of some powerful individuals and their strategies in this chapter, it appeared that the relations individuals have established, over many decades, with their constituencies are rather fluid; there is no clear boundary within which to locate these relations and they can hardly be seen through horizontal or vertical observation alone. Some of these individuals who became 'string pullers' at one time have lost their influence and changed their roles of 'string pullers', depending on the political situation. An example is the Hutu elites (today gathered around the political party PANADI) established in Kinshasa who were very influential at the local, provincial and national levels at the end of the 1980s and beginning of the 1990s. Their influence has been weakened by the 1996 and 1998 wars which created conditions for the emergence of another network of 'string pullers' currently controlling interests across scales.

Reflecting on the local controversy described above, Funk and Said (2010) observed in their case studies that the peace that local populations genuinely hope for may fail to take root without what they term 'localizing peace' in peacebuilding interventions. By 'localizing peace', they mean willingness to learn and to be enriched by what 'the local' has to offer. They argue that by failing to learn what the local can offer, peace-building organizations are likely to fall into what they had always criticized, that is, the top-down approach. The example of Bashali shows that while ASP and LPI, and even many other international NGOs in Masisi, promised to apply Participatory Action-Research as a bottom-up approach in dealing with local conflicts, this turned into another form of top-down model of intervention, the difference being that it is a direct intervention by NGOs in 'local communities', rather than higher state institutions intervening in the local scale or international donors in the state. The scepticism of local committee (CITC) members in Bashali and the resistance of 'string pullers' to collaborating with either NGOs or local structures implemented by these NGOs are eloquent indicators that peace-building interventions should invent another model to deal with such complex contexts like Bashali, taking into consideration the premise that the politics of scale might be useful for future peace-building interventions.

I join Cidell (2005) when he advises that, in peace processes, compromise may be harder or easier and political strategies may succeed or fail depending on whether individuals are taken seriously as members of multiple scales, and whether or not scales are understood as being composed of individuals. In many cases, in the view of Martin (1999:38), actors in land-use conflicts, for example, are not bound by, but rather transcend, scales in an attempt to articulate, defend, and secure their interests and identities. The struggle of the Hutu and Tutsi to gain strategic political positions in different institutions, as discussed in the previous chapter, not only allowed them to gain their nationality rights, but simultaneously allowed them to access and secure land. The trajectory of individuals (currently 'string pullers') through political struggle and different rebellions and protracted armed groups discussed in this chapter agrees to some extent with the conclusion of Brown and Purcell (2004), when they argue that scale is socially produced rather than ontologically given. However, the findings in this study suggest that this social production of scales does not obey the same processes and dynamics and even the same type of actors. The examination of a specific historical, social and political context in which actors emerged and networks formed and how dynamics are shaped, should be further discussed by scholars to inspire peace-building interventions. Drawing on the Bashali case, it is arguably correct to say that peacebuilding attempts have not yet met their promise of conflict resolution on the 'local' scale because Big Men and their connections to land, power and identity issues transcend the local scale. Expecting these relationships to be translated into peacebuilding programs requires a profound change in paradigms and approaches other than the ones we currently know.

6.7 Concluding remarks

This chapter started by discussing the emergence of armed groups and powerful individuals ('string pullers'). I demonstrated how the first and second Congolese wars contributed to the emergence of powerful local actors who managed to consolidate their influence across scales. The examples of CNDP, PARECO, APCLS and Nyatura show that land, power and identity questions generate serious claims on the local level while providing avenues for key actors to negotiate higher positions in the army and in the movement. This negotiation was also made possible through the creation of networks. For instance, TPD offered an analytical window to see how actors can create connections based on their ethnic belonging while including members of other ethnicities for strategic purposes. Although TPD is Hutu dominated, Tutsi were also members and were

offered strategic posts at the provincial level when Serufuli was appointed by Rwandan authorities as governor of North Kivu.

Moreover, the 2006 and 2011 elections became a political opportunity for the Hutu who not only controlled local administrative and political positions, but also occupied strategic positions in provincial and national institutions, which allowed them to use their positions to access and protect land in Masisi. This process of gaining political power through peace negotiations and elections at different levels of institutions by local actors is what I term in this chapter 'navigating scales' as a strategy to keep control of local stakes. One of the privileged strategies to control these stakes, as discussed in this chapter, is the link between armed groups and some of the Big Men.

The importance of ethnicity, however, remains tricky in this study, one should admit. Although armed groups have ethnic connotations (Nyatura for Hutu, APCLS for Hunde etc.), members of these armed groups are not necessarily of the same ethnic group; they are not homogeneous in terms of ethnic belonging. Another aspect that confirms the above statement is that Hutu people are not necessarily aware of what Nyatura really is, the same with Hunde about APCLS. The goals and claims of these armed groups are not often endorsed by the 'affiliated' population. This to say that the loyalty of the population towards armed groups' leaders on the one hand and the legitimacy of armed groups toward the population they claim to be 'protecting' remain questionable. I argue that it is this configuration of claims and actors which make armed groups the networks with direct links to land, power and identity questions.

