Emergency in Ituri, DRC: Political Complexity, Land and Other Challenges in Restoring Food Security

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Abstract

This paper explains the political and economic complexities of the ongoing Ituri crisis, focusing on the role of land. In Ituri, mineral-rich land is at the core of the crisis and, therefore, at the core of the longer-term programming needed to restore food security. But food insecurity in eastern DRC has a history.

My argument is that the ambiguous Bakajika land law, introduced in 1973 and responsible for the emergence of a vast class of landless people, lies at the root of large-scale poverty, insecurity and spiralling violence. Implementation of this law in Ituri, and subsequent contestations by food insecure farmers in 1999, caused the initial upheavel that led to full-scale war with the foreign participation of the armies of Uganda and Rwanda and atrocities not seen before.

The paper advocates an overhaul of the Bakajika law that will respect people's right to ancestral land and thus enhance livelihood and food security. Appropriate land reform will also reduce the likelihood of a recurrence of Ituri's complex emergency.

The paper is in two parts. First, local and international elements in the Ituri emergency are discussed. They show how access to land is just one element in the kaleidoscope of interacting variables. In part two the focus shifts to land, which has been a persistent source of local inter-ethnic tension for many decades.

Ituri, 1999-2003: a complex emergency

The war in eastern Congo began in late 1996 and has caused some 3.5 million people to die. For too long, eastern Congo has been the world's hidden tragedy, overlooked by the media and inaccessible to humanitarians. And the war is not over yet. In the past few months, despite peace accords, Ituri has been a nightmare place. Many believe that there can be no peace in Congo without peace in Ituri, where the war has taken the lives of between 50 000 and 60 000 people; mostly civilians butchered because of their ethnicity (HRW 2003; Amnesty International 2003: 15).

At the height of the bombing of Baghdad, in early April 2003, news reached us of a massacre in Ituri: 1 000 villagers killed in just two days of fighting, killed mostly with 'cutlasses, bows and arrows'.[1] The international press identified core elements in the emergency:

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[1]   IRIN, 8 April 2003. IRIN stands for the (United Nations) Integrated Regional Information Network,

- Mass slaughter of civilians, often in the immediate aftermath of a peace accord.

- Uncertainty as to who exactly is attacking (the creation of uncertainty is a powerful weapon in eastern DRC).

- Ethnic categories are not neatly bounded. Ethnicity (in a primordial sense) has limited explanatory value; for instance, Gegere Hema speak KiLendu; Gegere and Southern Hema are locked in fierce political battle.

- Warring factions regularly splinter or shift their alliances. It has become 'increasingly difficult to differentiate the forces of the various armed political groups' (Amnesty International 2003: 8).

- Uganda and Rwanda, two of the DRC's neighbours, vie for control of Ituri's mineral-rich lands, and are heavily involved in terrorizing its population.

From an international perspective, the conflict in Ituri centres on the control of gold, timber, diamonds and coltan. While sites for coltan mining (still very profitable) have been at the centre of the looting throughout eastern Congo since 1996/7, it is high quality gold that tops the list of sought-after minerals in Ituri.

The conflict has significantly reduced industrial gold mining, but there has been an expansion of artisanal mining by independent miners. Amnesty International reports that in the Mongbwalu area alone an estimated 15 000 people have artisal mining as their main source of income. Most of the mining, however, is tightly controlled by the Ugandan army and the RCD-ML rebel force it supports. One of the famous Kilo-Moto sites, Makala, reportedly employs 10 000 diggers and generates gold valued at US$10,000 every day (Amnesty International 2003: 18). The gold is exported to Uganda under strict military supervision.

Amnesty International sees a connection between gold exploitation in Ituri and the upsurge in violence:

> As exploitation of gold has become more important and the profit made from gold mining in the region has increased, human rights abuses have also increased. Workers are forced to work long hours, which has added to the profits of the companies and individuals mining gold. They openly recruit workers, and offer surveillance and guard services. Local people in Mongbwalu have also been forced to work for them, and detained or ill-treated if they refuse. In areas such as Mabanga, Ugandan soldiers have sometimes insisted on collecting a daily percentage of the gold from independent miners (Amnesty International 2003: 19).

Ituri also has coltan, short for columbo-tantalite, which more than any other mineral has stoked the flames of war in eastern DRC. It is taken out of the DRC by middlemen with contacts in Kigali or Kampala, from where it moves on to Europe and the USA.

To exploit coltan deposits, the armies of Uganda and Rwanda have driven local people from their lands or forced them at gunpoint to work on coltan sites (Amnesty International 2003: 20-21). This has transformed the countryside. At the height of the coltan boom, 'entire populations that had relied on agriculture developed into mining communities, exploiting their own land, selling it in concessions to speculators or dispersing as itinerant miners' (Amnesty International 2003: 20).

