



When State Institutions Undermine Statebuilding

Armed Patronage, Hybrid Governance & the Privatization of Violence in Eastern Congo

Suluhu Working Paper No. 4 | Trevor Bachus



(© Ben Radley)

Based on two intertwined arguments, this paper demonstrates how top-down statebuilding in the Democratic Republic of the Congo has helped to perpetuate armed conflict. First, eastern Congo's extractive economy allows for military and political elites to use conflict for profit. Second, political turmoil that has developed out of over 20 years of armed conflict prevents these officers and other elites from developing steady long-term relationships. The paper underpins these arguments with a qualitative research design, using analyses of military behaviour in two large-scale military operations. In so doing, the paper explains why international statebuilding efforts in Congo have failed to stop conflict. Army efforts at building relationships with other armed actors have instead inflamed local tensions and sustained conflicts. The paper thus addresses a gap in the literature of political marketplaces, showing how national actors help to maintain more localized rebel networks.

April 2021 | www.suluhu.org



Introduction

This paper takes a critical lens to top-down theories of statebuilding in the Democratic Republic of the Congo (hereafter, Congo). Scholars often point to ‘traditional’ models of statebuilding, where centralized leaders extend their patronage to bring windfall expansions in state capabilities. Academics can use this argument to point to state formation in medieval Europe, and also to modern development stories like South Korea, Ethiopia and Rwanda. Scholars have also used Africa to show that the absence of centralized patronage has hampered statebuilding.¹ In these models, national leaders use their patronage and access to resources to develop privileged relationships with local elites. These privileged relationships are then manipulated in ways that are beneficial to the state, such as expanding tax levies, integrating export chains, or centralizing administrative functions. The basic assumption of these models is that stable rentier relationships between national elites and a burgeoning middle class incentivize long-term development.²

Top-down statebuilding has not worked in Congo, however. I argue this is because hybrid forms of governance on the global economic periphery have created elite-level incentives to ignore a monopoly on violence. I make this argument with evidence from the province of North Kivu, attempting to show that the Congolese army participated in a monetized effort to assuage the loyalties of various militia actors during two large scale military operations, Sukola I and II, intended to destroy large rebel groups. The *Forces armées de la république démocratique du Congo* (FARDC) demonstrate a focus on real politics (a phrase borrowed from de Waal³), using their formal public authority to develop parallel networks of patronage instead of a monopoly on violence.

I argue that FARDC networks of patronage go beyond elite-level economic greed and represent an institutionalization of militia governance at the local level. While in many cases these relationships parallel cases of state formation mentioned above, this paper shows that dynamics on

¹ On Medieval Europe see Spruyt, H (2002) ‘The Origins, Development, and Possible Decline of the Modern State’, *Annual Review of Political Science*, Vol 5, pp. 127-49; Bates, R (2017) *The Development Dilemma: Security, Prosperity, and a Return to History*. Princeton: Princeton University Press; on Korea see Kohli, A (2004) *State-Directed Development: Political Power and Industrialization in the Global Periphery*. Cambridge University Press; on Ethiopia and Rwanda see Kelsall, T (2013) *Business, Politics, and the State in Africa: Challenging the Orthodoxies on Growth and Transformation*. London: Zed Books; on negative cases in the African context see Clapham, C (2017) *The Horn of Africa: State Formation and Decay*. Oxford: Oxford University Press; Osafo-Kwaako, P and J Robinson (2016) ‘Political centralization in pre-colonial Africa’, *Journal of Comparative Economics*, Vol 41, No. 1, pp. 6-21; Thies, C (2004) ‘Statebuilding, Interstate and Intrastate Rivalry: A Study of Post-Colonial Developing Country Extractive Efforts, 1975-2000’, *International Studies Quarterly*, Vol 48, No. 1, pp. 53-72.

² Acemoglu, D, Robinson, J, and R, Santos (2013) ‘The Monopoly of Violence: Evidence from Colombia’, *Journal of European Economic Association*, Vol 11, No S1, pp. 5-44.

³ de Waal, A (2015) *Real Politics of the Horn of Africa: Money, War and the Business of Power*. Cambridge, Polity Press.



the ground have not helped to create a stable government. I use qualitative findings to build two interrelated arguments. First, economic incentives for resource extraction warp the logic of relationships between FARDC officers and militia leaders in ways that incentivize violence. Second, constant political upheaval and turmoil undermines those same relationships in ways that make them temporary and unstable. Instead of centralizing military authority, FARDC patronage perpetuates conflict by introducing exogenous arms and resources to local power struggles. In an applied sense, this explains why international investments in top-down statebuilding have unintentionally helped to prolong armed conflict in the Kivus.

This paper makes two contributions to the field. First, I attempt to produce a stark juxtaposition of traditional theories of statebuilding with empirical realities of protracted conflict states. It applies a dynamic theoretical marketplace framework to what is often treated as a static environment. This contributes to a body of literature which shows that traditional statebuilding is not the solution to ending conflict in Congo.⁴ Second, I communicate with the growing body of literature on rebel and negotiated governance.⁵ That is, this paper contributes to a body of literature studying situations where the central state is not the only governing actor.⁶ I show that increasing state capacity does not automatically remove these networks of informal and militarized local governance. Moreover, this addresses a needed gap in the literature of political marketplaces on how national actors help to maintain these militarized patronage networks at a local level.⁷

The rest of the paper is structured as follows. First, a literature review on traditional theories of statebuilding and diluted public authority frames the debate. Second, I explain the methodological framework for analysis and elucidate the central question guiding this analysis. I then highlight how FARDC allowed for privatized means of violence during Sukola I & II. I conclude with a discussion of the results and their implications. It should be mentioned here that all acronyms used are fully labelled in Table 1.

⁴ Autesserre, S (2012) 'Dangerous tales: Dominant narratives on the Congo and their unintended consequences', *African Affairs*, Vol 111, No. 443, pp. 202-222.

⁵ Raeymaekers, T (2010) 'Protection for Sale? War and the Transformation of Regulation on the Congo-Ugandan Border', *Development and Change*, Vol 41, No. 4, pp. 563-587; Hoffmann, K, Vlassenroot, K, and G Marchais (2016) 'Taxation, Stateness and Armed Groups: Public Authority and Resource Extraction in Eastern Congo' *Development and Change*, Vol 47, No. 6, pp. 1434-56.

⁶ Hagmann, T. and D Péclard (2010) 'Negotiating Statehood: Dynamics of Power and Domination in Africa', *Development and Change*, Vol 41, No 4, pp. 539-562.

⁷ Carayannis, T, Vlassenroot, K, Hoffmann, K, and A Pangburn. (2017) 'Competing networks and the political order in the Democratic Republic of Congo: a literature review on the logics of public authority and international intervention.' London School of Economics: Conflict Research Programme, pp. 4-8.



Table 1 Group Acronyms and Names

Group Acronym	Group Name	Affiliations
ADF	Allied Democratic Forces	Islamist group who migrated to Congo in the 1990's
CNRD	Conseil National pour le Renouveau et la Démocratie	Splinter group from FDLR
FARDC	Forces armées de la république démocratique du Congo	National army
FDLR	Forces démocratiques de libération du Rwanda	Interahamwe who fled Rwanda in the 1990's
MONUSCO/FIB	Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo/ Force Intervention Brigade	UN-led international peacekeeping mission
M23	Mouvement du 23 Mars	Large rebel group with Rwandan backing
NDC-R	Nduma Défense du Congo - Rénové	Break away militia from NDC (same acronym)

Globalization, Public Authority, and Statebuilding in Low-Capacity States

This section establishes two bodies of research on monopolies of violence, focusing particularly on studies about intentional failures to create them. State capacity is the ability to exercise governing authority and implement and enforce policies. Scholars often distinguish between types of state capacity, generally identifying coercive, extractive, and administrative means.⁸ The ability for a state to fund itself is seen as critical to other forms of capacity modernization. The revenue imperative for state functioning places a centralization of coercive authority to collect taxes, or a monopoly on violence, at the heart of state formation.⁹ Moreover, a wealth of studies has confirmed that

⁸ Berwick E & F Christia (2018) 'State Capacity Redux: Integrating Classical and Experimental Contributions to an Enduring Debate' *Annual Reviews of Political Science*, Vol 21, pp. 71-91.