The second part of this chapter analysed a conflict transformation project in Bashali in order to show how these networks and actors affect peacebuilding interventions. I demonstrated that the ASP and LPI attempt at conflict transformation in Bashali not only fell into the trap of depoliticizing 'local communities', but also failed to recognize and to include 'string pullers' in the entire conflict transformation process. I argue that engaging only local actors (community representatives, traditional chiefs, local state authorities) in conflict resolution initiatives without involving the 'string pullers' is an expression of ignorance of the informal connections and the control that latter have on the former. This ignorance did not only lead 'string pullers' to distrust the process; even the local committee of conflict transformation (CITC) recognized its limited ability to bring them to the table for talks.

Furthermore, this attempt by peacebuilding organisations to essentialize the 'local community' as typically associated with the local scale has overlooked the fluid character of the 'local communities' by *ethnicizing* them as if they were homogeneous social groups, also by presenting the nature of conflict dynamics as ethnically set. This fluidity and the unconstructed character of local communities are illustrated in this chapter through the example of the local protests against international intervention in Masisi by groups of actors (the youth and state authorities), demanding NGOs to be accountable for what they do. This chapter examines the critiques made of state-building and peacebuilding intervention in eastern DR Congo by many scholars, which led to the discourse of the 'forgotten local' as the reason why peacebuilding failed. This discourse claims that local issues (land, identity and power) have been neglected by the Congolese Government, UN agencies and international NGOs, and that is why violence became protracted in eastern Congo. While this statement may have an empirical foundation, the general understanding of peacebuilding interventions has considered local factors for conflicts as exclusively local, without concurrently considering other levels in the intervention framework. Due to this ignorance of other levels, peacebuilding organizations have not been including other equally important issues like identity and power, which I have discussed in chapter four and five. Likewise, key actors and networks who played a significant role in different wars need to be considered in the current peacebuilding and state-building processes, for their potential capacity to mitigate violence.

In the end, dominant explanations of Congolese wars seemed to have overlooked the strategies and capacity of local actors to navigate across scales to negotiate stakes, which is to a large extent the reason why conflict resolution initiatives do not succeed in including those powerful individuals in peace processes. This chapter intended to draw the attention of peacebuilding and policy makers to not only intervene on the local level as a specific scale of project implementation, but also to include other scales and to reconsider the 'string pullers' as multi-scalar actors, capable of playing a positive or negative role in current conflict transformation attempts. Because 'string pullers' remain informally connected to the 'local' while acting on other scales, peacebuilding should invent new approaches that are adapted to this complex context. So far, the liberal peace ideology continues to characterize several peacebuilding interventions by offering peace as a 'commodity' that 'local communities' desperately need. One wonders why the presence of the largest UN peacekeeping mission and hundreds of international NGOs in the DR Congo have so far offered very little in terms of conflict resolution, despite all kind of resources mobilized? In the

context of a weak state (DR Congo) where 'string pullers' seem to be more powerful actors than state institutions, does the impact of these interventions really matter, or is what matters only the process of keeping trying regardless of the impact. At the same time, these interventions have opened up room for scholars to criticize different approaches used in them. Nevertheless, it remains to be seen whether both scholars and practitioners are capable of shaping the liberal peacebuilding 'machine' to meet people's expectations. I used the *politics of scale* as an analytical framework to bring out this complex picture. I intend to challenge the current academic debate on the violent conflicts in the eastern DR Congo which continues to fuel the top-down versus bottom-up dichotomy, by suggesting going beyond this dichotomy to provide a room for subalterns to express what kind of peace they aim for.

Chapter 7 Conclusion

> [A former M23 officer and two Congolese army officers operating under Mudahunga's orders told the Group that, on 24 February 2013, both Mudahunga and Muhire had distributed arms to Rwandophone (Hutu and Tutsi) young people and cattle herders in Kitchanga and in the nearby Kahe camp for internally displaced persons and incited them to attack ethnic Hundes.] *UN report (2013), par 122, page 27*

> [… the coalition of the Alliance of Patriots for a Free and Sovereign Congo (APCLS) and Nyatura simultaneously attacked Friday 1 July in the morning several FARDC positions in Masisi …] *Radio Okapi, July 2016*

> […the APCLS combatants are controlling villages around Kitchanga to protect as much as possible the members of their tribal community (Hunde) when they need to go for farming, because they were threatened and prevented from accessing their land by the Congolese Hutu fighters of the Nyatura militia, close to the FDLR, the Rwandan Hutu.] *Forum des As,* June 2017

This study was inspired by a scholarly debate about the persistent violent conflicts in the eastern part of the Democratic Republic of Congo and how peacebuilding interventions have been dealing with conflicts over the years. During the past decade, there have been serious critiques by scholars emphasizing the failure of state-building attempts by international donors who could not provide a strategic plan for a long-term solution (Trefon 2011, 2013). In this debate, the failure is associated with the use of top-down approaches and, as result, there have been new arguments advocating for particular attention to the local dynamics of conflict (Autesserre 2008).