Ninety-five percent of those involved as miners come from the rural poor. But the transformation has not brought wealth to the miners, not even to independent ones. For reasons of military harassment and banditry, independent miners are forced to sell cheaply to local buyers (Amnesty International 2003: 20-21). Mostly, though, coltan miners are

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which issues daily reports. The number of fatalities was later reduced to 850.

civilians 'forced into unpaid labour' or they are paid miners who have no option but to sell to Rwandan army commanders 'at vastly preferential rates' (Amnesty International 2003: 21).

Ituri has oil, too. In June 2002, the Heritage Oil Corporation, a Canadian firm set up by the former head of a British private security firm, signed an agreement with President Joseph Kabila to gain initial prospecting rights to a staggering 3.1 million hectares of eastern DRC, including parts of Ituri.

The exploitation of Ituri's natural wealth does not benefit the local population. The trade in gold, or in timber, coltan or diamonds benefits in the first instance the Ugandan and Rwandan military authorities, the proxy rebel administrations they support (respectively RCD-ML and RCD-Goma)[2] and the business people who control the trade. Rebel administrations impose excessively high levels of 'taxation' on trade, which small (unconnected, unprotected) local traders cannot meet. Corruption and 'taxation' have driven many local business operators out of business, which is another important aspect of this complex war.

The control of Ituri's vast wealth has a strong ethnic dimension. As Jean-Pierre Lobho, a Hema anthropologist, concedes, local wealth centres on 'the cattle market, the sale of gold and commerce in general, all avenues where Lendu miss out' (Lobho 2002: 75). Hema economic dominance is buoyed up by the skewed distribution of administrative power, and continues a pattern begun during the colonial era and then adopted by the Mobutu regime.[3] A disproportional number of Ituri's counties (*collectivités-chefferies*[4]) are today administered by Hema. This does not reflect actual population numbers. Pre-war census data shows that there are roughly 150 00 Hema as against 700,000 Lendu (IRIN Web Special on Ituri, 16 January 2003).

The UN Panel of Experts (UN 2002) confirms that the majority of transporters and local traders in Bunia come from the Gegere Hema group. They have established close links with a succession of UPDF commanders and troops, and transport shipments of primary products from Ituri to Uganda. They return with gasoline, cigarettes and arms, all exempt from taxation. Despire reaping significant benefits from the trade, the Gegere Hema 'control none of the primary product exports themselves. They remain peripheral to the alliance between RCD-K-ML leaders, the Ugandan patrons and UPDF' (Report of the UN Panel of Experts, 21 October 2002 (S/2002/1146), paragraph 121).

The Report also suggests that the rise to power of Thomas Lubanga, who heads the rebel Union of Congolese Patriots (UPC), was 'an attempt by these [Gegere] Hema traders to secure greater control over the spoils available to inside members of RCD-K-ML' (Report, paragraph 121).

Illegal timber extraction (in Mahagi and Djugu) and cattle theft are other economic aspects of the war. What the UN Panel of Experts wrote about cattle makes good sense in view of the discussion below on land and protection in Kivu, just south of Ituri. The Panel observed:

> Many of the cattle removed have been forcibly taken from villages that have been the objects of attack by Hema militia supported by UPDF troops. The panel has received reports from ranchers to the south of Bunia as well as to the north in Mahagi detailing the removal

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[2] RCD-ML (or RCD-K-ML) is the *Rassemblement Congolais pour la Démocratie – Mouvement de Libération*, originally headed by Wamba dia Wamba. It is an offshoot of he Congolese Rally for Democracy – Goma, the *Rassemblement Congolais pour la Démocratie – Goma,* RCD-Goma.

[3] See HRW 2003: 'President Mobutu Sese Seko Mobutu confirmed the Hema in management positions in the farming, mining, and local administrative sectors as part of his "Zairianization" policy. Hema and Lendu fought small battles over land and fishing rights on several occasions after independence, but in general customary arbitration, backed by the state, contained the incidents' (HRW 2003: 18).

[4] Ituri province has 5 *Territoires*; each one having a number of *collectivités-chefferies* (English: counties).

of large numbers of cattle by UPDF troops. The representative of the Food and Agriculture Organization of the United Nations in Bunia has reported *the more recent UPDF practice of offering protection to ranchers against attacks that they themselves have orchestrated,* in exchange for regular payment in animals (Report, paragraph 117; emphasis added).[5]

When and how did the Ituri emergency begin? The fatal spark was a land dispute in June 1999 near Bunia, then under RCD-ML control, in which Lendu agriculturalists clashed with Hema landowners who had purchased ancestral Lendu land on which to graze their livestock. The Hema farmers knew (or pretended) they had purchased the land legally under the 1973 (Bakajika) land law, and they had the documents to prove it. For the Lendu farmers who were now being evicted from their land, the purchase smacked of blatant collusion between rich Hema livestock keepers in search of more land and powerful Hema administrators. They resorted to violence which, in the absence of any clear authority structure and framework for arbitration (which had disappeared in August 1998 with the onset of the second war), turned contagious.