⁹ Weber, M (1918) 'Politics as a vocation' *Max Weber: Essays in Sociology*, ed. H Gerth and C Mills, pp. 77-128. New York: Oxford University Press.



states with monopolized violent means have, all else being equal, increased governing and regulatory capacity.¹⁰

If state capacity and the presence of a monopoly on violence are correlated, this raises an important question: why have some states failed to develop this monopoly? Standard claims point to a lack of modernization and poverty.¹¹ In these linear models, as low-capacity states develop their governance capabilities, their ability to eliminate militias would also increase. Applying these arguments to the African context, the dearth of established monopolies on violence has been blamed on negative geography, a lack of population density and intrastate rivalries formed out of colonial legacies.¹² The relationship between ‘modern’ administrative states and private militias are also examined in prominent policy contexts. Major international institutions, such as the UN or World Bank, and regional actors like the EU or US, often frame fragile states as places with “very weak policies, institutions, and governance”.¹³ UN peacekeeping missions have frequently adopted statebuilding agendas in attempts to stabilize public service delivery in order to allow peace processes to cement.¹⁴

However, other lines of research have looked past standard claims of ‘modernization’ and pointed out that, in some instances, states have deliberately failed to establish monopolies on violence. Because capacity, development, and monopolies on violence are intercorrelated, it is reasonable to ask why elites would intentionally allow for the proliferation of rebel groups. Most arguments blame elite-level political or economic greed. Politically, elites have used paramilitaries to coerce voters in Colombia, or to violently displace opposition voters in Kenya.¹⁵ Economically, state elites have been involved in rebel group formation as methods to redistribute resources or have allowed rebel groups to form in areas where resources are harder to tax.¹⁶

¹⁰ Osafo-Kwaako & Robinson (2016) “Political centralization in pre-colonial Africa”; Thies (2004) “Statebuilding, Interstate and Intrastate Rivalry”; World Bank (2006) ‘Engaging with fragile states: an IEG review of World Bank support to low-income countries under stress.’ Washington, World Bank. Available at <https://openknowledge.worldbank.org/bitstream/handle/10986/7155/382850Revised01gile0states01PUBLIC1.pdf?sequence=1&isAllowed=y>.

¹¹ Collier, P and A Hoeffler (2004) ‘Greed and grievance in civil war’ *Oxford Economic Papers*, Vol 56, No. 4, pp. 563-95.

¹² On unmanageable geography see Clapham, C (2017) *The Horn of Africa*; on population density see Osafo-Kwaako & Robinson (2016) “Political centralization in pre-colonial Africa”; on intrastate rivalries and colonial legacies see Thies (2004) “Statebuilding, Interstate and Intrastate Rivalry”.

¹³ World Bank (2006) ‘Engaging with fragile states’, XXIII.

¹⁴ MONUSCO (2013) ‘Strategie Internationale de Soutien à la Securite et la Stabilisation Pour L’Est de la RDC: ISSS (2013-2017)’. Kinshasa : MONUSCO. Available at https://monusco.unmissions.org/sites/default/files/1_issss_2013-2017_document_entier_-_copy.pdf.

¹⁵ On Colombia see Acemoglu et al. (2013) “The Monopoly on Violence”; On Kenya see Kasara, K (2016) ‘Electoral Geography and Conflict: Examining the Redistricting through Violence in Kenya’ *Working Paper*. Available at <http://www.columbia.edu/~kk2432/elecgeog0316.pdf>.

¹⁶ On redistributing patronage see Baaz, M and J Verweijen (2013) ‘The Volatility of a Half-Cooked Bouillabaisse: Rebel-Military Integration and Conflict Dynamics in the Eastern DRC’, *African Affairs*, Vol 112, No. 449, pp. 563-582.; on resource taxation see Sánchez de la Sierra (2020) “On the Origins of the State”.



A few studies have moved beyond greed, arguing that initial failures to develop monopolies of violence can morph into semi-permanent hybrid modes of governance. This line of research relates back to Bayart's 'politics of the belly', who argued that leaders use extractive economies to maintain the patronage networks that keep them in power.¹⁷ Raeymaekers, for example, has found that Nande traders in eastern Congo developed informal relationships with local militia leaders in efforts to cope with chronic instability.¹⁸ Overtime, these relationships have crystallized and developed trade and security authorities that function in spite of moribund and barely present state institutions. In this context, state institutions are neither pre-modern nor exclusively greedy. Instead, they have been adapted to a political economy that gives equal amounts of public authority to informal structures. This gives rise to a monetized form of coercion, where local leaders buy the authority of disparate militarized actors, which in turn destabilizes monopolies on violence. In this diffuse 'political marketplace' of private coercive actors the price of political loyalty fluctuates depending on exogenous rent extraction.¹⁹

In such marketplaces, militias can often secure high degrees of local legitimacy. This legitimacy can come from ties to local communities or regulatory authority. Militia leaders often develop "local ownership" because they provide a semblance of order in the absence of central state institutions. At least in Somalia, which Menkhaus studied extensively, this comes from deep connections between militia leaders and local communities.²⁰ Moreover, militias also have a governing function: several studies have found extensive market tax records in militia repositories.²¹ These are not just for internal purposes, but also to govern the areas they control. For example, cross-border trading networks lacking formalized governance in both Sudan and South Sudan, Morocco and Tunisia, Syria, and Congo have been shown to rely on or coordinate with militia systems of record-keeping to maintain networks of trade.²² As local institutions, militias develop high degrees of governing authority in the absence of state monopolies on violence.

While extensive literature has established the governing capacity of local militias and warlords in hybrid institutions, there has been remarkably little research into the connections between militias

¹⁷ Bayart, J (1993) *L'Etat en Afrique: La politique du ventre*. Paris: Fayard Publishing.

¹⁸ Raeymaekers (2010) "Protection for Sale?"

¹⁹ de Waal, A (2015) *Real Politics of the Horn of Africa*.

²⁰ Menkhaus, K (2007) 'Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping', *International Security*, Vol 31, No. 3, pp. 74-106, pp. 83.

²¹ Hoffmann et al. (2016) "Taxation, Stateness, and Armed Groups".

²² On Sudan and South Sudan see de Waal, A (2019) 'Sudan: A Political Marketplace Framework Analysis' *World Peace Foundation*, Occasional Paper 19. Available at <https://sites.tufts.edu/wpf/files/2019/07/Sudan-A-political-market-place-analysis-final-20190731.pdf>; On Morocco and Tunisia see Gallien, M (2018) 'Informal Institutions and the Regulation of Smuggling in North Africa', *Perspectives on Politics*, Vol 18, No 2, pp. 492-508; On Syria see Bojicic-Dzelilovic, V and R Turkmani 2018. 'War Economy, Governance, and Security in Syria's Opposition-Controlled Areas' *Stability: International Journal of Security & Development*, Vol 7, No 1, pp. 1-17; On Congo see Raeymaekers (2010) "Protection for Sale?"



and state actors. If the revenue imperative of traditional statebuilding still applies, then when formal states interact with hybrid modes of local governance their first imperative is to find a steady source of revenue. Where militias have institutionalized their connections with local business and trade, this would theoretically imply that central states are encouraged to develop patronal ties to militias. Put another way, state elites would lose access to rents if they destroy militias in contexts where rebel groups double as entrepreneurial networks. FARDC elites are thus forced to choose between coercive and extractive capacity when exposed to local forms of hybrid governance. I argue that FARDC elites typically choose to seek revenue generation (extractive capacity), since it is an imperative for state functioning. The political marketplace of eastern Congo incentivizes FARDC to provide national level patronage to selected local militias. This helps to propagate conflict by providing external funding and logistics. In turn, this proliferation of militia groups destabilizes the monopoly on violence.