While it is widely agreed that the nature of conflict in the eastern DR Congo is essentially local, pointing to the triangle of land, power and identity as the main drivers of violence, this study asked why peacebuilding interventions working at the local level for years continuously fail to address the causes of violent conflict in spite of the huge resources allocated. Why and how was the 'local community' constructed and how is it used to implement peace building programs? What are the limitations of focusing on the local community and how does this constitute the local trap? Finally, what were the processes of scale production by diverse actors and how can peacebuilding interventions relate to the politics of scale? The general objective of this study was to analyze the processes of the emergence of local actors as well as the conditions under which these actors contributed to the production of multiple scales. The aim was to understand why current peacebuilding interventions continue to fail in addressing the causes of violent conflict and to what extent the *politics of scale* could provide a thorough understanding of this failure. After answering

the above questions through the empirical chapters (four, five and six), the main findings of this study can be formulated around the following points.

By examining the context and strategies of peacebuilding interventions at the local level, the construction of the 'local community' level has been a way to legitimate a new form of intervention different from the top-down approach. By working at the local level (Masisi), I demonstrated in chapter four that other levels (especially provincial and national) have been ignored while overestimating the capacity of 'local communities' to deal with the causes of conflict. This is because the choice of so-called local communities as the focus for intervention has led to the reappearance of ethnic groups who hardly engage in dialogue with state institutions, as well as powerful individuals and even leaders of armed groups. Moreover, attempts by international peacebuilding NGOs to involve Congolese civil society organizations as partners to facilitate the implementation of projects in the communities has raised the question of the legitimacy of these organizations on the local level. Even with a long period of interventions, peacebuilding organizations have simplified the complexity of conflict dynamics (land, power and identity) to issues only of land. Furthermore, Congolese civil society organizations continue to play the role of 'brokers', only facilitating the implementation of projects, while having limited scope to participate in any other role due to a lack of their own strategy as intermediary bodies between international organizations and local populations. In addition to the lack of strategy, Congolese civil society organizations have become clients in the peacebuilding 'market' where money is promised to organizations which can prove their ability to make a project acceptable on the local level.

Albeit peacebuilding interventions focus on the local level, I demonstrated in chapter five that land, power and identity are structural issues (imbedded in a set of laws and institutions sometimes with competing authorities) at multiple levels of institutions (local, provincial and national). The analysis of the legal and institutional framework of land, nationality and power questions allowed me to identify other levels where these questions are at play and to understand how scales are constructed and deconstructed by actors through diverse strategies and practices. Ignorance of this multi-scalar character of the conflict is what explains to a large extent the failure of peacebuilding interventions. Although there is empirical evidence regarding land-related violence at the local level, attempts to find local solutions to multi-level problems has proven to be counterproductive in the long term. One example is the land reform process. It was argued that land reform is a

political process that requires a strong political involvement, rather than just a technical matter of supporting civil society advocacy actions. Furthermore, the current ambiguity of the legal and institutional framework characterized by the conflict of competences at local, provincial and national levels continues to be an obstacle to any attempt towards peaceful access to land. In Masisi, land has been a powerful driving force of violence, by setting Banyarwanda against Hunde with regard to land rights. While for the Hunde in Bashali the use of autochthony was a weapon to exclude Banyarwanda from accessing land, the land law of 1973 (while remaining ambiguous about the role of customary chiefs in land management) opened up the possibilities for the Banyarwanda to access land, not through the local Hunde chiefs but by obtaining title deeds at the provincial and national levels.

Worth saying is that this analysis of land, power and identity as multi-level issues has been a point of departure to grasp how actors construct and navigate across scales, using violent means such as wars and exactions through armed groups as a strategy to claim and to control land, power or any other political gain. The analysis of the formation of armed groups (chapter five) has shown how land, power and identity claims have been brought to the table in different political agreements between armed groups and the government and how armed groups contributed to the emergence of powerful individuals, becoming 'string pullers' while playing official roles in state institutions. The analysis of armed conflict in the context of Masisi and in many other places in the eastern DR Congo suggests that issues of power, land and identity are still at stake. While tensions among different groups in Masisi continue to occur at the local level, 'string pullers' behind armed groups have managed to create political and security strategies to operate at the local level, sometimes with connections to other levels depending on the profiles of these 'string pullers'.

It is in this set up of actors who navigate across levels that an example of a conflict transformation program implemented in Bashali was used to illustrate the difficulty of peacebuilding interventions to integrate a multi-level approach in their programs. Attempts to involve 'string pullers' in some peacebuilding projects at the local level continue to fail because of the informal character of political alliances, economic and security networks and the 'string pullers' behind them, while remaining fluid, unpredictable and embedded in the history of struggles that each of the groups experienced in the past.