Passed in 1973 during the Mobutu era, the Bakajika land law did away with people's automatic right to ancestral land. Whether vacant or occupied, all land now belonged to the state and could be appropriated by the authorities for the purpose of a private sale. Under Belgian colonialism, vacant land ('vacant' being a slippery concept) could be appropriated by the state and sold, but not occupied land. Mobutu broadened the range of lands the state could appropriate.

However, Bakajika allowed for a two-year period of grace for farmers who occupied ancestral land; after two years, their access entitlement lapsed and the occupiers needed to move out. In Ituri, the pattern was for the (pastoralist) Hema elite to purchase land that Lendu (agriculturalists) considered ancestral and non-alienable.

Although conciliation talks followed the June 1999 incident, hope of a solution evaporated when Brigadier James Kazini, the commander of the Ugandan forces (UPDF) in Congo, appointed Gegere Hema businesswoman Adèle Lotsove as governor of Ituri and Haut-Uele.

The province of Kibale-Ituri was created. Lotsove's appointment 'fanned local land disputes into open warfare,' especially when it transpired that Ugandan soldiers were being hired out to Hema landowners for money. At this point, Lendu chiefs from Pitsi demanded that Hema from Blukwa vacate their land, because these Hema were now just 'visitors who are living here in these hills' (IRIN report on Ituri, 25 January 2001).

The term 'visitor' suggests that we were dealing here with an act of status redefinition; not unlike the redefinition in 1996 of Banyamulenge, who after more than one hundred years of residence in Congo were redefined as 'disloyal serpents' (see Vlassenroot 1997; Pottier 2002). Within months of the initial land dispute, the death toll stood at 7 000 with some 180 000 Hema and Lendu displaced from their homes.

By April 2002, Ituri had seen many violent clashes and massacres involving rebel armies, ethnic militias, sometimes foreign armies (Uganda, Rwanda), the Congolese army (FAC), former Mobutu soldiers (ex-FAZ), Mayi-Mayi, and so-called negative forces such as the (Rwandan) *Interahamwe* or (Ugandan) Allied Democratic Forces (ADF). Despite the wealth at stake and the bewildering diversity of the armed groups involved, the massacres always *seemed* to take on a 'purely ethnic' guise.

The town of Nyankunde, west of Bunia, bears painful testimony to this. In early 2001, Lendu-Ngiti attacked the town forming an alliance with ex-FAZ and Mayi-Mayi. Further attacks

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[5]   Victims of such raids are not necessarily Lendu (who do not keep many cattle), but often poor Hema from south Ituri.

followed and resulted in the flight of some 3,500 Hema to Uganda. At this point, Uganda intensified the conflict by inciting Hema warriors to carry out reprisals.

Robert Garreton, the UN special rapporteur on human rights in DRC, stated on 19 January 2001 that 'the Hema had entered areas inhabited by Lendu and arbitrarily executed 150 of them.' Lendu then retaliated with mass murder, possibly assisted by *Interahamwe* and Ugandan ADF rebels.[6] Believing their attacks to be justified reprisals against previous instances of Hema violence, Lendu and Ngiti carried out a further reprisal attack on Nyankunde in September 2002, massacring at least 1 200 Hema, Gegere and Bira civilians (HRW 2003: 30).[7] The attack came in the wake of heavy fighting in Bunia during which Hema militias, supported by the UPDF and the UPC, had attacked an RCD-ML training camp (holding mainly Lendu and Ngiti recruits) and captured the town of Bunia. Over a hundred civilians died in the fighting. [8]

With the publication of the second UN Report on the Illegal exploitation of the DRC's resources, Amnesty International warned the UN Security Council that 'deliberate incitement could lead to the possibility of genocide' in Ituri. The second UN Report had found more damning evidence against Uganda and the UPDF; there were elite criminal networks' behind the plunder. The UPDF, the Report said, 'continue[d] to provoke ethnic conflict for economic gain, particularly in Ituri.'

By the end of the month, Human Rights Watch urged that the UN must increase its MONUC forces to protect civilians. The power and determination of the elite criminal networks became very clear after 17 December 2002, the day an all-inclusive power-sharing deal was signed between the DRC's warring parties. Within days of the signing, RCD-National (supported by MLC) and RCD-ML fought for control of Mambasa, some 500km northeast of Kisangani. Diplomats also became concerned that the exclusion of UPC leader Thomas Lubanga from the peace talks could be 'a major impediment to achieving peace in the Congo' (Refugees International 2003: 2). Lubanga had not been invited to the peace talks because he rose to power after the start of the Inter-Congolese Dialogue.