I build off the research on hybrid governance cited above, arguing that failures to establish a monopoly on violence in Congo represent a separate mode of hybrid governance agreed upon by local and national elites. I argue this is a method of establishing a rudimentary monopoly of violence, and not evidence of individual greed. However, these methods fail due to a combination of political and economic factors. Politically, these relationships are too turbulent to provide long-term benefits. Economically, the extractive modes of production in Congo warp FARDC patronage in a way that incentivizes conflict. This also helps to address why top-down theories of statebuilding have failed in Congo.

While the patronage distributed by FARDC to local armed groups resembles the first stages of political centralization in traditional statebuilding theories, two factors inhibit long-term statebuilding. First, the predatory economy of the Kivus changes the logic of these relationships. As will be shown during Sukola I, FARDC patronage incentivized local elites to profit from conflict. While relationships with local militias like Group Matata were intended to inhibit ADF operations, they inflamed local tensions and helped to incite mass killings. I argue that neither local nor national elites were incentivized to stop these killings, since the extractive resource economy continued to function during mass displacements and killings. Second, the reality of the political situation is too chaotic for these relationships to be durable. As will be shown during Sukola II, local power dynamics shift too rapidly for any one group to benefit from FARDC patronage. A secure relationship between FARDC officers and NDC-R militia members was undercut by continual changes to local power balances between armed groups. This prevents FARDC officers from using their proxies as local extensions, since it is an unreliable course of action. Together, a



predatory economy and dynamic local political situation warp patronal relationships that are meant to create a monopoly of violence. Instead of centralizing the authority of armed actors, FARDC patronage inevitably perpetuates conflict by adding exogenous funds and weapons into violent extractive modes of production and shifting power struggles. To return to statebuilding models, top-down efforts at establishing a monopoly on violence have failed in the Kivus because they have not created long-term relationships with armed local actors.

This addresses a gap in the literature of public authority on how formal national actors maintain informal networks at a local level,²³ by contributing a qualitative case study of the connections between national security actors and local militia leaders. Most of the empirical data used are collected from United Nations (UN) sources and several years of observing Congolese politics. A plethora of independent research groups and academic studies are also used. Findings from all the reports on FARDC behaviour and action are synthesized to form a clear picture of the patronal focus of FARDC in eastern Congo's political marketplace after the defeat of the M23 rebellion, between 2013-2020. My focus during these readings was on how the Congolese military did or did not allow for other armed groups to act in the Kivu provinces. I find that official army actors did in fact use their enhanced relative standing to buy loyalties from militias that increased rent access. The next section establishes the research design by identifying the dynamic nature of the Congolese political marketplace and the setting of the study.

One important note before moving into the methodological discussions. This paper has so far developed a political economic framework for analysing state patronage to rebels. Although I argue that these economic networks go beyond simple corruption and represent hybrid governance in perpetual conflict zones, the argument is essentially to 'follow the money.' I would reiterate that this does not preclude other forms of conflict from occurring in Congo. If it is established that FARDC elites are searching for revenue streams, that should not imply that all other Congolese elites are doing the same. Scholars of the Kivu conflict have also cited ethnic differences, colonial legacies, land issues, and poor public service delivery as reasons for conflict.²⁴ In fact, within the data presented here several militias exhibit similar logics. Instead of making the dubious claim that all elites in Congo are seeking equal goals or exclusively chasing economic gains, I am attempting

²³ Carayannis et al. (2017) "Competing networks and the political order in Democratic Republic of Congo", pp. 4-8.

²⁴ On ethnic rivalries see Singo, S and Opondo, S (2015) 'Ambiguity of the Soil, Ambiguity of Belonging' *The Roots of Ethnic Conflict in Africa* ed. W Nasong'o, pp. 75-92. New York: Palgrave Macmillan; on colonial legacies see Nzongola-Ntalaja, G (2013) *The Congo from Leopold to Kabila: A People's History*. London: Zed Books; on land use issues see Hoffmann, K, Mariève, P, and G Muzalia (2019) 'Constructed Anarchy: Governance, Conflict, and Precarious Property Rights in Bukavu, Democratic Republic of the Congo.' Ghent: Conflict Research Group.; on poor service delivery see Mughendi, N & Namegabe, P (2015) 'Gouvernance provinciale au Nord-Kivu et au Sud-Kivu entre 2007 et 2014: Rapports entre Institutions Provinciales, Réformes de la Justice et de la Police.' Goma: *Pole Institute*.



to show that armed politics in Congo function as a militarized marketplace. This marketplace is not impeded by a need to form a coercive monopoly because it is mostly focused on capturing exogenous rents through local predation. That elite loyalties are bought at varying rates should not take away from the fact that a plethora of issues encourage Congolese actors to fight (or as is more often the case, to express their politics non-violently²⁵). I will return to this discussion at the end of the paper.

Case Selection

This section establishes the dynamic nature of local Congolese politics and the setting of the case study. I argue that general security dynamics in the Kivus fit the definition of a political marketplace primarily by showing that violence is privatized, with an array of actors developing a ‘language of stateness’ around the militarized provision of local public goods.²⁶ I also show that these markets are connected in a predatory manner to the global economy.

Violence in the Kivus is highly compartmentalized, with more than one hundred armed groups.²⁷ The national government has long lacked total control of the east, allowing many of these groups to develop their own militarized provision of public goods.²⁸ In addition, each individual group is weak in comparison to the state army, but a few of the armed groups are remarkably durable. For example, the ADF has managed to survive and operate in the area for almost 25 years. Moreover, regional politics have complicated international involvement in conflict, which already tends to ignore local level threats.²⁹ On a micro-level, the state army is poorly equipped and not well positioned logistically in the Kivus, with low capacity exacerbated by decades of ignoring local conflict.³⁰ In sum, although the state army is the largest actor in the Kivus, it is not dominant enough to operate unhindered. This leaves FARDC in a position of high and enduring, but not

²⁵ Vlassenroot, K, Muzalia, G, Mudinga, E and A Bisoka (2019) ‘Économie politique des élections en RDC et sa traduction au Sud-Kivu: vers un renforcement de la citoyenneté?’, *Conjonctures De l’Afrique Centrale 2019*, ed. S Geenen, A Bisoka, and A Ansoms, pp. 23-45. Paris: Harmattan.

²⁶ Hoffmann et al. (2016) “Taxation, Stateness, and Armed Groups”.

²⁷ Congo Research Group (2015) ‘The Landscape of Armed Groups in the Eastern Congo.’ New York: CRG. Available at <http://congoresearchgroup.org/wp-content/uploads/2015/11/The-Landscape-of-Armed-Groups-in-Eastern-Congo1.pdf>.