7.1 Contribution to the theoretical debate

7.1.1 Politics of scale beyond the top-down and bottom-up dichotomy

In political geography, the call to consider how individuals through political or economic struggles contribute to the process of producing scales is made by several authors (Sayre and Vittorio 2009, Marston 2000). It is argued, for example, that individuals are situated at multiple scales at the same time, and that jurisdictions such as city governments or national legislatures are composed of members who constantly negotiate different interests depending on the level of jurisdictions these individuals are at (Cidell 2006). Because any governing body is comprised of individuals with conflicting interests, Cidell posits that the authority or power of a particular jurisdiction depends in part on the goals, abilities and even personalities of those individuals. As I discussed in chapter five, when the Banyarwanda nationality was denied after the independence of the DR Congo at the same time as Hunde traditional chiefs contested Banyarwanda access to land, the Banyarwanda elites developed new strategies. One of the strategies was to abandon struggles on the local scale (Masisi) and focus on other scales where they could gain the right to nationality. The appointment of Barthélémy Bisengimana as head of President Mobutu's cabinet resulted in the grant of nationality to Banyarwanda in 1972, with implications for land access. This example shows that actors with an interest at the local scale can move to other scales to negotiate their interest. In this sense, struggles for personal goals and/or collective interests can lead to their production of more than one scale, which suggests that scales are not ontologically given. In the same way, Martin (1999) advocates for transcending the fixity of jurisdictional scale. She insists that while jurisdictions and institutions are fixed by scale (local, provincial, …), actors (individuals) are not bound by, but rather, transcend scales in an attempt to articulate, defend, and secure their interests.

The debate on whether scales are constructed in the epistemological moment (as observational measurement) or whether scales are produced in the ontological moment, in a process that occurs independently of any act of observation continues to divide scholars in political geography (Sayre and Vittorio 2009). Even when Moore (2008) is concerned by the consequence of failing to make a clear distinction between scale as a category of *practice* and category of *analysis*, he at least suggests that scales are rather produced in the ontological moment, through practices formally and informally, which makes scales problematic as a category of *analysis*. However, the analysis of the emergence through political struggles (nationality, elections, rebellions) of powerful

individuals who have become 'string pullers' does not fall solely into one of the two categories (epistemological or ontological). I found that both categories are complementary in the sense that one can observe practices across different scales and at the same time identify diverse actors who plan and generate those practices and even the interests behind them. In the case of Masisi, one cannot assume the armed groups operate without the support and often the leadership of well-known powerful individuals who at the same time occupy high political positions in the state institutions. The analysis of land, power and identity to explain different moments of struggles helps to identify different scales where these issues have brought several actors into confrontation. Although it is difficult to say whether these scales were vertically or horizontally negotiated and produced (see Howitt 1998), the result of the Banyarwanda struggles, nonetheless, have produce visible scales, namely local, provincial, national and regional. How can one distinguish scale from level? In this study, I named 'levels' the political and administrative divisions in terms of a hierarchy from the local to the international (see figure 2 in chapter three), whereas a scale is the representation of a level where different actors are in confrontation but the scale in question is not bounded to any visible or fixed level.

For example, during the RCD rebellion, Goma at the provincial level, became a strategic scale for local, national, regional and international stakes. Goma became therefore a scale produced by multiple and diverse actors who came from different places (eastern DR Congo, Kinshasa, Rwanda, Uganda, …) whereas the issues at stake went beyond the provincial level per se. During the government of transition (2003-2006), Kinshasa became an important scale where actors from different levels were at play. With the difficulties of this transition and the rise of the CNDP rebellion against the government in 2005, the local level (Masisi) became a scale for a new political deal. Later on, the Goma peace agreement between the government and armed groups in March 2009 made Goma, again, an important scale. While actors occasionally produce scales in a given geographical area at a particular moment of negotiation or tensions, levels are politically and administratively fixed. However, there is a trend to see scale production processes across state institutions at different levels. This has been shown through the analysis of land, power and identity as legal and institutional issues. One can argue that the analysis of scale making processes needs existing structures and institutions to better account for how scales are produced and how they shift, as well as the strategies of different actors. Nevertheless, while it is possible to observe powerful actors at the levels and their 'official' role in state institutions, some strategies used by

these actors to control some interests at other levels can make the analysis of scales tricky. For example, the role of Eugène Serufuli as a national Minister and Robert Seninga as a member of the provincial assembly and how they are linked to armed groups in Masisi can challenge the way scales and levels are related.

The tendency by international aid agencies and NGOs to adopt the view of fixed and bounded scales when they differentiate the local from other scales (to frame peacebuilding intervention) was discussed in this study. State- and peacebuilding interventions continue to reference the 'levels' of conflict as the 'territorial location' of stakeholders, which has contributed, so far, to what Martin (1999) calls 'fixity' of scales as a means of drawing concrete lines of demarcation between those scales. Even though Kalyvas (2003) provides an insightful entry point into how actors operate across different scales by opposing the 'local' to the 'supra-local', he posits that actors are located at fixed levels (for example local, provincial and national) and are only linked to each other by the mechanisms of *cleavage* and *alliance*.