At the end of December 2002, the UPC split in two: one faction loyal to Lubanga, the other to Chief Kahwa Mandro.[9] The Hema chief and military commander blamed Lubanga for stalling the peace process. Lubanga retorted that he could not cooperate with the peace process as long as Kinshasa refused to accept his condition for cooperation: Ituri must become a province in its own right. Many observers now feared that Lubanga and Kahwa would clash head-on in Bunia, with dire consequences for the civilian – mostly Hema – population. They did so on 6 March 2003 when UPDF forces and Ngiti-Lendu militias stormed Bunia and kicked out Lubanga and his UPC. Chief Kahwa may not have been directly involved, but was by now linked to the UPDF and the FNI/FRPI (political parties representing Lendu/Ngiti) through FIPI.[10] It was not the end of the power struggle over Bunia.

A further dimension of this complex emergency must be noted: the slow but steady expansion of the range of ethnic groups that have become sucked into the violence. Take, for example, the ethnic Alur. Regarded as historically neutral in Hema-Lendu confrontations,[11] Alur began attacking Lendu in January 2002. One year later, *Ugandan* Alur

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[6]   IRIN, 27 March 2001. See also Human Rights Watch 2002.

[7]   Ngiti are Lendu from Ituri's southern region.

[8]   See Pottier (2002b) for an overview of political developments in the run-up to the Inter-Congolese Dialogue.

[9]   Patrick Kabarole, Kahwa's brother, took up the post of UPC defence minister.

[10] FNI stands for Front for National Integration (Lendu political party), FRPI is the Patriotic Force of Resistance in Ituri (Ngiti political party). Chief Kahwa's own political party of Hema dissatisfied with UPC is known as the Party for Unity and Safeguarding of the Integrity of Congo, PUSIC (see HRW 2003: 15-17).

[11] The IRIN report refers to a time when an Alur governor, Ernest Uringi Padolo, had been appointed;

attacked Lendu refugees who had fled to Uganda's Nebbi District.[12] This spreading of the violence, to Alur and areas outside the DRC, is a worrying phenomenon. Other ethnic groups have also become involved. Bira, for example.

Their position is analytically of interest, because it reveals the futility of any generalization regarding allies and foes. During the violence in Bunia in August 2002, 'Hema had attacked the Bira, lumping them together with the Lendu. But in [Songolo town], *perhaps because of the competition over land*, the Bira were more often allied with the Hema and wanted to drive away the Lendu' (HRW 2003: 22). The steady expansion of ethnic groups drawn into the conflict – and local variations on alliance building – is an important strand of Ituri's complex emergency.

The most common way of analysing Ituri is to state that the tensions 'result from several factors, including historical land ownership and tensions between Hema and Lendu communities, and have been fanned by military, commercial and political forces' (IRIN's Special Report, 18 December 2002). Uganda's military presence is a big factor in this. Disputes between Hema and Lendu are nothing new, but they 'never got out of hand until Ugandan forces arrived in the region and worsened the divides along economic lines, as one Nande chief told Amnesty International (Amnesty International 2003: 14). To this international economic-greed dimension must be added an internal jockeying for political positions. Human Rights Watch analyses:

> National rebel groups such as the Congolese Liberation Movement (*Mouvement pour la Libération du Congo, MLC*), the Congolese Rally for Democracy-Liberation Movement (*Rassemblement Congolais pour la Démocratie – Mouvement de Libération, RCD-ML*) and the Congolese Rally for Democracy – Goma (*Rassemblement Congolais pour la Démocratie – Goma, RCD-Goma*) have supported local militia in their conflicts as a way to expand their own base of power in the DRC transitional government or perhaps even to derail negotiations. (HRW 2003: 18)

Behind these national rebel groups, we find foreign backing by neighbouring states and huge international economic interests. It is this foreign support – the presence of armies and 'criminal networks' organized from Kampala or Kigali - that has turned manageable squabbles over land, as they existed in colonial and post-colonial days, into real wars.

All of the above analytical points are useful and necessary, and reveal the full complexity of the Ituri crisis. But there is an issue that remains unexplored: why do warlords have such a grip on the population? How, for example, can Hema militias loyal to Chief Kahwa fight 'the Lendu' over several years and then (happily?) join Lendu when Kahwa changes his mind in February 2003 to become part of FIPI, an organization led by Lendu and Ngiti political parties?

Attempts at analysing Ituri's complexity have yet to elucidate why local authorities and warlords have such a powerful hold over the population. My interest in the warlord's power base was awakened by a claim Thomas Lubanga made last February. Lubanga's self-acclaimed right to control all of Ituri came with the assertion that he had the right to control – i.e. to coerce and punish – the people of Ituri. On this last point Lubanga was very explicit, decreeing

> that each family in the area under [the] control [of UPC] must contribute to the war effort by providing *a cow, money or a child* for the UPC/RP's rebel militia.[13]

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it was a time of relative peace. Alur and Lendu constitute some 40% of the Ituri population.

