Burning down the tent

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Democratic Republic of the Congo**

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Abstract

There is a growing consensus among those working in conflict-affected states that political settlements – the formal and informal negotiations, bargains, pacts and agreements made between elite actors – are central to peace and development. Indeed, many now subscribe to the idea that inclusive political settlements are required for positive developmental change. This is based on a notion that political settlements 'tame' politics by creating consensus around the rules of political competition, and eliminate the need for political violence. However, especially in conflict-affected states, a focus on political settlements often ignores the (violent) processes by which elites come to power, and the extent to which elites may have incentives to maintain violence, even if a political settlement is reached. Through a case study of the Democratic Republic of the Congo (DRC), this article shows that political settlements are not always *alternatives* to violence, and that even relatively stable and inclusive political settlements may be heavily underpinned by violence. A political settlement alone is therefore not a sufficient condition to ensure peace and development in a country. If the political settlement is based on an understanding of the rules of the game which incentivises violence and coercion by elites, then the outcome will necessarily be a violent one. As the DRC shows, unless a political settlement directly addresses these predatory incentives, the settlement itself may be a driver of conflict, violence and underdevelopment.

Introduction

In 2006, the Democratic Republic of the Congo (DRC) held its first democratic multi-party elections in almost forty years. At the time, and given that the DRC had emerged from decades of insecurity and underdevelopment (first, under the dictatorship of Mobutu Seso Seko, and then during the two Congo Wars following his removal), these elections were hailed as an important turning point in Congolese politics. They provided the newly-elected Congolese government with the recognition and legitimacy that it needed to work towards establishing a peaceful and sustainable democracy in a country that had, for so long, suffered from violence and kleptocratic rule. Indeed, the UK Department for International Development (DFID) noted in their brief on the 2006 elections that:

'Stemming from an inclusive political settlement that recognised the election process as the cornerstone for national democratisation, these elections have helped to bring peace to the DRC, as most of the contending military forces have withdrawn, laid down arms, or at least suspended fighting – some militants have even been weeded out entirely. More importantly, the discourse has shifted to view power as being won through political victories, rather than armed conflict. In sum, the elections have legitimated the government both internally and internationally, as well as unified like-minded political forces, helping the government deal with the main threat to peace and stability, the return of General Nkunda's Tutsi troops to the battlefield' (Department for International Development, 2010)

However, in the decade since the 2006 elections, a number of threats to peace and stability have continued to plague the DRC. Many of Laurent Nkunda's Tutsi troops contributed to the formation of the M23, an armed group which managed to capture Goma – the capital of the North Kivu province – in 2012. The M23 was only defeated with the help of a specially created UN force, the Force Intervention Brigade (FIB). Although the M23 have since been defeated, more than 70 different armed groups[1] currently operate in the DRC's troubled eastern regions of North and South Kivu. These groups continue to be viewed by international intervenors as the main threat to peace and stability in the region.

Furthermore, the 2006 elections have *not* served as the cornerstone for national democratisation that the international community expected they would. Rather, as I will demonstrate later in this article, they have served as a foundation upon which the ruling elites have been able to shape the political system to serve their own ends, often to the detriment of Congolese citizens. Indeed, despite the Congolese constitution limiting the Presidency to two terms, and stipulating that elections take place every five years, 2016 saw neither an election nor the end of Joseph Kabila's presidency. As a consequence, Kabila remains indefinitely in power. Pro-democracy protestors who have called for Kabila to step down and hold elections have been met with repression from the Congolese state, and although there has been some international pressure on him to step down, it appears that Kabila will remain in power until at least 2018.[2] Therefore, in the decade since the elections, what has emerged instead is an anti-democratic ruling elite, who respond to pro-democracy movements with violence and repression. Furthermore, the proliferation of armed

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[1] It is acknowledged that 'armed groups' are a heterogeneous collective of different actors with varying means, motivations and capabilities. However, I use the term 'armed groups' to refer to a phenomenon whereby multiple actors in the DRC express a lack of faith in political mechanisms for resolving grievances by turning to armed violence. While this analysis draws examples from particular groups on which I have been able to gather more information, by understanding common patterns in their operations and treatment, the paper makes more general conclusions about the phenomenon of armed groups as a whole.

[2] https://www.washingtonpost.com/news/worldviews/wp/2017/02/16/congo-government-elections-are-too-expensive-so-we-may-not-have-one-this-year/?utm_term=.c23717f2ab6a

groups in the east of the country would suggest that political discourse in the DRC has *not* shifted 'to view power as being won through political victories, rather than armed conflict'.

In this article, I examine the processes by which elites come to power in the DRC; the formal and informal negotiations, bargains, pacts and agreements that constitute the Congolese political settlement; and the subsequent understandings that Congolese elites have about the purpose and function of the state. I argue that violence is a central and recurrent theme in each of these areas, and that elites have very few incentives to move away from violence as it continues to be a mechanism through which elites gain power in the first place, consolidate their position within the political settlement, and mobilise state power for their own ends.