Although Kalyvas recognizes that actors connect even when their ideological agenda is opposed, still, he does not say anything about the possibility for these actors to transcend scales beyond the vertical or horizontal viewpoint. The analysis of the land, power and identity triangle provides a new understanding of how Banyarwanda elites have struggled to control land or to obtain the nationality right through different means and without clear boundaries in terms of hierarchy between levels. The existence of armed groups in Masisi and the 'string pullers' behind them is a demonstration of how focusing on one level may turn counterproductive. Peacebuilding interventions have still not invented an approach that can deal with scales through which the stakes of conflict are profoundly imbedded.

I posit that scales are not given, they are produced by a set of diverse actors, not only to protect their existing interests, depending on the prevailing political, economic or judiciary situation. A scale can be formal or informal. As I discussed in chapter six, scales can be produced by an alliance between political parties for electoral purposes and disappear afterwards, and, informally, the same political party members control armed groups to protect land from the state formal apparatus. Expecting peacebuilding interventions to be successful in dealing with land, power and identity questions or any other conflict-related issue would require a deep revision of current strategies. As long as any of the above issues constitute a stake for diverse actors with opposing interests (which

is the case of Masisi), chances are slim to meet the promised peace.

To sum up, the theoretical contribution of this thesis is to draw particular attention to the way applying the politics of scale perspective to analyze conflict dynamics in Masisi defies the hierarchical view of scale production by showing that scale-making processes themselves are meaningless without concrete institutions and levels where interests are at stake. Scale, taken as a spatial representation of spheres where social, political and economic struggles set different actors against each other, implies that scale can be observable if it corresponds to a level, but also can be invisible when processes of negotiating or competing are made through informal networks. In the case of Masisi, struggles over land, power or nationality questions claimed by different groups have become empirical objects in the sense that by analyzing them one could see the processes of the emergence of powerful individuals (string pullers) across scales (see chapter six). So far, the current debate in peace and conflict studies has not sufficiently acknowledged the relevance of the *politics of scale* in the approaches we currently know. In this respect, a new lens for paradigm shifts in peacebuilding interventions is needed.

7.1.2 Rethinking peacebuilding interventions through the politics of scale

Scholarly debate in peace and conflict studies about effective approaches to address the causes of violence continues (Paffenholz 2016, Schneckener 2016). Since peacebuilding has become a new feature of international interventions to deal with violence in post-conflict societies, bottom-up versus top-down have become the dominant views throughout the literature (Zaum 2012).

The idea that societies can be stabilized through the reinforcement of state institutions (Mac Ginty 2013:2), nourished by the Weberian conception of the state, has been embraced by many international organizations and donors as a way to promote peace and prevent conflict. Whilst this conception emphasizes the importance of central state institutions, critiques about the effectiveness of the state institutions to address the causes of violent conflicts and to guarantee a sustainable peace in post-conflict societies continue to advocate in favor of the inclusion of non-state actors in peacebuilding interventions (Richmond 2014). These interventions have since then been qualified as liberal peace interventions (Mac Ginty 2013, see chapter two). While they promote state-building by strengthening the capacity of state institutions, there is still a strong critique that the vast majority of these initiatives are implemented in the Global South but are designed, directed

and funded from the Global North. It is argued that in countries where these interventions take place, peacebuilding is seen as something that comes from 'outside' of their context, hence the terminology of 'top-down' peacebuilding.

A range of controversies related to the prevailing liberal peacebuilding model have led to the call for a clearer focus to deal with the underlying causes of conflicts. This has been labeled the bottom-up approach. In accordance with this approach, several strategies have been debated by scholars and adopted by policy-makers and even translated into programs. One of these strategies is the 'local turn', which is translated into the categories of 'local community' or 'grassroots level' intervention. Notwithstanding this emphasis on interventions on the local level, there are still some critiques of the attempts to apply a local lens to peacebuilding, arguing that the complexity of the local continues to defy interventions and that conflicts are as complex at the local level as at other levels (Donais 2009). The central critique here is that the local, community level or bottom-up approaches are romanticized while hardly providing a blueprint for higher quality peacebuilding (Öjendal and Ou 2015). Worth noting is that this dichotomy within academic debate between liberal peacebuilding versus bottom-up or local turn or local ownership discourse is, in many regards, a counterproductive way of explaining why peacebuilding has produced very little of what it promises. This debate has been raised in the context of the DR Congo, in discussing whether the failure of international peacebuilding is related to either top-down or bottom-up approaches (Autessere 2010, Stearns 2013) and has influenced some organizations in their interventions. In the case of Masisi, when Life &Peace Institute (LPI) and its partner Action Solidaire pour la Paix (ASP) intervened in Bashali, the use of participatory-action research methodology relied on the belief that local communities are able to understand the dynamics of violent conflict and therefore could themselves find solutions to address the roots causes of the violence. This strategy of focusing on the local level, as I discussed in chapter four and six, was a way to escape critiques formulated against the top-down interventions used in the DR Congo by international donors.

