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To cite this article: Kasper Hoffmann, Koen Vlassenroot & Emery Mudinga (2020) *Courses au pouvoir*: the struggle over customary capital in the eastern Democratic Republic of Congo, Journal of Eastern African Studies, 14:1, 125-144, DOI: [10.1080/17531055.2019.1711321](https://doi.org/10.1080/17531055.2019.1711321)

To link to this article: <https://doi.org/10.1080/17531055.2019.1711321>



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Published online: 12 Jan 2020.



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Courses au pouvoir: the struggle over customary capital in the eastern Democratic Republic of Congo

Kasper Hoffmann^{a,b}, Koen Vlassenroot^b and Emery Mudinga^c

^aDepartment of Food and Resource Economics, University of Copenhagen, Copenhagen, Denmark;

^bDepartment of Conflict and Development Studies, University of Ghent, Ghent, Belgium; ‘Département de l’Environnement et Développement Durable, Institut Supérieur de Développement Rural/Bukavu

ABSTRACT

This article analyses the production and reproduction of traditional chieftaincy in war-torn eastern DR Congo, through the case of a succession dispute in Kalima (South Kivu). Kalima has gone through two decades of political instability and violent conflict involving a plethora of local, national and regional actors. During this period of uncertainty and upheaval, the institution of traditional chieftaincy has remained politically salient. We argue, that this salience is conditioned by a widespread belief in the authenticity and sacredness of the institution of traditional chieftaincy and by the ethno-territorial imaginary of the Congolese political order. Both of these are historically produced through rituals, ceremonies and narratives of origin. They imbue the institution of traditional chieftaincy with charisma and enable customary chiefs to accumulate resources and exercise authority in a wide range of domains of public life in rural eastern Congo. Drawing on Pierre Bourdieu, we call this ability to rule through the notion of ‘custom’, customary capital. However, we also show that ‘customary capital’ does not automatically accrue to chiefs as a variety of internal and external actors vie for customary capital. As such it fluctuates over time as different actors move in and out of the capacity to legitimately wield customary capital.

ARTICLE HISTORY


Received 29 May 2018

Accepted 16 December 2019

KEYWORDS

Traditional chieftaincy; DR Congo; customary capital; field; ethnicity; conflict

Traditional chieftaincy has been a favoured topic of research since the colonial era in scholarship on the African continent. The topic generated a lively debate about the characteristics of chieftaincy. For years, the debate was dominated by two positions, though there were many important exceptions.¹ The first of these positions views present-day traditional authorities mainly as colonial inventions that have largely survived until today. From this perspective, traditional authorities are intermediary institutions imposed by authoritarian and repressive colonial and post-colonial regimes, and, therefore, inherently undemocratic.² The second position, by contrast, holds that traditional authority is ultimately grounded in authentic African culture, traditions and institutions. Some consider

CONTACT Kasper Hoffmann  kh@ifro.ku.dk  Department of Food and Resource Economics Rolighedsvej 25, 1958, Frederiksberg C, Denmark

This article was originally published with errors, which have now been corrected in the online version. Please see Correction (<https://doi.org/10.1080/17531055.2020.1740480>)

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it to hold within it anti-imperial, anti-colonial, democratic and counter-hegemonic potentialities, precisely because founded on another, and popular, kind of authority than the state.³

Both of these perspectives have received considerable criticism. While the first has been criticized for overemphasizing the capacity of the colonial state to invent tradition and to impose colonial chieftaincy from above, the second perspective has been criticized for advancing a static understanding of culture, and a somewhat nostalgic view of traditional chieftaincy.

Recent studies problematize the dualism between ‘tradition’ and ‘modernity’ of these two perspectives. While this body of literature is highly diverse, it shares a particular focus on the politics and historicity of traditional chieftaincy. It understands traditional chieftaincy as a form of power, which is produced through power struggles involving a variety of actors, and the enactment of heterogeneous discourses and practices of power.⁴ In doing so, it acknowledges the vibrant variety of traditional chieftaincy across the continent.