[12] IRIN, 12 February 2003.

[13] IRIN, 7 February 2003, emphasis added; reported by Radio Okapi, MONUC's own radio.

Breaking the culture of impunity is pivotal to ending the violence in Ituri, but whatever recipe politicians, diplomats and aid organizations come up with, the recipe will need to be based on *an understanding of what constitutes the power base of warlords.* To learn more about the warlord's coercive leverage in Ituri, I shall now review some 'old' Ituri ethnography and look at some more recent empirical studies from neighbouring Kivu.

Land: a historical perspective & the longer-term programming challenge

With the escalation of the violence in Ituri, entire villages and small towns have been attacked and taken over by allied armies and ethnic militias. An example is the capture of the strategic gold mining town of Mongbwalu by the UPC in November 2002 (HRW 2003: 23-27). The capture of Mongbwalu represents the kind of territorial dispute to which we have become accustomed: entire mineral-rich areas are invaded with military force and occupied.

Such take-overs are bloody and make the media headlines. The escalation of the war, however, does not mean that the kind of land dispute at the origin of the conflict is no longer an issue. Land claims continue to be made and disputed at the level of individual farms and households. Even should a lasting ceasefire be achieved in the foreseeable future, small-scale disputes similar to that between the Hema and Lendu farmers in June 1999 will continue.

The significance of these more localized land disputes was hinted at in HRW's tentative explanation of why Bira were allied to Hema in one situation and fiercely opposed to them in another (see above). The majority of unresolved disputes relate to farms that have been taken by force (initially by Hema) or re-taken by force (by Lendu and other groups, including armed bandits).

In assessing the situation in late 2002, Lobho reminds us that local-level disputes over land continue to dominate. He writes:

> The majority of land conflicts stems from ignorance regarding the procedure for land acquisition. Often, the population is not informed about [Bakajika] law. People still believe that they can inherit ancestral land. Hence, no sooner has the occupier left or died then people think they can recuperate the land for settlement without any formality whatsoever. When the State [decides otherwise and] allocates the concessions to new owners, the people rise up in surprise. Intellectuals must take responsibility and enlighten the people instead of stoking the flames of discontent. (Lobho 2002 : 68; my translation)[14]

Lobho, though, sees nothing wrong with the Bakajika law. Underplaying the importance of *land grabbing* by wealthy (Hema) elites, he instead shifts the emphasis to (Lendu) ignorance about land legislation, by which he means ignorance about how to implement Bakajika (Lobho 2002: 68). Many in Ituri would take a different view and argue that Bakajika deserves a closer look. A local Ituri-based NGO confirms that Bakajika

> allows *occupied land* to be purchased and occupants to be evicted two years later without legal recourse. [This has] encouraged the strategy of wholesale expulsion. (IRIN's Special Report, p.9; emphasis added)

It is here that the role of the UPDF emerges in its proper context. Since 1999, wealthy Hema landowners have called upon the Ugandan army to 'speed up' the evictions, especially on land with commercial value. Before 1999, Hema and Lendu had 'traditional quarrels', now they have 'real wars'. The reason for this change, i.e., army support, is that the invader

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[14] Lobho mentions Bakajika by name (see Lobho 2002: 67).

needs destabilization for the sake of commercial satisfaction - and the invader (Uganda in this case) fosters it through exploiting ethnic sentiment.

Importantly, land with commercial value includes land suitable for cattle ranching – and here, too, UPDF commanders have actively supported big or aspiring Hema landowners. The importance of class was clearly underscored by the Hema woman who told an official of RCD-ML that the 'war is not one between Hema and Lendu, but between the rich Hema and the rest of us.'[15] The UN Panel on the Illegal Exploitation of Congo's wealth concurs that the war is about class against a backdrop of Western interests; the issue is not some primordial concept of ethnicity, even though such a concept is being wielded by power-hungry politicians and warlords eager to secure their power bases and class positions.[16]

In NGO and diplomatic circles there is much awareness that Ituri's 'land problem' has a history, but no clear understanding of what that history is. Can we learn from classic anthropological studies? Not only from the early writings of Lobho, but also from work by Aidan Southall, whose 1950s fieldwork straddled the Congo-Uganda border and included research on both Alur-Lendu and Hema-Lendu relations.

According to Southall, the 'Sudanic' Lendu may have been first (or among the first) to migrate across the Nile into the area to the west of Lake Albert (Southall 1954a: 142). Southall refers to Lendu and Okebo as 'non-Alur tribes whom the Alur had been continuously absorbing as their subjects' (Southall 1954b: 485). He makes the same point about Hema-Lendu relations, situating the earliest Hema/Hima migrations – by Gegere Hima - in the late 17th Century. These Gegere 'were recognized as overlords by subsequent Hima groups who joined them' (Southall 1954a: 151).