By analyzing how LPI and ASP implemented their project in Bashali, focusing on the role of several actors, I argue that neither one nor the other approach can work separately. For example, one cannot resolve land-related tensions at the local level without considering all the problems caused by the legal and institutional framework. In the same way, applying policies and laws to tackle land issues at the local level cannot be effective without taking into consideration the specificities of different cultures, values and perceptions that local populations have about land

and which fuel tensions among different groups. Land, power or identity are not exclusively either local or national, they are at all levels, with serious policy implications that peacebuilding actors should consider.

By opposing top-down to bottom-up, scholars with a deep interest in the topic of peacebuilding have so far only succeeded in criticizing, while failing to formulate a coherent alternative that is also of practical utility. By drawing a dichotomy between liberal peacebuilding and the local turn, external and local actors, analysts fall into the trap of essentializing these dichotomies and therefore ignoring the intertwinement between actors and levels, not necessarily with clear boundaries between them.

7.2 Empirical and methodological reflections

The entry point of this study was to question the current approach used by peacebuilding interventions (that have been) dealing with the violent conflict in Masisi: The study put the focus on the role of diverse actors at different levels and the impact they can have on the failure of peacebuilding initiatives. In taking a micro lens to conduct this study, I also considered other levels beyond Masisi; including the provincial, regional, national and international levels. The main justification for peace- and state-building interventions in the DR Congo has been constructed on the idea that the DR Congo is a 'failed' or 'fragile' or 'weak' state and that the state has lost the monopoly of the use of violence, which has resulted in protracted violent conflicts (Trefon, 2011). Armed groups in Masisi and its surroundings are seen as a consequence of the absence of the state authority, and therefore the international community can help reconstruct the state authority.

Evidence on the ground shows that peacebuilding organizations have deliberately decided to construct the 'local' not as a paradigm shift from top-down approaches *per se*, but as a strategy to attract funds. International actors share the belief that the problem is state failure and that only the state can eradicate violence, whether they intervene at the local or other levels. This study shows that this 'traditional' view of the role of the state as an ultimate guarantee for a peaceful society results in two major problems. One is the refusal to acknowledge the presence of multiple actors and informal networks within the existing formal institutions, and how both have coexisted for long. The second is that international actors remain reluctant to consider the potential of some powerful individuals ('string pullers') to cooperate in making conflict transformation projects

somehow successful. Rather, these organizations continue to maintain a divide between local communities portrayed as victims and 'string pullers' as the 'problem', ignoring or underestimating the historical, social and political factors behind the dynamics of violence, as well as the dependency links that exist between them.

This study suggests going beyond the conventional approaches to peace and conflict that see the state as an 'absolute provider' and to embrace the possibilities offered by the field of interventions. This applies to academic researchers as well. Albeit the entry point for research is often framed by 'ready-to-use' theoretical and conceptual models, this study calls for a cautious mindset when it comes to the production of knowledge in a volatile political and security context such as Masisi and elsewhere. While using a multi-sited ethnography approach allowed me to identify various actors and to analyze their strategies through a succession of wars and political crises, it has also proven its limitations in this study, in terms of advantages and disadvantages.

Major advantages of using this approach refer to how different groups involved in this study could be identified at different sites while simultaneously the methods used allowed to collect and analyze data in accordance with the conceptual framework, namely the Politics of scale. Following the predominant arguments throughout the debate about scale and how it is suggested to be analyzed, it would have not been possible to discuss the processes through which actors produce scales, without using a multi-sited methodological outlook. However, although the combination of the methodological approach and the conceptual and theoretical framework is at the core of the academic contribution of this study, it looked a bit ambitious to reach out all relevant actors, especially those called 'string pullers'. This is because of the informal character of their ambiguous political role in the current overall governance landscape in the DR Congo, thus the disadvantages of the methodological approach used.

Some of these 'string pullers', although well known, were not reachable because of the distance from my research sites. Some of the questions raised in this study were also sometimes sensitive when it came to analysis of armed groups and their leadership. I did not try to reach the leaders of some armed groups for my own safety and also due to the inaccessibility of their locations. Some powerful individuals refused to discuss some topics because they probably felt they were concerned and preferred to avoid giving their opinion. Instead, I identified another category of informants (I did not expect before the fieldwork) to gather information about armed groups. These

informants are political leaders who are linked to armed groups and who have played a political role during different rebel administrations. What was missing in the methodological approach was the integration of informal actors such as armed group leaders, or how to deal with 'string pullers' because of their official role in state institutions. In dealing with data collection in such a context of informal roles of actors, the researcher is also affected. When sensitive data are collected, and the researcher's security is at stake, using such information in a thesis requires some compromises.