²⁸ Sánchez de la Sierra, R (2020) ‘On the Origins of the State: Stationary Bandits and Taxation in Eastern Congo’ *Journal of Political Economy*, Vol 128, No. 1, pp. 32-74; Raeymaekers (2010) “Protection for Sale?”; Congo Research Group (2020) ‘For the Army, With the Army, Like the Army? The Rise of Guidon Shimiray and the NDC-Rénové in Eastern Congo.’ New York: CRG. Available at <http://congoresearchgroup.org/lubero/report-for-the-army-with-the-army-like-the-army-guidon-ndcr-rdc.pdf>.

²⁹ International Crisis Group (2014) ‘Congo: Ending the Status Quo.’ Washington: ICG. Available at <https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/congo-ending-status-quo>; Autesserre, S (2012) “Dangerous tales”.

³⁰ Conflict Research Unit (2015) ‘Going around in circles: The challenges of peacekeeping and stabilization in the Democratic Republic of the Congo.’ Amsterdam: CRU. Available at https://www.clingendael.org/sites/default/files/pdfs/going_around_in_circles.pdf.



paramount, influence in military affairs. The inability of FARDC units to provide a baseline level of security provides space for militias to function as micro-governments: providing tax records, protection at international markets, and encouraging the development of artisanal mines.³¹ Second, economics in eastern Congo focuses on the capture of exogenous rents rather than the development of endogenous ones. That is, *ceteris paribus*, elites in Congo prefer easy access to international capital flows. At a national level, elite regimes and networks tend to manipulate existing aid flows to stay in power.³² At a local level, Congolese actors in the Kivus typically don't secure fair payment on the sale of resources.³³ Moreover, international attempts at fixing this pattern of predation have often resulted in conflict over access to the mineral rents that remain.³⁴ Local systems of predation mean that elites, both national and local, can profit from external connections to global markets without local development. In summation, local militias have varying degrees of public authority and economic access is focused more on capturing exogenous rents than developing internal production.

For case selection, I chose a time period where changes in national control over the Kivus was theoretically possible due to relative increases in FARDC military capacity compared to other armed groups. Sadly, there are many examples in Congo's history where opportunities for political consolidation and statebuilding have been spoiled by external actors. Lumumba's nationalist agenda at independence was stopped by a US-involved assassination and Belgium-led rebellion in Katanga, for example.³⁵ While it is not possible to isolate external involvement in the selected case, it is possible to find a time frame where Congolese military capacity saw relative capacity advancements. More recently, the Sukola I & II military operations came during a "security void" in the eastern provinces of North and South Kivu.³⁶ The largest armed rebel group, *Mouvement 23*, had recently been defeated, and international negotiations had severely lessened the regional involvement of Rwanda, Uganda, and Burundi.³⁷ This means FARDC elites were presented with a choice of developing patronal networks or destroying local militias. Although still constrained by local, national, and international actors, the Congolese army had an opportunity to act on the development of a monopoly on violence. Under a marketplace theoretical framework and

³¹ On tax records see Hoffmann, et al. (2016) "Taxation, Stateness and Armed Groups"; on regulation of markets see Raeymaekers (2010) "Protection for Sale?"; on the management of artisanal mines see Sánchez de la Sierra (2020) "On the Origins of the State".

³² Trefon, T (2011) *Congo Masquerade: The Political Culture of Aid Inefficiency and Reform Failure*. London: Zed Books.

³³ International Peace Information Service (2020) 'How much does a miner earn? Assessment of miner's revenue; basic needs study in the DRC.' Antwerp: IPIS. Available at <https://ipisresearch.be/wp-content/uploads/2020/05/2003-miners-revenue.pdf>.

³⁴ Iguma, C. "Referees become players": Accessing coltan mines in the Eastern Democratic Republic of Congo', *The Extractive Industries and Society*, Vol 5, No. 1, pp. 66-72.

³⁵ Nzongola-Ntalaja (2013) *The Congo from Leopold to Kabila*.

³⁶ MONUSCO (2013) ISSSS, pp 4.

³⁷ ICG (2014) "Congo: Ending the Status Quo".



terminology, however, because the relative increase in capacity of the Congolese military came at the expense of rebel capabilities, the purchasing price of militia loyalty would decrease. The following two sections lay out the evidence for my argument in detail. In following sections various smaller Mayi-Mayi involved in the study are generally not named directly in order to ease the complexity of the findings.

FARDC Operations (2014-2016): Sukola I & Killings in Beni

By late 2013, ADF activity in and around the Rwenzori mountains had increased. Several dozen died, thousands fled the area, and kidnappings and forced recruitments increased. For example, ADF kidnappings had increased by more than 100% to over 330 civilians during 2013.³⁸ While ADF operations had tended to focus on forced recruitment and stealing logistical supplies their attacks in late 2013 became particularly violent. For example, a variance in the style of attacks can be seen in a trading town in eastern Beni. In June and July of 2013, ADF raids on Kamango had targeted logistical hubs and hospital supplies but killed relatively few civilians; an attack on December 26, 2013 killed more than 25 civilians.³⁹ Aside from this, the threat posed to the central state by ADF began to rise. By late 2013 the group numbered somewhere around 1400 combatants, with Madina camp near Beni numbering more than 1000.⁴⁰ Although stalled by the assassination of Col. Mamadou Ndala, who had led the campaign against M23, FARDC units eventually shifted their focus towards the ADF with Sukola I (Lingala for ‘mop up’) kicking off in January 2014.⁴¹ Sukola I was designed to capture and destroy training camps, interrupt ADF smuggling rings, and most importantly create urban islands of stability. UN/MONUSCO aid was mostly in the form of logistics and intelligence, but some direct action from the FIB was also specified.⁴² Largely, the operational design suggests a genuine attempt at reasserting a Congolese monopoly on violence.

Sukola I began with a rapid advancement of FARDC forces. As of April 2014, FARDC forces under General Bahuma with the 8th Military Region had closed in on Madina, with other units advancing through Eringeti. By May 2014, FARDC officers claimed to have killed more than 500 ADF soldiers with fewer than 250 casualties themselves.⁴³ FARDC units had been unsuccessful in

³⁸ See <https://www.thenewhumanitarian.org/fr/analyses/2014/12/16/l-approche-de-l-offensive-en-rdc-suscite-la-crainte-de-retombees-humanitaires>.

³⁹ On the raids in June see United Nations Security Council S/2016/466, para. 135-136; On the attack in December see Congo Research Group (2017) ‘Mass Killings in Beni Territory: Political Violence, Cover Ups, and Cooperation.’ New York: CRG. Available at <http://congoresearchgroup.org/wp-content/uploads/2017/09/CRG-Beni-2017-report-updated.pdf>, pp. 31.

⁴⁰ S/2016/466, annex 8.

⁴¹ United Nations Security Council S/2015/19, para. 8.

⁴² CRG (2017) ‘Mass Killings in Beni Territory’, pp. 44.

⁴³ S/2015/19, para. 10.



capturing ADF combatants, however, with the majority fleeing their bush-camps as FARDC successfully advanced. This chaotic retreat of ADF resulted in the formation of two mostly independent groups of several hundred combatants.⁴⁴ One group fled into Uganda through northeast Beni and included the ADF leader Jamil Mukulu. The second group, led by Seka Baluku, consolidated near Virunga National Park to continue fighting. The advance of FARDC and Bahuma through the area around Kamango had greatly disrupted ADF operations, with the Baluku group dropping to around 150 combatants split up into teams near Eringeti and Oicha.⁴⁵ ADF units began targeting civilians in what was probably a last-ditch effort to increase the stakes of the conflict and force FARDC units to alleviate pressure on ADF by providing aid to civilians. By June 2014 alone, the group had violently kidnapped more than 350 people for ransom or forced recruitment, already more than 2013.⁴⁶ In the following months they would kill hundreds.