Lobho accepts Southall's reconstruction of pre-colonial Hema-Lendu relations, adding that the initial 'integration' of Lendu into Hema/Hima society was not only peaceful, but also much needed. Lendu, Lobho argues, lived in dispersed clan settlements between whom warfare was frequent. Lendu accepted the authority of Hema chiefs, and of Hema generally, because (in his view) 'the Muhema used diplomatic skill to maintain law and order' (Lobho 1971b: 90).

Hema, Lobho continues, were held in such awe that 'every Hema family head gathered around him Walendu clients, whom he called "ma bale" *(my Walendu)*. The Hema political role became so enormous that the Hema imposed upon all Walendu an entire political organization imported from Bunyoro' (Lobho 1971b: 90). It was from there that Hema and Alur chiefs obtained their grants to rule over certain areas *and their people*. The point is an important one: control over land entitles the incumbent to control its people.

By the time European colonialists arrived in Ituri, there was a further dimension to Hema-Lendu relations: not only had Hema imposed a system of domestic serfdom on Lendu (Lobho 1971a; Southall 1956: 199), but they had also been *displacing Lendu from their land.* Lobho details the displacement:

> While the Bahema were happy initially just to graze their cattle, they gradually encroached upon Lendu territory, and ended up disposessing the Walendu of a part of their domain. The abundance of land at the time, combined with Walendu hospitality, explains why

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[15] Quoted in IRIN, Special Report, 18 December 2002, p.10.

[16] As seen also in Rwanda during the 1994 genocide (Longman 1995), the tendency is to dress up class antagonism in terms of old ethnic scores that need settling. For some local actors, ethnicity *is* a primordial issue. Thus, for Chief Mugenyi Bomera, a Hema refugee now living in Uganda, it is all a question of "tribal hatred". He told the UN news outlet (IRIN): "It's hatred whichever way you look at it. When they [Lendu] marry our daughters, they mistreat them so that they cannot stay. Now they say we refuse to allow intermarriage.[16] [This awful Lendu behaviour] does not make sense" (cited in IRIN Special Report on Ituri, 18 December 2002, p.10). As analysts, we must not fall into this trap of essentialism, yet it is essentialist claims that prevail in Ituri and demonstrate ethnicity's emotive force.

the latter did not put up much resistance and why they readily accepted the new political order. (Lobho 1971a : 568-69)

Confronted with this situation of domestic serfdom and displacement, 'the Belgians … found it necessary to withdraw, if necessary by force, their Okebo and Lendu subjects from the Alur [and Hema], setting them up with new chiefs of their own' (Southall 1954b: 468).

The policy aimed to give Lendu their right to self-rule. Lendu and Hema now belonged to separate administrative centres that reflected the size of each ethnic group. For example, from 1917 onwards Djugu *territoire* had only one 'chefferie hema' and some 28 'chefferies lendu'. The Belgian administration also disinvested the Hema king (Mukama) of his 'traditional' powers over all Hema and dominated peoples, especially Lendu (Lobho 1971b: 92-93).

Lobho and Southall agree that Belgian colonial rule was disastrous for the Hema political elite, at least initially. By the early 1950s, Lendu had started 'to pretend that no other state of affairs had ever existed' (Southall 1956: 153). Writing from a Hema perspective, Lobho contends that Belgium's development policy in Ituri was very pro-Lendu; the administration favoured 'the Lendu' by situating key aspects of development infrastructure on Lendu soil. By way of evidence, he recalls that seven out of eight Catholic schools built in Djugu were built '*chez les Lendu*'; ditto for Protestant missions and mission schools, while the important *Office des Mines d'Or de Kilo-Moto* also ended up 'with the Lendu'.

Despite this seemingly favourable pro-Lendu disposition of the colonial power, which according to Lobho continued in the 1960s, it was the Hema who understood the advantages of education and modernization.[17] And so today, Hema once again have the upperhand in matters of administration, education, artisanal fishing, cattle ranching and commerce.

Lobho's understanding of history, however, does not just embellish the colonial position of 'the Lendu', but also exaggerates the decline of Ituri's Hema elite under colonialism. As I have argued elsewhere, this distortion may have resulted from the functionalist anthropology practised in the 1950s (Pottier 2003).