7.3 Policy implications and generalization of findings beyond Masisi

The relationship between land, power and identity issues and violent conflicts in the literature on the conflict in eastern DR Congo and Masisi in particular has become arguably the key explanation to understand the current protracted conflict and continue, to an extent, to legitimize peacebuilding interventions. In the context of sub-Saharan Africa, the academic discussion about the relationship between land, power and identity and how violent conflict can result from it continues to attract scholars and practitioners in the field of peacebuilding (Lund 2011; Huggins 2010; Boone 2013, 2014). This discussion has largely contributed to the understanding of this relationship in different contexts across African countries while simultaneously the debate has remained, in many cases, theoretical without providing further evidence on what are the specificities in each context.

In Masisi, for example, there was a paradigm shift in the way of presenting the dynamics of conflict between the mid-1980s and the entire decade of the 1990s and the beginning of 2000. Until the end of the second Congolese war (1998-2003), the public discourse and the views of the Congolese civil society organizations were dominated by explanations such as tribalism or interethnic conflict, putting forward ethnic groups as the main opponents. Although this explanation may be true in many places in the eastern part of the DR Congo, specific factors behind the violence such as the denial of nationality to the Banyarwanda or contestation about land access, remain less pronounced. The literature that emerged from the beginning of 2000, however, has theorized conflict dynamics by constructing land, power and identity as the main drivers of violent conflicts. This construction had two implications. The first is that scholars have introduced a generalized knowledge about land, power and identity in the Congolese context without mentioning specifics which have to do with history and political changes at the local, national and regional levels. The second is that policy makers and donors in peacebuilding interventions have taken this construction

for granted and accordingly conceived programs without questioning it. This study suggests that although land, power and identity can be relevant theoretical categories to analyze a set of phenomenon in a large part of Africa, one cannot use these categories without questioning their salience in the process of addressing the causes of violent conflicts. Reflecting on the example of Masisi, access to land by Banyarwanda has been accompanied by contestations of their nationality by Hunde and the quest for nationality has pushed Banyarwanda elites to conquest political power through wars and other political strategies, which in return has facilitated access to land. In this situation, peacebuilding interventions are still not able to show how conflicts related to identity or power are articulated in their projects.

Considerable attempts have been made to date to conceptualize the notions of land, power and identity (see chapter two) and there is strong agreement among scholars that there is not a single definition of any of the three notions. All depends on the context, the disciplinary perspective or school of thought. Taking land for example, its meaning in the contemporary academic debate in social sciences often relates to one or another phenomenon whether social, political or economic. In conflict studies, for instance, land is seen as one of the conflict drivers resulting from the dysfunction of the normative framework (whether customary or legal institutions) in post-conflict societies (see Jensen *et al* 2013, Sikor and Mueller 2009). This view of land has of course an empirical foundation, while it simultaneously neglects diverse perceptions around land and its relation to other social phenomena such as culture, religion, ethnicity or belonging.

This study recognized this normative view of land related debate. The entire chapter five discussed the role of institutions and different normative systems that exist in land management in the DR Congo and North Kivu in particular. While it is clear that all the problems raised largely fuel the violence around access to land, I acknowledged that land-related conflicts have more than legal explanations. Land issues must be considered in a broader perspective that should include actors in competition, their claims and their strategies. The example of Banyarwanda has shown that, beyond Masisi, land is a disputed 'good' whose right is claimed by multiple actors and authorities. And any attempt to end violence resulting from it should require a serious approach to address its entanglement aspects.

Recognizing the existence of multiple actors in violent competition as well the overlapping institutions and authorities seems to be key to understand the meaning and the manifestation of power, not as a given category but as a dynamic notion under construction by a set of multiple actors. I do agree with Guzzini (2005) when he suggests that one should detach the notion of power from states and institutions by taking a close look at 'politics' as something that is done by actors, beyond states. Masisi, in this regard, is an exemplary case, which provides empirical examples of how power is expressed through multiple layers. Power has been associated with authority when customary chiefs in Masisi claim the exclusive right to decide who can be granted a piece of land without any intervention by state institutions such as cadastral services. Power has also been expressed through the government claim to have a monopoly on the use of violence during the negotiations with armed groups in 2008 during Goma Conference. While these negotiations allowed Banyarwanda military elites to occupy high positions in the national army, the general elections in 2006 and 2011 allowed Banyarwanda to access political power at the different levels of institutions. Interviewees for example could mention ethnicity or autochthony to describe ways in which power is obtained by different actors in competition. A member of the provincial bureau of the national electoral commission, for example, underlined that during elections in Masisi all candidates used their ethnic identities to mobilize their constituencies in which ethnic ties remain strong.