The article is divided into four sections. The first section discusses the concept of political settlements, and the underlying assumption within much of the literature that political settlements serve to tame politics by creating shared understandings among elites. Here I challenge this assumption by arguing that elites can come to an informal *consensus* that *violence* is the best way to distribute power, and that predatory state structures may best serve elite interests. In the second section, I demonstrate that the historic organisation of the Congolese state has been predicated on a political settlement in which elites use state power for private interests rather than public goods. I show that even though, as some argue, the politics of armed violence in the east of the country seems removed from what is happening at the state level in Kinshasa, armed group violence and state power have historically been intrinsically linked. As a result, there are few incentives for elites, once they come to power, to use their power for developmental purposes, and to end armed group violence. While different elites may wish to change *who* is at the top of the current Congolese political system, they have little or no interest in actually changing the system itself.

In the third section, I argue that violence continues to be inherent to the Congolese political settlement. For this purpose, I focus on the role that armed groups play in both underpinning and constituting state power. Armed groups vary considerably in terms of size, resources and their influence on Congolese politics. However, I use the term 'armed groups' in this article to refer to a general phenomenon whereby groups of non-state actors are created in response to the government's lack of security and service provision in isolated parts of the country, such as the eastern DRC. I argue that the continued use of the violence perpetrated by these groups to leverage political power by state actors, both formally and informally, has created a political system with the capacity to incorporate a large number of competing elites in a reasonably stable and inclusive manner. However, this 'inclusive' but violent settlement has created a system in which elites have

significant incentives to *perpetuate* violence. This state of affairs leads to a trickle-down effect, both in terms of how actors at lower levels understand the political system, and how willing would-be elites are to use violence to achieve their ends.

In the final section, I offer some suggestions as to how the vicious cycle reinforcing a violent political *settlement* and a violent political *system* can be broken. My suggestions focus on lower-level political actors for whom the use of violence, however necessary they may perceive it to be, comes at a great cost. I note that national level elites rarely get their hands dirty by directly committing violence themselves and, if the actors that they use to commit violence are less easy to leverage for power, then elites may be incentivised to create a political settlement in which their power is constituted more through legitimacy and less through coercion.

This article is based on research which forms part of a larger ongoing project, examining armed group dynamics in the eastern DRC and their place in Congolese politics. It draws on fieldwork and data collection relating to events that took place in the Congo between November 2013 and March 2016. This included three months of fieldwork carried out in North and South Kivu[3]; key informant interviews with international researchers, journalists and policy makers; crowdsourced data[4] collected from Congolese civilians and armed group members; and desk-based reviews of existing and emerging research on the Congo. Conducting research in conflict-affected states poses a number of difficulties, not only in terms of security, but also in terms of access to verifiable information (Perera 2015, Perera 2017).

Many understandings of conflict in the eastern DRC –among both local Congolese actors and international intervenors – are based on anecdotal evidence, perceptions and rumours. This is reflected in some of the interview material used, which is primarily anecdotal and may reflect biased opinions. However, the quotations used in this article echo the opinions held by multiple actors in the DRC, and regardless of truth have a significant influence on the manner in which different actors behave and respond to conflict. The research found that, in most cases, armed groups arise from the failures of governance and a political settlement which rewards predation and violence over peaceful cooperation. Therefore, although the stated rhetoric of different armed groups, their actual actions and their capabilities varied greatly (both across and within armed groups at different points

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[3] This fieldwork includes more than 200 interviews carried out in North and South Kivu between August and November 2014 with armed group members, members of the Congolese government, army and civil society, UN military and civilian personnel, national and international NGO workers, and researchers and journalists with extensive experience of working in the eastern Congo. I am extremely grateful to my two research associates, Victor Anas and Josaphat Musamba, who assisted me with this research.
[4] I am grateful to the British Academy for awarding me a Small Research Grant to run a small project 'Crowdsourcing the Congo' (BA Award Ref: SG141762)

in time), this lack of consistency should not necessarily be read as evidence that armed groups do not mean what they say and tend to lie about motivations. Rather, I suggest that this variation reflects the fact that recourse to armed violence provides an immediate (albeit temporary and piecemeal) solution to a number of malaises of governance. As such, rank and file soldiers interviewed across several *different* armed groups revealed remarkably similar reasons as to why they joined an armed group in the first place (pervasive insecurity), remained mobilised even if their initial concerns had been addressed (economic opportunities), and were reluctant to give up their weapons despite international pressure to do so (lack of viable alternatives).