From the late 1960s onwards, there is a gap in the ethnographic record of Ituru. While it is known that late colonialism and Mobutu's Zaireanization policy made quite a difference in favour of the Hema elite, especially through land concessions (HRW 2003: 18), we do not have any detailed studies of the socio-political *consequences* of land accumulation in Ituri. What we do have is a general notion of how administrative and economic power in Hema hands consolidated as the former colonial plantations and other assets were transferred to political and economic entrepreneurs whose loyalty Mobutu decided to buy or reward. However, to understand the consequences of Zaireanization, we can turn to empirical studies conducted in neighbouring Kivu. To grasp the consequences of the land reforms of 1973, I now turn to insights gained from Kivu ethnography.[18]

Kivu ethnography has 'lessons' for Ituri because the literature enables us to grasp that warlords control land and, through land, control people. Put differently, in today's conflict, *warlords have loyal militias because they control the unfree labour of the unprotected.* He

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[17] As with other complex emergencies, renderings of history often have a good measure of fabrication (see Pottier 2002a; HRW 2003: 18). For instance, that the *Office des Mines* was situated 'on Lendu soil' did not mean that Lendu approved of Belgium's labour regime. Indeed, the gold mine needed a huge (hardly renumerated) labour force (Meessen 1951: 290) – and that force was not forthcoming out of its own free will. Thus, between 1922 and 1930, large groups left Ituri, Lendu among them, to cross into Uganda's West Nile District. The Belgian authorities attributed this exodus to 'intensive recruiting, mainly for Kilo-Moto mines, to head porterage and to the high earnings available in Uganda' (Southall 1954b: 485).

[18] This research was conducted mostly by Claude and Brooke Grundfest Schoepf (early 1980s), Catharine and David Newbury (1980s), James Fairhead (late 1980s), and Koen Vlassenroot (late 1990s, ongoing).

who can claim a piece of land, or an entire region, can claim its people. From this viewpoint, modern warfare can be seen to contain a strong traditional element.

Research in Kivu over the past few decades has resulted in three key observations, all of which apply to Ituri as well. First, *unfree labour*, the key to the success of the plantation economy in colonial and post-colonial times, is also the key to understanding how labour today is organized at those mining sites that are controlled by the rebel forces (see above; also Vlassenroot 2002). For the area held by RCD-Goma, the final report of the UN Panel of Experts summarizes that:

> a variety of *forced labour regimes* are found at sites that have been managed by RPA [Rwandan Patriotic Army] mining détachés, some for coltan collection, some for transport, others for domestic services (UN 2002, paragraph 75; emphasis added).

Second, this unfree labour force exists because the majority of the population is extremely poor and faces high levels of personal and group insecurity. This insecurity has generated a need for protection. The chief form of insecurity is insecure land tenure with its ever-present threat of eviction.

In response to this problem, which exists because of the Bakajika law, *protection has become institutionalized*. That is to say, protection is offered by powerful elites, often the very same elites who are responsible for the existing conditions of insecurity. As Schoepf and Schoepf have demonstrated, control over land has become a lever to gain control over labour (Schoepf and Schoepf 1987: 22-26).

Third, it follows that the local authorities who run protection rackets have no problem recruiting 'followers', i.e. militias. The stark reality is that young thugs/militias swear allegiance to powerful elites and warlords because they themselves are too poor, too insecure, not to do so. The acts of violence they perpetrate are acts of the unfree.

Given the importance of cattle ranching and commerce as a key factor in the Ituri emergency, it makes sense to look at what Kivu studies have revealed on the subject of cattle ranching and its impact on poor communities and individuals. Schoepf and Schoepf (1990) do a neat summary:

> Changes in land law decreed by the Mobutu regime alter the terms by which peasants and others throughout the country hold and gain access to the use of land. The claims of clan and village communities to hold ancestral lands in perpetuity are abolished. While the complementary legislation governing community land holding has yet to be written, the state *de facto* has abrogated community rights – even to permanently occupied lands. In theory, this "national integration" measure means that all Zairians now can have equal access to land throughout the national territory. In actual fact, it means that those with power, wealth and influence are able to manipulate the system to appropriate any lands not yet conceded and titled – even including those currently occupied. ...

> Dispossessions are referred to as "*spoliation*". Entire communities are despoiled to make way for plantations and cattle ranches. Between 1979 and 1983 more than one thousand new land title petitions were filed at the title registry office for North Kivu. Big businessmen, multinational firms, government officials and chiefs have been involved. Repression, including arbitrary arrests, extortion and crop destruction have been employed against peasants who refused to abandon homes and fields. Many have been forced off the land; *others now work in exchange for squatter rights* (Schoepf and

Schoepf 1990: 93; emphasis added).[19]

Throughout eastern Zaire, large-scale ranching in the 1980s was boosted by 'the presence of internationally funded herd health projects which provide[d] veterinary coverage and medicines not available from government services' (Schoepf and Schoepf 1990: 94).[20]

While there continues to be significant resistance to spoliation, the grabbing of land has left a vast number of rural poor so vulnerable that they have 'accepted' work in exchange for squatter rights.