In this article we explore traditional chieftaincy in the conflict-ridden eastern part of the Democratic Republic of the Congo (henceforth: the Congo). In line with studies on traditional chieftaincy elsewhere, we show that it is a prominent feature of the local institutional and political landscape.⁵ Its salience, we argue, is conditioned by a widespread belief in the authenticity and sacredness of the institution of traditional chieftaincy and by the ethno-territorial imaginary of the Congolese political order. These two features are historically constituted and imbue the institution of traditional chieftaincy with charisma and enable customary chiefs to exercise authority in a wide range of domains of public life in rural eastern Congo. Drawing on Pierre Bourdieu’s theory of symbolic power we refer to this ability to exercise authority through the notion of custom as ‘customary capital’.

However, we also show that customary capital does not automatically accrue to claimants of chiefhood. Even though chiefhood in most cases is hereditary it is often highly contested by a plethora of actors both from within and outside of the boundaries of a given chieftaincy. Thus, while traditional chieftaincy is institutionalized and territorialized, it is also produced through concrete power struggles. As such it fluctuates over time, as different actors move in and out of capacity to legitimately wield customary capital.⁶

The article makes two key contributions. Firstly, empirically, it fills a gap in knowledge about the changing role of traditional chieftaincy in the Congo since the outbreak of the first Congo War in 1996.⁷ Second, theoretically, by conceptualizing ‘custom’ or ‘tradition’ as a form of capital, it contributes to the debate on traditional chieftaincy in Africa and beyond. Specifically, it shows that the notion of ‘custom’ can be understood as an enduring form of identity-based political resource, which can be deployed in a broader competition over authority and resources in a social field, and which can be exchanged for other resources, including military force, political authority, and economic capital.

Our empirical entry point is a struggle over customary authority between two rival factions within the royal family in the *groupe*ment (grouping) of Kalima, which is a sub-chieftaindom of the Buhavu chieftaindom in the Kalehe territory, situated in the province of South Kivu. Through a historical case study we show that since the colonial era, the traditional chieftaincy in Kalima has been deeply contested by both internal and external actors. Nonetheless, the institution of traditional chieftaincy has persisted, and Kalima constitutes

an interesting case for exploring how customary authority, and political authority at large, is produced and reproduced in situations of chronic conflict and uncertainty.

The data for this article was collected through fieldwork carried out between 2009 and 2017, and comes from a variety of sources: interviews with government officials, customary elites, including chiefs, members of armed groups and ordinary citizens; documents retrieved from various government institutions as well as from parties to the succession dispute. In addition, we collected documents in various colonial archives in Belgium.

The remainder of the article is structured as follows. We begin by sketching out our theoretical argument. We then focus on how traditional chieftaincy was produced during the colonial period in Buhavu chieftaindom and in Kalima (1910–1960). Subsequently, we focus on struggles over traditional chieftaincy in the period between independence and the outbreak of the first Congo war (1960–1996). Then we analyze the succession struggle in Kalima in the context of continuous violent conflict (1996–2011). We end by reflecting on the broader implications of our findings for the study of traditional authority and political authority in conflict zones.

Customary capital in social fields

As a reference to a mythical past of African identity and sovereignty, the notion of custom provides an ontological charter for traditional chieftaincy across Africa. However, the form that it takes and its relative value, vary dramatically from context to context. The concept of the social field offers a useful approach to understand the dynamic politics of traditional chieftaincy in different contexts.⁸ For Bourdieu, a social field is a socially structured space where different actors vie over the distribution, control, and value of different capitals or resources. The relations of power between different actors are determined by their structural position in the field. Their position is determined by the total value of the different forms of capital they possess. These are all ultimately symbolic insofar as they are represented and apprehended symbolically, through categories of thought.⁹ Social fields' form, capitals, boundaries, institutions, regularities, and structures are all historically contingent.¹⁰ Hence, in order to understand how traditional chieftaincy emerged as a salient political institution, and how custom emerged as a valuable symbolic capital, we approach our case study historically.