Taming Politics: Elites, Incentives and Violence in Political Settlements

The political settlements concept, although widely used, has been criticised for lacking conceptual clarity (Dressel and Dinnen, 2014; Laws and Leftwich, 2014). However, as Alina Rocha Menocal points out in her piece in this same issue, there is some consensus that at their core, political settlements are about 'taming' politics (Rocha Menocal, 2017) so that contestations move away from warlike violence to political negotiation within commonly agreed 'rules of the game' (Leftwich and Hogg, 2007). This understanding of political settlements tends to assume that political settlements can be contrasted with armed conflict. Alan Whaites, for example, argues that a political settlement should be defined as 'the deeper, often unarticulated, understandings between elites that not only bring about the conditions to end conflict but also facilitate more "responsive state building"' (Whaites, 2008: 7). While appreciating that the political settlements approach is primarily concerned with political (as opposed to conflictual or armed) processes, I suggest that the *underpinning* of political settlements can nonetheless be extremely violent. Therefore, this is article, following Sarah Phillips, is concerned with 'the place of political violence – and perceptions thereof – in establishing relatively robust political settlements (Phillips, 2013: 11).

The case of the DRC demonstrates that even if competing elites may reach an agreement on how power is distributed, such consensus does not necessarily eliminate the need for violence in a political system. This is particularly the case if elites have reached a consensus that a predatory political settlement provides the best system in which to serve their interests (Bratton and Masunungure, 2011). Like many other African states, the state in the DRC has not been formally institutionalised in the Weberian sense, and much of what constitutes politics in the DRC takes place in the informal arena. However, following Patrick Chabal and Jean-Paul Daloz, I show that there are

'powerfully instrumental reasons for the informalisation of politics' (Chabal and Daloz, 1999: 2), and that the seeming disorder that emerges from this form of politics may serve a number of elite interests.

In the immediate aftermath of the Second Congo War, considerable efforts were put in place to forge a political settlement between the different warring factions. This settlement brought together all the belligerent parties into an Inter-Congolese Dialogue, creating power-sharing agreements, and helping to create a new constitution. In December 2002, the Government of the DRC, the Congolese Rally for Democracy (RCD), the Movement for the Liberation of the Congo (MLC), the Congolese Rally for Democracy/Liberation Movement (RDC/ML), the Congolese Rally for Democracy/National (RCD/N), the political opposition, civil society, and various Mai-Mai (local defense) groups signed the Global and Inclusive Agreement on Transition in Pretoria. Here, all the Congolese parties to the conflict agreed 'to cease hostilities and to seek a peaceful and equitable solution to the crisis that the country is facing' (Inter Congolese Dialogue, 2002: 2 Art I.1). The terms of the agreement predominantly root these solutions in the establishment of transitional governing institutions, and it was explicitly stated that these institutions 'shall be run on the basis of consensus, inclusiveness and the avoidance of conflict' (Inter Congolese Dialogue, 2002: 4 Art III. 5).

On paper, the post-conflict political settlement reached by competing elites in the DRC contained all the ingredients to promote sustainable peace and development in the country. Indeed, many of the processes that led to the establishment of the Congolese political settlement were supported by the international community, who followed the assumption that lasting peace and democracy in the country is predicated on the restoration (or indeed creation) of state authority (Arnould, 2016). In his examination of Western policy papers and their influence on the DRC, Kai Koddenbrock notes two particular areas of statebuilding which have attracted a lot of international support and attention. Firstly, in the years leading up to 2006, 'billions were spent to make sure that the first democratic elections since Lumumba in 1960 bestowed a sufficient degree of legitimacy on the expected winner Joseph Kabila' (Koddenbrock, 2012: 558). Secondly, considerable effort and resources have been spent on security sector reform and supporting the rule of law.

However, while the international community may have felt that concentrating support in these two areas would create state legitimacy and authority needed before peacebuilding efforts could move on to building state capacity, in reality the Congolese government has ended up instrumentalising both its democratic mandate and the rule of law, with a noticeable trend to repress its opponents and predate on the population (Ross, 2016). This may be because, although a formal settlement was reached in which elites agreed to distribute power non-violently, those who were included in the

settlement understood that gaining a place at the bargaining table (in other words qualifying as an elite in the first place) required power which had been won through coercion and violence. As such, 'it cannot be assumed that promoting greater participation in decision-making, such as through peace negotiations, elections, or processes to revise or rewrite constitutions, will automatically lead to an inclusive outcome' (Rocha Menocal, 2015: 3).

Elites were willing to distribute resources, rights and entitlements peacefully amongst themselves, but in order to gain and maintain their position as elites, they had few incentives to abandon their predation against the general population. Indeed, as I will show in the following section, elites throughout Congolese history have successfully been able to reach a consensus on the distribution of resources, rights and entitlements. However, the 'rules of the political game' (Leftwich and Hogg, 2007) which underpin these political settlements have never moved towards an agreement of more effective and responsive governance. Rather, elites have overwhelmingly seen the state as a vehicle through which they can enrich and empower themselves.

Understanding the state in the DRC

The fact that Congolese elites have harnessed the strengthening of state institutions for their own ends should not come as a surprise, if we consider the history of the state in the DRC. As Mac Ginty shows, one of the most common threats to the success of liberal peacebuilding 'comes in the form of "non-liberal" forms of peacemaking and peacebuilding by actors powerful enough to impose their own variety of peace without much reference to the liberal peace' (Mac Ginty, 2011: 7). In this section, I show that throughout history, elites who have gained access to the Congolese state have had little interest in building authority through legitimacy, and have rather coerced support from civilians using the mechanisms of the state to support their predation.