In August, General Bahuma died in Uganda and was replaced by General Mundos. In what seems to be ADF units seizing an opportunity at a transition of leadership, attacks against civilians became drastic. Small, mobile ADF units killed nearly 400 civilians between October and December 2014 mostly at the villages of Ngandi, Kadou, and Vemba; in total over 800 civilians would die between October 2014 and December 2016.⁴⁷ Following the first wave of ADF massacres, these killings ballooned to involve a plethora of groups beyond ADF leadership: including old M23 officers, local Mayi-Mayi militias, customary chiefs, Kinyarwanda speaking groups, and in some cases FARDC units such as the 31st Brigade, led by Colonel Adrian Loni.⁴⁸ Although the motivations of this wide array of killers were diverse and complicated, one thing is clear: the killings created a wave of displacements. Over 60,000 people fled Beni province according to the Congo Research Group.⁴⁹

The best explanation for FARDC involvement in these killings was a deliberate cooption of armed groups in the region that occurred during the chaos of mass displacements. A series of attacks in Bambuba-Kiski are particularly telling and help weed through the complexity.⁵⁰ ADF leaders held ties to Vuba chiefs in the area, who held longstanding grudges against prominent Nande miners and farmers. Following their forced exodus from Madina, some ADF leadership under Baluku relocated to Bambuba and cemented ties to the local Vuba militia, labelled Group Matata by the

⁴⁴ S/2016/466, para. 9-14.

⁴⁵ CRG (2017) "Mass Killings in Beni Territory", pp. 38.

⁴⁶ S/2015/19, para. 16.

⁴⁷ CRG (2017) "Mass Killings in Beni Territory", pp. 8-10.

⁴⁸ *Ibid.*, 59-60.

⁴⁹ *Ibid.*, 9.

⁵⁰ *Ibid.*, 57-64.



UN Group of Experts. Attempting to weed out ADF leaders, members of the 31st Brigade (FARDC) frequently met with Vuba leaders in Eringeti. Tensions between Nande and Vuba leaders spiked when the mass killings began, and in an effort to cement ties members of the 1003rd and 1007th regiments (FARDC) encircled Eringeti on October 17-18. They subsequently allowed and encouraged Vuba militias to chase out and kill ethnic Nande. Vuba leaders, in response, supplied intelligence on ADF locations. The killings also resulted in a “virulent strand of Vuba leadership” that exacerbated internal disputes and resulted in violent breakaways.⁵¹ The resulting groups eventually settled into areas of operation in the Rwenzori mountains. I have chosen the killings around Bambuba-Kisiki as an example because they highlight FARDC behavior during the killings. Instead of targeting ADF directly, they incited conflict among local groups (which resulted in mass killings) in an attempt to coopt Vuba militias. Although there was splintering from the initial group, FARDC officers cemented patronage relationships with Group Matata.

While FARDC officers did gain intelligence from this relationship, the lack of sustained operations in 2016 and 2017 suggest they never fully acted on it. Instead, as will be shown, officers used this relationship to help smuggle timber or other resources, creating steady revenue streams. Similar killings took place in Vemba, Oicha, and many other places around Virunga National Park. In some instances, such as Eringeti (see above), Boikene, Oicha and as far away as Mutarule, Sukola I officers used the killings to displace locals and install politically loyal clients.⁵² These clients, such as Group Matata, were then used to connect the timber smuggling of some units to international markets. In each instance of mass killings, Sukola I officers seemed more focused on coopting relationships with major militias in the area than protecting civilians, leading the UN group of experts to claim FARDC units under General Mundos had failed completely to protect civilians.⁵³

By the end of 2016, the intensity of the killings had decreased. The noise and chaos created by the mass displacements of thousands of people had not abated, however. As FARDC units moved into areas previously held by ADF units, specifically near Kamango and Eringeti, they also coopted the timber production and export networks of local group.⁵⁴ Colonel Muhima and the 808th regiment appear to have harvested timber in Bambuba-Kisiki, for example.⁵⁵ Enlisted FARDC soldiers told the UN group of experts they were “given the option of either fighting armed groups

⁵¹ Ibid., 57.

⁵² On Vemba and Boikene see CRG (2017) “Mass Killings in Beni Territory”, pp. 50-55; on Oicha and Virunga see United Nations Security Council S/2016/466, annex 55; on Eringeti see S/2016/466, para 14; on Mutarule see S/2016/466, para 140-149

⁵³ United Nations Security Council S/2015/797, para. 93-97.

⁵⁴ Ibid., para. 79-83.

⁵⁵ CRG (2017) “Mass Killings in Beni Territory”, pp. 45-49.



or harvesting timber for their officers”.⁵⁶ There were several options to smuggle the harvested timber out of North Kivu, all of which went through territory of newly installed clients. Instead of crossing nearby international borders, timber collected near Kamango or Eringeti was funnelled back through North Kivu, towards Mbau.⁵⁷ As these timber routes passed through Mbau and Beni, they came under the supervision of newly networked clients like the groups Matata and Mayangose.⁵⁸ At the very least, these smuggling routes pass through areas where people had been displaced, suggesting FARDC leadership was taking advantage of a lack of oversight.

Moreover, Sukola officers appear to have developed other revenue streams, causing the operations themselves to stall and collapse into general security dynamics of the area. A plethora of taxing roadblocks were jointly managed with Mayi-Mayi in mineral rich northern Walikale, Southern Lubero, and Northern Masisi.⁵⁹ Following an attack on a nearby village, a Mayi-Mayi located on the shores of Lake Edward began a taxation ring targeting unauthorized local fishermen. FARDC naval officers often cooperated in the scheme, taking a ‘cut’ when allowing those who had paid the militiamen to walk free when charged with illegal fishing practices.⁶⁰ In Masisi, the 3302nd Regiment charged artisanal miners a tax for access to the recently captured mine.⁶¹ In the examples just mentioned, Sukola I officers took advantage of the chaotic mass killings to sustainable revenue streams in tandem with local militias.

Mass killings continued into April 2017, although none were as severe as the killings around Beni in late 2014 and early 2015 mentioned above. Although the ADF leader Mukulu was arrested in Tanzania in 2015, most ADF leadership, such as the groups that had splintered under Baluku, evaded capture. Technically these operations are still ongoing, but no major moves have been taken by FARDC leaders since late 2016.⁶² ADF training camps in the Rwenzori Mountains were destroyed but forced recruitment through kidnapping has continued.⁶³ While it could be argued that ADF dominance in the northern areas of North Kivu has subsided, recent ADF attacks suggest they may be back on the rise. Violent attacks in late 2019 are near catastrophic levels: 77 civilians

⁵⁶ S/2015/797, para. 80.

⁵⁷ Ibid., annex 17.

⁵⁸ The loosely affiliated group has continued to operate despite the leader of Mayi Mayangose, Mbanguma Kitobi, being arrested for his involvement in the killings around Vemba.

⁵⁹ Schouten, P, Murairi, J, & S Kubuya (2017) ‘Everything that moves will be taxed’: the political economy of roadblocks in North and South Kivu. Antwerp: IPIS. Available at <https://ipisresearch.be/wp-content/uploads/2017/12/1801-Roadblocks-DRC-English.pdf>, pp 30-35.

⁶⁰ S/2016/466, para. 87-91.

⁶¹ Ibid., para. 134-6.

⁶² United Nations Security Council S/2017/672, para 52.