Although ethnicity is recognized as a tool commonly used in competition over power and resources (Lumuna 1998:52), its salience in scale-making processes by actors needs to be contextualized and nuanced. Struggles to access land and power are not the causes of violence per se. Rather, they are trajectories on which competition between diverse groups heavily involve ethnic identity built upon economic and military networks. The example of Masisi has shown that although ethnicity has played a role in political competition (as a category of identity), it has been used mainly as a means to create relations of kinship and clientelism between individuals and groups, even though these relations are not structured and institutionalized. This is not to endorse it as a supposedly predominant characteristic in Congolese politics; rather it is a political resource that diverse actors can effectively use when interests are at stake. The notion of ethnicity as a political resource in Contemporary African politics could provide a better understanding of whether or not ethnicity matters.

Beyond the primordialist, the instrumentalist and the situational explanations of ethnicity which still divide social scientists on the meaning and the role of ethnicity in economic and political competition (Becker 2015:12), there is a way to agree that in many societies in contemporary Africa ethnic mobilization continues to play diverse roles for multiple ends (Elischer 2013). Insofar as state-society relations in many African countries continue to be dominated by the dialectic between local and national citizenship in the competition to access power and resources, individuals and groups are likely to be identified through the artifices of ethnicity. Talking about '*scales of citizenship*' through which ethnicity can be used, Jones and Gaventa (2002:19) argue that in the contemporary context of globalization where the global is opposed to the local, there is increasing recognition of different groups within and beyond states, at the many different scales in which people's lives are played out. Following Peter Ekeh's claims three decades ago, that African elites move forth and back from the primordial and civic publics, he assumed that the link of loyalties between elites and their constituencies are tangible in an epistemological sense (Ekeh 1975). One can admit that Ekeh's theory may apply in some places. The example of Masisi, however, suggests that although 'string pullers' have produced multiple publics through ethnic solidarity in the primordial public, once they possess power at different levels, it is hard to confirm whether they return social and economic benefits to their constituencies. In chapter five, I described how some powerful individuals (string pullers) possess large amounts of farming land in Masisi while at the same time families of the same ethnic group strive to access even small plots of land to make a living. One can argue that the primordial public remains crucial, but only for political and military strategies and to maintain the historical claims as well as to gain support, whereas other publics serve as channels to reinforce networks many of which are informal. Being a Hunde, Hutu or Tutsi, for example, only allows one to identify the affiliation to an ethnic group and to claim a number of rights, but this affiliation may lose its significance in the processes of making networks across scales.

Through this attempt to clarify what the triangle land, power and identity actually mean from the point of view of participants involved in this study, I provide a substantial meaning of each notion as diverse actors I described in this study experience it. The way in which Land, Power and Identity triangle can drive violence in several African countries is recognized by an important body of literature (see chapter two) and Masisi, to a large extent, does not make an exception. It turns out that the existing literature on conflicts in the eastern DR Congo has often been descriptive, simply

mentioning land, power, and identity without thoroughly explaining what each component of this triangle stands for, nor why and in which context each of them has prevailed in a particular period of violent conflict. A relevant lesson drawn from Masisi is that deconstructing this triangle to find out key factors of violence does not only have theoretical shift but also have policy implications in other parts of Africa and beyond. As I stated in the research problem of this thesis, peacebuilding organizations gladly welcomed this 'given' triangle and tried to implement programs reflecting it. But so far, these organizations have struggled to translate this set of multiple layers around land, power and identity into concrete projects. A crucial point this thesis seeks to emphasize is that land, power and identity and what each of them means in the conflict dynamics cannot be successfully addressed only at the local level without other levels through specific actions and adapted approach. It is within this interconnection between different notions surrounding land, power and identity that peacebuilding interventions should find a way to involve actors who continuously navigate across scales. In Masisi, while conflict drivers are seen to be local, 'string pullers' continue to remotely control local dynamics of violence and this remains unnoticed or deliberately ignored by the different projects I analyzed throughout chapters.

7.4 Future research

As in any academic research, this study has some limitations. In the process of data analysis and its discussion, three main research proposals can be put forward. The analysis of the emergence of armed groups has focused on the key powerful individuals who have played a significant role in different wars and other political processes. It was noticed that the discourse production by armed group leaders seemed to put communities' claims forward as a strategy for self-legitimization. This link could be stressed in future by questioning the extent to which armed groups are legitimated by local populations in the areas in which they operate. Future research could focus on the study of legitimacy of armed groups as one category of relevant actors in the politics of scale. Second, this study investigates the case of Banyarwanda in Masisi and how struggles over access to land and nationality and different struggles they experienced against other groups contributed to the production of scales. However, the Banyarwanda (i.e. Hutu and Tutsi groups) are not only found in Masisi. The same groups live in the *Territoire* of Rutshuru and Kalehe in South Kivu. Using the case of Masisi would eventually pose a problem of generalization of findings beyond Masisi. Future research could further explore how scales are produced by integrating informal 'string

pullers' in the analysis. Third, several key informants provided examples of how some 'string pullers' have initiatives to find temporary solutions to how peasants can access land, without involving international NGOs. Indications are emerging that some powerful individuals are not always hostile to peacebuilding. Investigating these initiatives would be a starting point to think how to integrate the multi-scalar dimension into the current approach used by peacebuilding.

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