As Mamdani notes, 'the violence in the Congo may seem unintelligible but its roots lie in institutional practices introduced under colonialism, which 50 years of independence have only exacerbated' (Mamdani, 2011: 31). This is not to say that there has been no change in the Congolese political settlement for more than a century, and the country has experienced much turbulence and change. Since its inception in 1885 as the personal property of the Belgian King Leopold II, state institutions in the Congo have been primarily aimed at the enrichment of elites. Initially, Leopold justified the colonisation of the Congo Free State on humanitarian grounds, through the creation of the International African Association, an organisation which purported to carry out his humanitarian work. However, a high-profile investigation by Edward Dene Morel discovered that this was a cover for a more nefarious operation to enrich Leopold and his investors. He 'began to uncover an elaborate skein of fraud' (Hochschild, 1998: 179). Morel's findings prompted the 1904 publication of

the *Casement Report* and the creation of the Congo Reform Association, which lobbied for removal of the Congo as the property of King Leopold, and it was administered instead by the Belgian state as the Belgian Congo.

Despite being less violent in its treatment of the Congolese indigenes, the Belgian Congo was still administered with the primary goal of maximising profit for Belgian companies. During this period, investment in extracting the Congo's natural resource wealth was prioritised over developing the infrastructure for the provision of public services (Turner, 2007). While there was some initial hope that this political system would be displaced in June 1960 when the Belgian Congo became independent, a new system of rule did not materialise. The Congo's first democratically elected Prime Minister, Patrice Lumumba, struggled to control the 'unwieldy coalition of contradictory political forces' (Turner, 2007: 33) that made up his new regime. This struggle was made all the more difficult by a Belgian intervention designed to protect its own commercial interests,[5] and the fact that the Cold War superpowers identified the Congo as a key geopolitical location. In September 1960, Lumumba was overthrown in a Western-back coup, led by his former ally Mobutu Seso Seko, and assassinated shortly afterwards. By 1965, Mobutu finally managed to consolidate power over the whole country,[6] renaming it Zaire in 1971. Mobutu consolidated his power through extensive patronage networks and the Congolese political settlement remained relatively stable for decades (Verweijen, 2016).

While Mobutu's early rule did involve investments in infrastructure and state institutions that benefited the wider population, as well as an attempt to foster nationhood and the creation of a Zaïrean capitalist class (Turner, 2007), he was primarily motivated by the consolidation of his own position. As such, 'state agencies and administrative, transport and communications infrastructure were clustered around core political and economic areas' (Verweijen, 2016: 16) which could enrich the ruling elite. State institutions tended to be absent in the small scale rural economies upon which most Congolese livelihoods relied (ibid: 17). Instead, Congolese citizens were expected to fend for themselves. The Congolese named this system of survival *System D* – the 'D' standing for *Débrouillez Vous* ('fend for yourself') (Jackson, 2002; Turner, 2007). Meanwhile, the elites in Mobutu's inner circle 'made use of their position in the state apparatus to generate resources for patronage and to engage in revenue-generating activities for their personal gain' (Verweijen, 2016: 16).

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[5] Belgian forces entered the Congo immediately post-independence under the veil of protecting white officers in the *Force Publique,* but they were primarily concerned with protecting their diamond and mining interests. To this end, they supported the secession of the diamond- and mineral-rich province of Katanga.
[6] After Lumumba's death, the country remained divided into four spheres of influence. The USA supported Mobutu's rule in Kinshasa, the USSR supported the remnants of Lumumba's forces who were fighting from the east of the country, there was a Belgian-backed secession in Katanga, and another secession in Kasai.

Two interrelated aspects of the political settlement during the Mobutu regime contributed to its relative stability. Firstly, Mobutu's political settlement was paradoxically both relatively inclusive, and predicated on a system of divide and rule. Acemoglu, Robinson, and Verdier argue that the 'Mobutu regime is a classic example of how divide-and-rule can be used to sustain a regime with little, if any, popular support' (Acemoglu *et al.*, 2003: 12). In a country with more than 200 groups that identify as ethnically distinct, Mobutu frequently promoted ethnic divisions in order to consolidate his power. At the same time, Mobutu's former enemies were able to gain access to his inner circle in 'a deliberate attempt to muddy the waters, undermine consensus and thereby prevent the formation of any coherent political movement that might eventually focus on his removal' (Wrong, 2001: 100-101). Nguz Karl i Bond notes in his autobiography how in the 1960s he had opposed Mobutu and supported Moise Tshombe, but was recruited by Mobutu in the 1970s to serve as foreign minister. In 1977, Karl i Bond was then accused of treason and sentenced to death, only to be forgiven in 1979 and made prime minister (Karl i Bond, 1982).[7] In the 1980s, having written his book on Mobutu, Karl i Bond was once again exiled, but returned in 1985 when he became Ambassador to the United States of America. As Turner and Young observe, punishing and then elevating dissenters in this way served as a pragmatic defence against the long-term build-up of opposition movements (Turner and Young, 1985: 166). It also allowed critics of the system to be co-opted into, and therefore benefit from, the system before they could overthrow it.