⁶³ Ibid., para 54.



were killed in a single week in November around Beni.⁶⁴

This all suggests that the group has managed to survive Sukola I operations and is poised to rebound due to complicated Gordian knot of insecurity in the Kivus.⁶⁵ I have argued, instead, that FARDC units used the rapid territorial gains against ADF units to establish smuggling rings connected to local economic networks. FARDC elites, particularly the officers mentioned above, established territorial enclaves where they coopted local elites as economic intermediaries. These patronage networks provided steady sources of rents and funding and helped to coopt local militia leaders. Instead of developing a monopoly on violence, however, the extractive modes of resource production used in the Kivus meant the mass killings presented local militia leaders with opportunities to secure resources and drive out rivals. Subsequent FARDC patronage only incentivized local elites to further profit off the chaos.

FARDC Operations (2015-2017): Sukola II & The Rise of NDC-R

Although FARDC officials had initially wanted to target FDLR leadership with post-M23 operations, these were delayed by complicated regional and international efforts at peace.⁶⁶ Following the collapse of M23, a press statement from FDLR leadership indicated a willingness to open peace negotiations between the group and neighbouring Rwandan government.⁶⁷ This statement was not backed by credible actions and as of late 2014, DDR negotiations had largely failed – with only several hundred FDLR combatants de-arming. Most failed to demobilize whatsoever and remained attached to the group.⁶⁸ By the beginning of 2015, these negotiations had completely collapsed without failing to achieve much. Led by exiled Ignace Murwanashyaka, FDLR was estimated to be around 1,500 combatants, although Rwandan estimates placed the number much higher.⁶⁹ Moreover, it still appeared at the time that Sukola I would be successful, and national attitudes towards military operations remained high. Advancing past fears of humanitarian disaster,⁷⁰ FARDC leadership announced the beginning of Sukola II in North Kivu, South Kivu and Tanganyika provinces. Expecting some logistical support from MONUSCO, the operation

⁶⁴ See <https://blog.kivusecurity.org/after-the-death-of-at-least-77-civilians-the-congolese-armys-strategy-against-the-adf-is-called-into-question/>.

⁶⁵ Kwiravusa, E (2019). *Le Cercle Vicieux de L'Insecurite au Grand Nord Facteurs Politiques, Economiques et Socio-Culturels de la Crise de Beni*. Suluhu Working Paper No. 3.

⁶⁶ S/2015/19, para. 40-53.

⁶⁷ S/2015/797, annex 5; S/2015/19, para. 40-47.

⁶⁸ S/2016/466, para. 64.

⁶⁹ *Ibid.*, para. 47.

⁷⁰ See <https://www.thenewhumanitarian.org/fr/analyses/2014/12/16/l-approche-de-l-offensive-en-rdc-suscite-la-crainte-de-retombees-humanitaires>.



immediately got off to a rocky start. The two FARDC generals appointed to head Sukola II in North and South Kivu, Bruno Mandevu and Fall Sikabwe respectively, had been accused of massive human rights violations.⁷¹ Thus, despite having planned operations together, MONUSCO denied any operational support to FARDC unless new leadership was announced.

Despite early logistical and organizational headaches, Sukola II started with a series of victories against FDLR. In South Kivu, FDLR units were forced to abandon camps near Uvira and Mugutu,⁷² while in North Kivu, FDLR units fled from several camps in Rutshuru to a new operational centre nicknamed ‘Camp Paris’ in Virunga National Park and several smaller subsector centres in Walikale.⁷³ Despite what seemed like rapid advances, FARDC forces had only killed 35 FDLR combatants and captured less than 150 (despite reporting higher numbers, some of those captured ended up being civilians⁷⁴). The lack of heavy fighting can be attributed to an internal FDLR counteroperation. Dubbed Operation Leopard, it developed during the peace processes that failed in 2014.⁷⁵ This plan called for FDLR units to collapse into smaller and more mobile guerrilla units, and to avoid heavy fighting when possible. Larger weapons systems, capable of sustaining combat against FARDC units, were hidden in caches; leaving FDLR combatants with little beyond standard 7.62mm machine guns, RPG-7’s, and 60mm mortars.⁷⁶ The increased mobility allowed FDLR to maintain financial streams from looting villages near their disperse camps, a necessary substitute since their smuggling and agricultural operations had been severely disrupted.⁷⁷ This accompanied increased attacks on civilians.⁷⁸ Of course, this is a long-standing FDLR tactic, yet one that had been used less in the years immediately prior to Sukola II. Many of these attacks resulted in forced kidnappings and recruitments.⁷⁹ Moreover, FDLR leaders manipulated their proximity to Rwandan refugees, stealing or taxing much of their humanitarian aid.⁸⁰ Although FDLR remained mobile and violently pestered local populations, these early advances by FARDC constituted positive developments in the Sukola II campaign.

Sukola II operations were bolstered by opportunistic militias who attacked a weakened FDLR. One prominent example was NDC-R. As a brief explanation, NDC-R broke away from the parent NDC militia in 2014 citing financial concerns and disputes over how to handle relationships with the

⁷¹ S/2015/797, para 26.

⁷² Ibid., para. 28.

⁷³ Ibid., para. 29.

⁷⁴ Ibid., para. 30-32.

⁷⁵ S/2016/466, annex 12.

⁷⁶ Ibid., annex 11.

⁷⁷ S/2016/466, para. 33.

⁷⁸ See Kivu Security Tracker data at <https://kivusecurity.org/map>.

⁷⁹ United Nations Security Council S/2016/1102, para 18-19.

⁸⁰ Ibid., annex 16-17.



FDLR.⁸¹ NDC-R's breakaway leader, Guidon, a former FARDC captain, used his ties to FARDC leaders in Walikale to bolster his position enough to violently break away. As quoted in a Congo Research Group report, a FARDC intelligence analyst confirmed that this makeshift alliance with the NDC-R was viewed as a "business opportunity".⁸² For Guidon and the NDC-R, close ties to FARDC leadership represented an opportunity for amnesty of criminal offenses committed by the group's leadership.⁸³ Guidon outlined a number of priorities, including moving south from Walikale into Masisi territory in an opportunistic move to seize territory from a crippled FDLR. By November 2015, NDC-R had begun attacking FDLR positions in earnest, with logistical, organizational, and operational support from FARDC officers.⁸⁴ Attacks were particularly fierce in northern Masisi. Other Mayi-Mayi, such as Mazembe, joined in on attacks against the FDLR.

The pressure on both sides caused a near total collapse of FDLR leadership, with FDLR combatants dropping down to around 700 from a mix of death, surrender, desertion, and internal political divisions.⁸⁵ Steep internal divisions were accentuated by military pressure and subversive communications with Rwanda, and a key leader of the group, Wilson Irategeka, broke away to form his own group, leading to violent internecine clashes.⁸⁶ By late 2016 and early 2017, FDLR troops had been mostly pushed into Virunga National Park. Three main camps remained, Camp Paris, Kazaroho, and Kiringa.⁸⁷ They continued to gain financing from kidnappings for ransom and forced recruitment, as well as from resource trafficking out of the few areas left under their control. Their operational capability was severely threatened, however. It was at this point that FARDC leaders decided to abdicate the majority of their responsibility in the operation. Strangely, with FDLR forces on the run, government officials abandoned conventional military manoeuvres to NDC-R in favour of select targeted raids on high value FDLR targets, such as General Mudacumura.⁸⁸

Through late 2016 NDC-R and FDLR forces fought a series of battles against each other in eastern Rutshuru.⁸⁹ The ebb and flow of this campaign was complicated by the presence of a large number of Hutu militias. Known collectively as Nyatura, these militias generally had favourable relations with FDLR units. The first major battles were in eastern Rutshuru in July, at Kikuku, Kiyeye,

⁸¹ Ibid., annex 30-31.

⁸² CRG (2020) "For the Army, With the Army, Like the Army?", pp. 18.

⁸³ S/2016/466, annex 31.