Recently, John and Jean Comaroff argued that the '*imagined* past of African sovereigns' has become a 'highly productive resource – indeed even monopoly capital' for chiefs today.¹¹ Building upon this argument, we propose that 'tradition' can be fruitfully understood as a form of symbolic 'capital', and introduce the concept of 'customary capital' to capture its properties as a symbolic political resource.¹² 'Customary capital' can be understood as a subspecies of what Gilles Dorransoro and Olivier Grojean call 'identity capital' and more specifically of 'ethnic capital'.¹³ Hence ethnic and customary capital, are cognate forms of symbolic capital. However, whereas ethnic capital has the properties of a collective capital insofar as it signals a ranking in *access* to different resources, status, opportunities and *rights* of different identity categories, and hence, forms of inclusion and exclusion,¹⁴ customary capital denotes a rarified form of ethnic capital, which enable those who possess it to *rule*.¹⁵

It is our contention, that both ethnic and customary capital is underwritten by the ethno-territorial imaginary of the Congo's political order. This imaginary was

institutionalized during the colonial period as colonial authorities categorized indigenous communities as territorially bound ethnic groups in an attempt to create order in the colonial territory. The figure of the traditional chief acquired an important role as an intermediary authority over these ethnic territories, called '*chefferies*' (chiefdoms). The creation of chiefdoms created, naturalized and institutionalized a nexus between territory, ethnicity and traditional authority, which has been constitutive for the Congo's political order, and people's identities ever since.¹⁶ Yet, the colonizers did not unilaterally invent chiefdoms and impose them from above.¹⁷ Instead, they depended on substantial indigenous compliance to be effective. By harnessing indigenous interests in wealth, social status, and political power, and by appealing to indigenous values and rules as well as ideals of progress and civilization, colonial authorities sought to engage people in a joint enterprise of rule across Africa.¹⁸ The new order produced a highly productive imaginary of mono-ethnic territories ruled by quasi-sovereign customary rulers.¹⁹ The recognition of custom as a source of law and order has been constitutive for the development of Congo's political order and people's sense of self. Importantly, within this new order of things 'customary authority' was crafted as a form of authority, which was authentically African and *different* from modern state power. This established the notion of 'custom' as potent source of symbolic identity capital.

The ethno-territorial imaginary of the colonial state in the Congo has not been dissolved in the post-colonial period. It remains deeply embedded in Congo's society and politics, and in people's identities. As a structuring structure, it conditions power relations and access to power and resources profoundly.²⁰ Until today this ethno-territorial imaginary underpins and legitimizes the institution of traditional chieftaincy.

However, chieftaincy takes many forms, and chiefs draw on several registers of authority to legitimate their rule. Besides the register of custom and ethnicity, it also draws on the registers of development, the state and the law. However, the register of custom and ethnicity remains the shared *sine qua non* register of legitimation of traditional chieftaincy in the Congo. The continued salience of this register ultimately rests on a popular belief that chieftaincy constitutes the authentic political institution of indigenous ethnic groups. This belief is officially ratified in the current constitution and the legislation on traditional chieftaincy.²¹ At the same time, it is also consolidated through myths of origin and rituals by 'customary' elites. In Kalima, and among the Batembo, more broadly, these are told and conducted by the 'guardians of the custom' known as *bakungu* (s. *mukungu*).²² The *bakungu* are powerful actors within the royal elite. They are considered to be in contact with the ancestors of the ethnic group and act as advisors to the *mwami* (king).²³ Such myths recount the origin of the ethnic group, which is traced back to the ancestors of the *mwami*.²⁴ They portray the *mwami* as the progenitor of his ethnic group and as the living embodiment of its authentic customs and political institutions. The rituals, especially those that surround the initiation and appointment of the *mwami* and the handing over of the royal insignia to the new *mwami*, are shrouded in secrecy and serve to sacralise the authority of the *mwami*.²⁵ For instance, among the Bashi, the rules of succession prescribe that the true heir to the throne must be born with his feet in front and holding in his hands the signs of wealth: grains of sorghum in his right hand and curdled milk in his left hand. These signs affirm that he is predestined to rule and ensure the prosperity of the community.²⁶