Secondly, Mobutu's regime was underpinned by both structural and physical violence (see Galtung, 1969). Mobutu used the coercive apparatus of the state to maintain power, but did not directly pay state actors, encouraging them instead to predate on Congolese citizens in order to generate their own revenues. 'As a consequence, state agents engaged in increasingly predatory behaviour, turning the state into a key source of socio-economic insecurity for citizens' (Verweijen, 2016: 19). Mobutu maintained his army by giving 'the nod to a system of organised looting by instructing his soldiers to "live off the land"' (Wrong, 2001: 43). Jackson argues that Mobutu also advocated *System D* to the wider population because it kept the population too focussed on survival to concern themselves with a coup.

The Congolese post-conflict period was hailed as an era in which in which 'many national leaders also progressively switched from the violent pursuit of power to peaceful, political competition' (Autesserre, 2010: 3). However, the reality of Congolese governance in the decade since the country held its first post-conflict democratic election in 2006 shows that 'despite good intentions,

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[7] This is a French-language source, but syntheses of Karl i Bond's book can be found in Schatzberg (1983) and Acemoglu *et al.* (2003)

international conflict reconstruction efforts sometimes generate the opposite effect of invoking more, rather than less, military violence' (Raeymaekers, 2013: 600). I suggest that this paradoxical outcome is a result of a misreading of the Congolese political settlement, and a failure to appreciate the incentives that drive the present government. Indeed, 'where state institutions have been considered predatory for decades, and where the concept of public goods is not highly developed, public office for example is more likely to be considered a private enterprise than a service to the public' (Kyamusugulwa and Hilhorst, 2015: 250).

As discussed above, the Inter-Congolese Dialogue divided power between different armed factions. This created a political settlement which on the one hand rewarded belligerency with access to power, and on the other hand assumed that armed actors could be easily transformed into political actors. However, there is little evidence that those who rise to power through armed action (and tend to have built their power bases through coalitions of violence) have the leadership skills necessary to foster legitimacy and consensus, and to build developmental coalitions. Leftwich and Hogg (2007: 10) argue that 'effective statebuilding has almost always been a matter of complex processes involving the interaction of often rival or competing leaders and elites … who recognise that a greater public good can be achieved, for all, by establishing a new and inclusive set of institutions rather than by clinging to the old and remaining in conflict'. While the elites involved in the ICD reached a compromise that allowed them to distribute power without needing to remain in conflict, this settlement was underpinned by a willingness to return to conflict, and none of the parties felt that there was a need to create new institutions.

Indeed, when the Kabila government gained power through elections, it had little incentive to work towards developmental goals such as effective and responsive governance. Furthermore, when other elites lost power, due to poor electoral performance, they had no incentives *not* to return to armed violence. In this way, the election represented a step back from the ICD in terms of dis-incentivising armed action. 'Dozens of new armed groups were formed, backed by officers and politicians who had failed to obtain the votes and positions they had hoped for' (Stearns *et al.*, 2013: 23). However, the Kabila government had neither the authority nor the monopoly on the use of force necessary to enforce negative peace. To counteract the threat of these new armed groups, the government created and co-opted other armed groups, recreating in the eastern Congo the same militarised politics (Tull, 2007) that had characterised the Congo Wars.

However, international support for electoral processes has also created a new dynamic in the Congolese political settlement: it has given international recognition to Kabila's government as the

legitimate embodiment of the Congolese state, despite the questionable record in the delivery of public goods. This veil of legitimacy allows the elite in Kinshasa to simultaneously access vast amounts of international aid, while side-lining demands by international intervenors as a challenge to the country's sovereignty. As Stearns points out, once elections took place, 'the UN mission lost much of its leverage on the Congolese political scene' (Stearns, 2015: 9).

Displacing more than a century of political settlements in which elites have used violence and predation to distribute power and resources is undoubtedly a difficult task, but a first step towards supporting a settlement which is conducive to development involves understanding the complex relationship between the Congolese state and the violence which constitutes its power. Therefore, in the following section I discuss the role that armed groups play in the Congolese political settlement, demonstrating that a deeper analysis of armed group dynamics reveals the inherent violence that underpins access to, and interactions with, the political settlement in the DRC.