⁸⁴ Ibid., para 80-81.

⁸⁵ Ibid., para. 12.

⁸⁶ Ibid., para. 10-12, 24, annex 2.

⁸⁷ Ibid., annex 8.

⁸⁸ See <https://blog.kivusecurity.org/guest-blog-general-mudacumura-the-death-of-a-most-wanted/>.

⁸⁹ CRG (2020) "For the Army, With the Army, Like the Army?", pp. 44-47.



Kitunda and Mutanda.⁹⁰ Nearly 100 civilians died in fighting between NDC-R and FDLR forces in July. The fighting was so drastic that a contingent of FARDC forces from Sukola II, under General Mandevu, was stationed in Nyanzale to force a ceasefire. Moreover, this ceasefire fit with an apparent shift in NDC-R strategy. Turning their attention to control of resources in Masisi and Southern Lubero, NDC-R began to cement control of areas lost by FDLR units. NDC-R leadership, which was mostly Nyanga, also began to manipulate local ethnic tensions between Hutu and Nande. This led to subsequent clashes with local Nande defence groups, such as Mayi-Mayi Mazembe.⁹¹ While FARDC soldiers had largely become observers, FARDC leaders gave increasingly strong support to NDC-R counterparts. They were allowed to pass freely through roadblocks, given FARDC uniforms and ammunition, and one NDC-R commander claims to have even been “managed by the Sukola II command and from the 34th Military Region in Goma”.⁹² Some FARDC units at this point resumed intense fighting, not against FDLR as would have been expected given the goals of Sukola II, but against Mazembe units in coordination with NDC-R.⁹³ This was an abdication of the responsibility to create a coercive monopoly on violence by directly eliminating FDLR opposition, instead providing legitimacy to rebel groups in areas that FARDC had fought to clear. Not surprisingly, these areas contained extractive resources – with gold mines across Walikale and Lubero. FARDC leaders were probably hoping that NDC-R would be able to stabilize the area, and that their military patronage would create a reliable ally.

With an ever-expanding swath of territory, NDC-R began to function more like a state. NDC-R developed a sophisticated “jeton” system of tax recording, with detailed records by amount paid, individual payee, and by week taken.⁹⁴ FARDC officials also moved their positions out of trading towns in Northern Masisi, allowing NDC-R to build surveillance outposts to monitor trading centres.⁹⁵ Furthermore, NDC-R officials created monopolies on mines in the area, taxing artisanal miners directly at the point of production instead of only using roadblocks or centres at trading towns.⁹⁶ NDC-R cemented this pseudo-statehood through meetings with local officials and chiefs, and forced compliance of federal election monitors, some of whom they kidnapped in Walikale.⁹⁷ This condition remained stable in much of Masisi, Walikale, and Southern Lubero for most of 2017, 2018, and some of 2019, all occurring with significant ties between NDC-R and Sukola II

⁹⁰ S/2016/1102, para. 103-107.

⁹¹ CRG (2020) “For the Army, With the Army, Like the Army?”, pp. 21-22.

⁹² Ibid., 32.

⁹³ See Kivu Security Tracker data at <https://kivusecurity.org/map>.

⁹⁴ United Nations Security Council S/2019/469, annex 55.

⁹⁵ Ibid., annex 19.

⁹⁶ S/2016/466, para. 131; CRG (2020) “For the Army, With the Army, Like the Army?”, pp. 50-57.

⁹⁷ CRG (2020) “For the Army, With the Army, Like the Army?”, pp. 48.



officers. FARDC officers from the 3411th regiment supplied NDC-R troops boxes of ammunition, met with NDC-R officers in bars to discuss strategy, met with townspeople in Kalungu to reassure them there was ‘nothing to fear from the presence of NDC-R’, and used NDC-R troops as pathfinders in operations against the FDLR.⁹⁸ Meanwhile, FARDC units continued to play the role of observer, with some officers taking the lull in fighting as a business opportunity: one unit admitted to the UN group of experts to collecting portions of artisanal fees from NDC-R gold mines in Mbingi.⁹⁹

FDLR violence resumed in full in 2019, however, and appears to have shaken NDC-R territorial gains. Moreover, the rise of several armed groups in South Kivu, such as Mayi-Mayi Yakutumba, has stretched Sukola II’s operational limits. In July 2020, NDC-R faced its own internal split, kicking out Guidon.¹⁰⁰ FARDC support for the group remains, but by August 2020 NDC-R (Guidon’s faction) had been forced out of Rutshuru, Masisi, and Lubero by infighting, taking shelter in enclaves in eastern Walikale.¹⁰¹ The durability of FARDC’s patronage to the NDC-R seems dubious because the Guidon faction is on the verge of collapse.

In the case of Sukola II, FARDC officials in the area deliberately guided support towards NDC-R while feigning continued action against FDLR. This provided several economic opportunities for FARDC units but came at the opportunity cost of control over large swathes of Walikale and Rutshuru. Somewhat different from Sukola I, here FARDC leadership found a reliable ally and local client that they invested steady patronage into. It is possible this relationship could have helped to cement a monopoly on violence in the area by bringing local groups under FARDC control, but the rapid collapse of NDC-R into infighting has made that outcome difficult to imagine. Combined with Sukola I, there now appears to be a pattern of successful starts to military operations that later stall due to patronage network formation. The next section discusses the political economy of why FARDC leaders ignored statebuilding and favoured patronage construction. I argue that that the evidence presented here shows that governance in Congo follows an alternative trajectory, where economic opportunities are privatized, and violence is socialized. This incentivizes FARDC leadership to allow for the continued spread of militia groups, which undermines the formation of a monopoly on violence.

⁹⁸ See S/2019/469, para. 60 and CRG (2020) “For the Army, With the Army, Like the Army?”, pp. 35; on coercion at Kalungu see S/2019/469, para 59; on the use of pathfinders see S/2016/466, para. 80.

⁹⁹ S/2016/466, para. 133.

¹⁰⁰ See <https://blog.kivusecurity.org/guest-blog-the-ndc-renove-kicks-out-guidon-who-kicked-out-sheka/>.

¹⁰¹ See Kivu Security Tracker data at <https://kivusecurity.org/map>.



Theories of Statebuilding Revisited: Privatized Profits and Socialized Violence

This section synthesizes the findings from both Sukola operations into a coherent argument. Notably, FARDC elites used their increased capacity to lower the cost of militia loyalties and expand rent access. Lowering militia loyalties was generally done through client installation, such as Loni's 31st Brigade installation of Group Matata leadership in the Bambuba-Kisiki. This gave FARDC leaders loyal proxies and generally built into the second point of expanded rent access. In short, elites in the FARDC built patronage networks instead of central state authority. Due to a genuine inability to fully control the area with coercive methods, I suggest this is evidence of hybrid governance in eastern Kivu, not just corruption.

In the gold and timber smuggling mentioned in the sections above there are some clear-cut examples of corruption, but it appears the intent of the rents was to form patronage networks with local armed groups. One clear example of this is the gold mines at Mbingi, where FARDC soldiers collected rents from NDC-R units. This once again brings readers back to the central concern of the paper: why didn't the Congolese state take full control of the mines? Why take partial rent access through proxies when total control is possible? During the Sukola operations, FARDC officers used patronage as a means of building relationships with local militias. On a purely economic level, continuity in production chains made it easier to export and smuggle resources. On a political level, however, these relationships provided incentives for armed local actors to work with FARDC leaders on security issues. In theory these relationships could have provided more stability to the area, expanding FARDC authority into areas the state did not directly control by using proxy groups. But this strategy failed because of chaotic displacements, in the case of Sukola I, and shifting power dynamics, in the case of Sukola II. In sum, FARDC efforts at extending a rudimentary monopoly of violence into the Kivus failed because of dynamic local factors. Furthermore, these operations helped to perpetuate conflict by providing a slew of weapons and smuggling routes to rebel groups in the area without first establishing long-term political loyalties.