In Bwisha, North Kivu, where he carried out his fieldwork, Fairhead found that 'the 47 percent of all village households without sufficient land … [had] no choice but to farm in the derelict plantations at the cost of a man-day of *corvée* [i.e. unpaid labour] per week' to obtain protection (Fairhead 1992: 29).

But *corvée* has a wide range of meanings and, during conflict, includes pledging allegiance to the (new!) owner. The connection generally made between insecure land rights and reduced freedom of labour is a stark reminder that the violence and insecurity in Ituri today are extreme forms of an everyday reality dominated by the widespread deprivation of land rights, labour power, food crops and livelihoods.

It is vital that those involved in peace-building and agricultural rehabilitation pay full attention to the social dynamic that gives warlords their iron grip on the population. They need to look at land, institutionalized vulnerability, the resulting need for *institutionalized* protection, and labour. They will then understand why Thomas Lubanga and others like him have the power to demand loot from their followers – a cow, money or a child – and why the *new* protection arrangements for vulnerable cattle keepers in Ituri (see Panel of Experts, above) are not as new as they may seem.

And if they are new to Ituri, they fit within a recognisable pattern. The warlord's power base exists because of the way social relations developed first in late colonialism, and then through the Bakajika land law. Lubanga's militant followers -- like those of other warlords -- are mostly poor, unfree and unprotected folk, whose property can be seized whenever the boss demands it. This quasi-legal claim on the unfree may also explain why there are so many child soldiers in the region.[21]

As in Kivu during peace time, the Ituri elite has ways of ensuring, first, that armed forces are at hand should their interests need defending or boosting, and second, that the armed forces will successfully enlist the unfree as militia members - *militias who will then be referred to as ethnic militias*. It is a mirage.

One further challenge in responding to the Ituri emergency is that measures need to be taken to protect and stimulate the post-conflict resumption of food markets. Like Kivu, Ituri is known for its agro-ecological diversity. This means that 'farmers alter their crops, timing and techniques according to the different climatic conditions and land availability found over a wide range of altitudes' (Fairhead 1992).

Under such circumstances, food security depends to a large extent on the secure functioning of altitude-specific markets that attract food (and seed) from other altitude zones (Pottier and Fairhead 1991). This is a common feature of the Great Lakes region. As I observed in the

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[19] In reproducing this quote I have left out the manifold references to the work of individual researchers.

[20] In Kivu, international aid for Kivu livestock was provided 'in tandem [by] FAO, the Canadian-funded ACOGENOKI, and the American Peace Corps' (Fairhead 1992: 25). ACOGENOKI was a federation of livestock producer cooperatives.

[21] UNICEF and Save the Children Fund speak of 30,000 child soldiers. MONUC testifies that its observers have seen 'children aged between 10 and 16 years armed with Kalashnikov assault rifles within UPC/RP' (IRIN 7 February 2003).

immediate aftermath of the war and genocide in Rwanda, local farmers, women especially, make every effort to kickstart local markets. It is striking how quickly these markets pick up once conditions are secure (Pottier 1996). In North Rwanda in 1994, I observed how in the space of just a couple of weeks certain markets would start up again with a surprising range of foods and locally appropriate seeds, especially for beans, a crop women control. Such efforts must be protected and encouraged.

Conclusion

Analysts and peace builders need to accept that the close to five-year-long war in eastern Congo has resulted in such a *fragmentation* of interests and power bases that Ituri's 'local conflicts' have acquired a life and dynamic of their own. In other words, and to use a term the International Crisis Group (2003) also uses, it is important to understand not only that alliances are continuously being made and un-made, but also that warlords – and those local leaders who serve them – have *coercive leverage* over the population from which they recruit their militias.

In the context of Ituri, I contend that such an understanding can only be achieved via an analysis of the continuous mismanagement of land that has come in the wake of Mobutu's Zaireanization project and the Bakajika law. The turmoil in eastern Congo will not stop as long as nothing is done to diminish and break the institutionally sanctioned leverage that warlords have at their disposal. The challenge, a truly longer-term programming challenge, is to plan for the removal of the conditions of insecurity that give warlords their grip on so-called ethnic followers.

The barrel of the gun, international economic greed, the ready availability of arms, and the manipulation of symbols of identity are all important aspects of the conflict that need to be contained. At the same time, agricultural reform is needed to bring on the demise of decades of land mismanagement and of its special creation: an army (literally) of socially excluded poor who are unfree, unprotected and ready to commit unspeakable atrocities.

In Ituri, a commitment to land reform on the part of the FAO would help to reverse the region's extremely high levels of livelihood insecurity and thus weaken the current stranglehold the authorities exercise on disempowered populations. Secure access to land and a share in the massive revenue derived from mining and other commercial activity – *including livestock keeping* - would bring alternatives to a 'career' in militia activity. The commitment would be a major contribution to breaking the present cycle of violence, which, without concerted programming action, is unlikely to come to an end.

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