Within and Without the State: Armed Groups and Political Violence in the eastern DRC

While I have suggested above that Congolese elites have throughout history had considerable incentives to maintain predatory forms of rule, many external intervenors are likely to point to an alternative explanation as to why a decade of statebuilding has not borne more developmental fruit. Chief among these alternative explanations is the presence of a large number of armed groups in the east of the country. These groups are frequently posited as the main sources of violence, insecurity and under-development in the DRC (International Crisis Group, 2007). To this end, a large UN Mission (MONUSCO)[8] remains deployed in the east of the country. It is one of the longest running and most expensive missions in the UN's history, with an approved budget of more than US\$1.2billion for 2016-17, and more than 22,000 uniformed and civilian personnel still present.[9] In 2013, the mission included the establishment of a Force Intervention Brigade with an unprecedented mandate to pursue 'the objective of contributing to reducing the threat posed by armed groups to state authority and civilian security in eastern DRC and to make space for stabilization activities' (UN Security Council, 2013: 6).

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[8] In 2010, MONUSCO replaced the United Nations Organization Mission in Democratic Republic of the Congo (MONUC) which was established by the Lusaka Ceasefire Agreement in 1999. In 2010, 'to reflect the new phase reached in the country' (MONUSCO, 2010), the Mission changed its name to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

[9] http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml (Correct as of December 2016)

While the methods and focus of both the Congolese government and MONUSCO's policies for dealing with armed groups has varied over the years, in general their approach can be characterised as encompassing two elements: (1) Encouraging armed groups to voluntarily engage in disarmament, demobilisation and reintegration (DDR) processes; and (2) launching military offensives against armed groups who did not voluntarily surrender. And yet, armed groups are proliferating. Today there are around 70 different armed groups operating in the eastern Congo, while the UN's own figures estimated that there were only around 20 groups operating there in 2008 (Stearns and Vogel, 2015). Furthermore, a 2014 survey on perceptions and attitudes towards peace, security and justice in the eastern DRC revealed that 77% of respondents rated the contribution of MONUSCO to improving security in the country as being weak to non-existent. Only 29% believed the government was working to improve their lives – a dramatic drop from the 56% who believed the government was working to improve their conditions in 2008 (Vinck and Pham, 2014).

While it is common for external intervenors to blame the continuation of violence and insecurity in the eastern DRC to the failure to build a Congolese state that is conducive to sustained peace and development, analysing how violence and state dysfunction are linked points to a much more reciprocal causal relationship between armed groups and the state. The existence of armed groups can be understood as a means through which ordinary citizens can resist predatory state practices. In addition, armed groups serve as a proxy for their state, and a mechanism through which state actors can access power and control. Indeed, if we examine both who is in power, and how they come to power, we see that armed action is integral to the power of political elites.

The first and most direct link between armed groups and the Congolese state lies in the fact that most of the influential politicians in the DRC (and indeed in the Great Lakes region) come from an armed group background. The most successful of these groups were transformed into the political parties that form the foundation of the political regime that stands today. This is significant because it shows that political leaders are willing to resort to armed action to achieve their objectives, and that much of the support that allowed them to obtain power in the first place emerged from violence and coercion rather than legitimacy and compromise. This willingness to use armed violence to constitute their power may explain why, since the end of the Second Congo War, ostensibly democratically elected politicians have continued to maintain close links with armed groups.

Secondly, many armed groups are created, funded and supported by elite actors. Whilst conducting fieldwork with armed groups, it was common for armed group members whom I interviewed to allude to the fact that they were often supported by powerful figures both at the provincial and national level. This was echoed by many Congolese civilians who noted that politicians and businessmen were usually the funders and creators of armed groups. As one armed group member noted: 'Here we are in the bush … [but] our weapons do not grow on trees … you have to ask yourself who helps us, who tells us to fight?'[10] Several other interviews revealed the names of a number of local administrators and politicians in Kinshasa who had been linked to certain armed groups. These linkages were both direct and indirect, encompassing a range of activities that included, but were not limited to: engaging in rhetoric that exacerbated feelings of insecurity and division (thereby creating incentives for armed protection), giving financial support to existing armed groups in order to maintain their control over certain communities, and creating armed groups to challenge the existing power in certain areas or gain new political leverage.

Several studies have shown that 'elites often exploit xenophobic fears and use militias to bargain for political posts' (Vogel and Musamba, 2016: 3) and that 'by having leverage over armed groups and being able to mobilise local followers, politicians and businesspersons become people to reckon with' (Verweijen and Iguma Wakenge, 2015: 2). During the time of the second post-conflict elections in 2011, a number political commentators noted that there was an intensification of violence as 'politicians fell back on armed groups to obtain electoral support and, when unsuccessful at the polls, to maintain influence' (Stearns *et al.*, 2013: 26).

Judith Verweijen (2016: 29) has suggested that, in recent years, the leverage of armed groups at the national level has diminished. Yet, this statement is disputable. The DRC is currently in a state of political turmoil; it is not clear who will replace President Kabila and how a new regime may constitute its power. One detailed history of armed groups in the eastern DRC noted that even before the Congo Wars, 'militias were used by local authorities and politicians in long-standing disputes over land and customary authority' (Stearns *et al.*, 2013: 17). Unless the political settlement is drastically changed in the next few years, it is likely that any emerging elites are likely to instrumentalise violence in their quest for power. This may explain why, as Verweijen herself notes, 'politicians, such as ministers and members of national parliament, and officers of the national armed forces, all continue to maintain links with armed groups' (2016: 29).