What do these findings imply? First, it shows a rapidly shifting local political structure. In a 5-year period the Kivus witnessed several mass killings along with the rise and fall of dozens of armed groups, some of whom even attempted to govern. In comparison, the local economic structure is remarkably durable. Even during mass killings and displacements, smuggling routes and resource collection methods remained mostly intact, regardless of what armed group controlled them. Predatory over-taxation was prevalent at the production, transportation, and distribution of resources. I have argued that these two factors combined make steady long-term development



difficult. So long as the armed politics of the area remains turbulent, national actors will be unable to build loyal relationships with local actors. Furthermore, the predatory nature of resource collection means that both national and local elites will not lose much of their profits so long as the conflict continues. Local elites, then, have little economic incentive to develop more steady political connections to national politicians. This makes FARDC attempts at establishing loyal local allies mostly useless. In this way I argue that FARDC behaviour undermines statebuilding in the Kivus. FARDC leaders wanted a quid-pro-quo of military resources and logistics for loyalty, but local armed groups either failed to remain loyal during chaotic displacements or were unable to survive local power struggles long enough to show loyalty. The outcome is that FARDC operations infused the area with military resources that perpetuated conflict.

Second, the research shows why international efforts at top-down statebuilding have collapsed in Congo.¹⁰² If the central state uses expansions in relative capacity to maintain violent local militias, then international investments in the state often help to maintain conflict. Although policy ‘fixes’ are outside the scope of this paper, a growing body of research points to investments in local civil society groups as an alternative.¹⁰³ Academically, this highlights a paradox. Although there is a growing body of research on the subject, it still stands to reason that deliberate government acquiescence to militias is a counterintuitive finding. Militias are not subservient proxy groups and often have their own agendas, which makes them difficult to control. Moreover, militias often provide some public goods and services (such as basic security) which provides them with local public legitimacy in some cases.¹⁰⁴ This lack of control and dilution of legitimacy means that if national elites willingly allow for local militias they are, quite literally, undermining their own statebuilding. Moreover, most research on national elites’ connections to informal institutions focuses on patronage through official channels such as ethnic chiefs and political parties.¹⁰⁵ This study has provided an additional insight into hybrid connections between local and national actors, one that other studies have noted is lacking in the literature.¹⁰⁶

One final note to reiterate the fact that not all conflict in Congo is economic. NDC-R established some semblance of local government, which provided a relatively generic exchange of taxes for security in some communities. Their tax system and marketplace monitoring were detailed, recorded, and sophisticated and integrated extractive resource chains to add value. This allowed

¹⁰² Autesserre (2012) “Dangerous Tales”.

¹⁰³ Vlassenroot, K, Muzalia, G, Mudinga, E and A Bisoka (2019) ‘Économie politique des élections en RDC et sa traduction au Sud-Kivu: vers un renforcement de la citoyenneté?’

¹⁰⁴ Menkhaus (2007) “Governance without Government in Somalia”.

¹⁰⁵ Bachus, T (2020) ‘How do ethnic parties link to their constituencies? Mixed-method evidence’ *Ethnopolitics*, forthcoming.

¹⁰⁶ Carayannis et al. (2017) “Competing networks and the political order in Democratic Republic of Congo”, pp. 4-8.



for some limited economic growth under NDC-R.¹⁰⁷ Moreover, Nyatura conflict with NDC-R also exhibited some of the identity-based dimensions of conflict. Many of the Hutu militias fought ferociously to protect Banyarwanda communities from an NDC-R takeover. Of course, local militias in eastern Congo have a track record of human rights violations and sexual violence. This section is not meant to add a moral stance to Congolese rebel groups, but merely to show that not all violence is for economic gains. Even within the economic incentives of FARDC officers there are separate motives. While Colonel Loni in Eringeti was apparently installing loyal political clients, FARDC fee collection at NDC-R gold mines or on the shores of Lake Edwards appears to be a counterexample of corruption. Rather, I am arguing that Congo's position on the periphery of the global economy allows elites to maintain extractive profits without total coercive authority. This doesn't mean that all conflict is economic, just that in the real politics¹⁰⁸ of Congo, war doesn't interfere with elite profiteering (even at a local level).

This paper has highlighted how the predatory functioning of economic networks in areas with diluted public authority disincentivizes the establishment of a monopoly on violence. In linear modernization theories, state elites use ever-increasing capacity to consolidate coercive authority. However, in the dynamic context of economies on the global periphery, political authority changes too rapidly to establish long-term relationships. This means they are encouraged to allow for the existence, operation, and maintenance of local militias. Local militias have a level of legitimacy that is respected, to a degree, by national actors, thus developing into patronal relationships that satisfy national elites' search for revenue. However, this helps to institutionalize the public authority of militias, leaving no short-term prospects to suggest conflict will end soon. The central finding here has been that Kinshasa is not necessarily unable to create a monopoly on violence in eastern Congo, but that it is disincentivized from doing so because the predatory political economy of the Kivus can thrive without one.

¹⁰⁷ Sánchez de la Sierra (2020) "On the Origins of the State".

¹⁰⁸ de Waal (2015) *Real Politics of the Horn of Africa*.



SULUHU WORKING PAPERS

Suluhi Working Papers address contemporary issues around the analysis of politics and society in Central Africa's Great Lakes region, with a particular focus on contestation and conflict over resources, power, and identity. They appear in English or French and serve as platform for peer-reviewed (non-blind) pieces of scholarship and in-depth, fieldwork-based empirical research.

Author

Trevor Bachus is an independent researcher in St. Louis, MO, USA. He is interested in local governance during prolonged conflicts as well as political and economic factors in conflict resolution. He focuses on the Great Lakes Region of Africa. He thanks Ken Rutherford for insightful feedback on an earlier draft of this paper.

Editors

Ben Radley University of Bath
Christoph Vogel Ghent University and New York University

Editorial board

Anna Reuss University of Antwerp
Aymar Nyenyezi Bisoka Université de Mons
Chloé Lewis Oxford University
Claude Iguma Wakenge Claremont Graduate University and ISDR–Bukavu
Gillian Mathys Ghent University
Peer Schouten Danish Institute for International Studies and IPIS Antwerp

The editors do not assume responsibility for the Suluhi Working Papers, which remains with the author(s) alone.

Cite as: Bachus, Trevor (2021) *When State Institutions Undermine Statebuilding. Armed Patronage, Hybrid Governance & the Privatization of Violence in DR Congo*. Suluhi Working Paper No. 4, at www.suluhi.org/papers.

Header picture: © Christoph Vogel 2012

Cover picture: © Ben Radley 2016

Previous Suluhi Working Papers

Kwiravusa Muhindo, Elie (2019) *Le cercle vicieux de l'insécurité au « Grand Nord ». Facteurs politiques, économiques et socio-culturels de la crise de Beni*. Suluhi Working Paper No. 3, at www.suluhi.org/papers.

Salter, Thomas & Mthembu-Salter, Gregory (2016) *A Response to 'Terr(it)or(ies) of Peace? The Congolese Mining Frontier and the Fights Against "Conflict Minerals"'*. Suluhi Working Paper No. 2, at www.suluhi.org/papers.

Babwine, Marline & Ruvunangiza, Philippe (2016) *Exploitants artisanaux & coopératives minières au Kivu: Enjeux et défis sur le chemin de formalisation*. Suluhi Working Paper No. 1, at www.suluhi.org/papers.