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[10] Interview with armed group member, Bukavu: 30 September 2014

'Why [are we called "rebels"]? When Kagame came to attack father Kabila[11] it was *us* fighting the RCD. When the CNDP, M23, when *they* all come to attack the President he is not here, he is in Kinshasa. Who is fighting for him? It is us. *We* are the ones who have been representing the government'[12] (*emphasis added*).

Even if not working for the government's interests, many armed groups have created state-like structures, and have attempted to build local legitimacy. 'It is simplistic to think of armed groups as purely military organisations standing apart from society: they are embedded in civilian networks, and inputs from elites and communities are often essential for their survival' (Stearns *et al.*, 2013: 11). In a recent piece reflecting on her research into the political underpinning of rebel governance, Carla Suarez noted that community support for armed groups has both material and ideological dimensions: 'Civilians are not only supporting the Maï-Maï[13] by providing them with material and logistical supplies, as is common in other cases, but they are also propagating their discourse' (Suarez, 2016). This is also observed by other researchers in the field who note that, 'while the level of popular support varies from group to group, many have sympathisers and collaborators' (Stearns *et al.*, 2013: 34). Several armed group members also described during interviews how they were supported by their communities. It was common for respondents to note that 'Mamas sent their sons,' and talk about fighters being given special *dawa*[14] powers by community spiritual leaders. Indeed, there appeared to be some degree of legitimacy granted to certain armed groups, who made concerted efforts to appeal to public authority and present themselves as community protectors (Hoffmann and Vlassenroot, 2014).

The support that local communities give to armed groups can also be seen as reflecting the fend-for-yourself political culture that successive regimes have advocated to Congolese citizens. 'People are fed up with the current regime and endorse the idea of self-defence due to the deficiencies of the state apparatus, especially in a context of intense communal conflict' (Verweijen, 2016: 9). State actors have few incentives to fix deficient apparatus as self-organised community defence bolsters their own power. Jackson argues that *System D* under Mobutu helped maintain the Mobutist state by serving as 'a safety valve for discontent' (Jackson, 2002: 521), keeping the population too focussed on survival to concern themselves with credible opposition movements. Present-day armed

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[13] The term for numerous local Congolese defense groups

[14] A kind of Congolese magic. Dawa plays a very important role in the creation and recruitment practices of armed groups, and should not be dismissed when trying to understand the military strategies of certain armed groups.

groups can be seen as the latest manifestation of *System D*: In response to a state that has provided no livelihood opportunities and no security for communities constantly under threat (from both other Congolese groups and foreign invaders),[15] armed groups can be seen as the embodiment of communities 'fending for themselves'.

As none of these armed groups have either the interest or capability to overthrow the regime, they are actually strengthening the state by providing their own protection and concentrating their energy and resources into everyday survival rather than wider systematic change. As such as the Congolese state has little incentive to either curb armed group violence or reduce the proliferation of armed groups as their 'political fragmentation pre-empts and reduces threats to the regime' (Verweijen and Iguma Wakenge, 2015: 2). Furthermore, the pervasive insecurity that has been created by the proliferation of armed groups allows the Kinshasa government to justify its failures to fulfil the basic social contract between state and society, as armed group spoilers become a convenient scapegoat to explain why Congolese politicians have been unable and/or unwilling to engage in development activities in the east of the country.

Displacing Violence: Changing the political settlement

In his study on predatory leadership, Alex Bavister-Gould argues that transforming a predatory state into a developmental state is a particularly difficult challenge because predatory rule undermines and corrupts institutions (Bavister-Gould, 2011). While post-conflict peacebuilders in the DRC have attempted to create formal state institutions, they did not create incentives for elites to use these institutions in a manner that was conducive to peace and development. They may have believed that the electoral process, creation of a new constitution, and strengthening of the rule of law would lead to the establishment of new rules of the game under which elites would 'come to view power as being won through political victories, rather than armed conflict' (Department for International Development, 2010). However, they overlooked the extent to which these statebuilding measures could be co-opted by elites to strengthen their position in an enduringly violence political system.

Denney and Barron observe that 'stability tends to emerge when elites can seal an effective bargain amongst themselves – a political settlement – providing some degree of certainty' (Denney and Barron, 2015: 3). But as the case of the DRC shows, a stable political settlement is not necessarily conducive to either peace or development. Raeymaekers points out that post-conflict peace

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[15] The Kivu provinces border Rwanda, Uganda, Tanzania, and Burundi and have historically been the site of invasions from neighbouring countries either in the form of armed invasions, influxes of rebel groups, or the backing of proxy forces.

processes in the DRC are characterised by two paradoxes: That on the one hand, the Congolese state is probably 'the most resilient "collapsed" state in recent history' (Raeymaekers, 2013: 600), enduring as it does despite consistently failing to fulfil its social contract obligations. On the other hand, it has probably experienced 'the most negative post-war peace in recent history' (Raeymaekers, 2013: 601). As such, 'international involvement in the vast arena of militia demobilization, security sector reform, political power sharing and post-war democratization have not been able to turn the tide of enduring armed conflict and violent corruption' (Raeymaekers, 2013: 601).

As a tentative first step towards breaking this impasse, it may be time for external intervenors to identify alternative actors who can be used to leverage a change in the political settlement. Here, I suggest that actors need to look at those who perpetrate the violence in order to understand what incentivises them to take up arms. To date, the UN have understood armed groups as a relatively apolitical, primarily military, phenomenon. Therefore, rather than promoting peaceful solutions to ending the violence in the Congo, the UN has increasingly turned towards using military solutions. As one UN official argued, the logic of interventions such as the Force Intervention Brigade is that 'we will defeat evil by using the same means but more intensely.'[16]

However, a focus on military approaches diminishes goodwill between armed groups and external intervenors. It closes off other avenues of engagement which may convince these groups to lay down their arms and – more importantly – deter them from returning to armed violence. Interviews with different armed groups revealed that armed groups are able to continually recruit members because of a number of malaises of governance, of which rampant insecurity and a lack of alternative livelihoods are the most prominent problems. Against this background, as one official closely involved in the disarmament, demobilisation and reintegration process noted, 'no one in their right minds would give up their weapons in an area that is characterised by the most brutal forms of lawlessness.'[17]

However, many armed group members did state that they were willing to work with international actors to achieve more effective governance if they believed that doing so would somehow benefit them. 'Benefits' in this context were conceived primarily in economic or security terms. While activities such as the facilitation of peace talks were welcomed, most armed group members interviewed did not feel that such moves would be sufficient to encourage them to lay down their

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[16] Interview with UN Official, 27 August 2014
[17] Interview with International DDR advisor, 14th August 2014

arms for good. Their experience of peace negotiations was one in which their grievances were not properly addressed and signatories to the agreements regularly broke their terms. Indeed, while some of the UN and NGO actors that I interviewed argued that they did engage in dialogue with certain armed groups, the armed group members interviewed did not feel that their voices were heard. As one summarised 'it is not a dialogue, it is a monologue.'[18] When I questioned international actors about what dialogue with armed groups typically entailed, the responses revealed the one-sided nature of the engagement. Typically, dialogues fell into three categories: Firstly, humanitarian agencies and organisations would negotiate with armed groups to ensure their safety while they delivered humanitarian assistance to the territories under their control. Secondly, organisations concerned with protection would try and convince armed groups who had (potentially forcefully) recruited women and children to release those women and children under their control. Thirdly, groups like the International Committee of the Red Cross would provide training to armed groups in international human rights law, in the hope that some armed groups would better respect human rights. With the possible exception that the delivery of humanitarian assistance may have afforded armed groups the indirect benefit of some service-related legitimacy (Mcloughlin, 2014), in all these 'dialogues' armed groups were asked to concede to the requests of international intervenors without clear incentives being offered to them in return. Many of the armed groups interviewed wanted more tangible and sustainable reassurances of the benefits of working towards developmental goods, such as the promise of secure livelihoods, development infrastructure and state protection rather than predation.

Conclusion

This article has demonstrated that, although reasonably robust and inclusive, the elite bargains that underpin the distribution of resources, rights and entitlements in the DRC tend to favour violence and predation over peace and development. In order to disrupt this tendency, there is a need to engage in processes which make peace more attractive and deter war-like accumulation (Raeymaekers, 2013: 601). By not attempting to change that aspect of the political settlement – the informal processes through which power is acquired – and concentrating instead on piecemeal attempts to create *formal* institutions (such as an electoral process), international attempts to engage with politics in the Congo have not produced a particularly peaceful outcome. I show that changing institutional practices at the national and elite level may be particularly difficult, because liberal peacebuilding measures tend to be co-opted by elites to bolster their capacity to predate through the state. This is because the incentive structures of the Congolese political settlement,

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[18] Interview with an Armed Group Member 20 October, 2014.

both in the past and present, have offered rewards to those who are willing to break the formal rules of democratic consensus building and instead constitute their power through violence. This violent political settlement has had the corollary effect whereby 'a set of "corrupt" institutions emerge that make it very hard to change these institutionalised practices' (Grebe and Woermann, 2011: 23). While the violence and predation of state actors is replicated by non-state actors such as armed groups, for these actors the cost of using violence is extremely high. For the rank and file members of armed groups, recourse to armed violence arises out of a lack of alternatives for security and survival. Yet, although these armed groups are themselves relatively powerless, the power their violence gives to elites should not be underestimated. Reducing the ability of politicians to leverage violence for power, by reducing the armed group members' likelihood to resort to armed violence could, therefore, be an important step in breaking the violence underpinning the Congolese political settlement.

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