We propose that the continuous performance these myths and rituals serve to sacralise the institution of the *mwami*, which imbues it with *charisma*; a mysterious, inexpressible, luminous and extraordinary form of power, which is strictly symbolic.²⁷ Hence, in a socio-logical perspective traditional chieftaincy is a sign of distinction, which, insofar as it is widely recognized in the social field, imbue those who embody it with extraordinary powers. Much like priests receive their charisma from the Church, customary chiefs in eastern Congo, to a large extent, receive their charisma from the institution of traditional chieftaincy.²⁸ This also implies that customary capital is an exclusive form of ethnic capital. It enables those who possess it to accumulate other resources, notably cultural, economic, and social capital, which can be deployed in the general competition in the social field.

Hence, we argue that customary capital is a highly valuable political resource in eastern Congo as it authorizes those who possess it to rule over people and accumulate material resources in customary entities. In this sense, customary capital is a kind of 'meta-capital', which grants political authority over people and resources in rural social fields.²⁹ This is not to say that authority over material resources, such as land, is not a determinant of chiefs' authority. To a very large extent chiefs' legitimacy is contingent upon their ability to protect and distribute communal land.³⁰ However, their authority over land is upheld by the collective faith in the myth that the traditional chief embodies the authentic collective ethnic self, as expressed in the Bashi proverb: '*Ecihugo cirhali mwo mwami, cirhalonge era, cirhania na nkuba*' (without a *mwami* a country cannot prosper, and there will be hunger).³¹

The politics of custom has been constitutive of the formation of social fields in eastern Congo. Indeed, it has, and continues to be a key stake of the competition over symbolic and material resources in these fields. The ongoing power struggles in Kalima, where no single actor, or institution, has been able to legitimately define the rules and the symbolic value of capitals, illustrate this. Customary authority fluctuates between two rival factions within the royal family, as none of them have been able to monopolize customary capital. The case also shows that rural social fields are highly porous and susceptible to external impulses. The ability of customary authorities, to exert symbolic power over people is circumscribed by resourceful external actors, including foreign-backed armed groups, NGOs, churches, and, central state authorities. Indeed, customary chiefs need to be recognized by the Minister of the Interior and Decentralization. As in other parts of eastern Congo, there is also an increased involvement of armed groups in these processes in Kalima, which tends to aggravate the divisions within the ruling family and the population at large. In order to grasp how customary authority is produced in Kalima, we, therefore, situate the dynamics of local competition over customary capital, and other resources, in the context of larger political power struggles. Bourdieu refers to such larger political dynamics as the 'meta-field of power', where holders of different kinds of capital, such as political, military, legal, religious, and, in our case, customary capital, struggle for the right to define the relative values of different capitals and define the rules.³²

Colonialism and the invention of customary chieftaincy in Kalima

Claude Ngalamira Musikami (henceforth: Claude) is the reigning *Mwami* of Kalima. He is a descendant of the 'Babutechu' dynasty, which has ruled Kalima *groupeement* for several

Chieftdoms were 'ethnic spatial fixes',³⁵ that is, discrete mono-ethnic territories ruled by a single *chef coutumier* (customary chief) through customary law complimented by modern techniques of government. This policy aimed to govern indigenous populations at a distance, through their own customs, laws, and institutions within their 'tribal' boundaries. However, the main priority of the colonial authorities was not to preserve indigenous political institutions and customs, but to render the indigenous populations obedient and productive. Accordingly, the colonial authorities repressed indigenous leaders that tried to preserve sovereignty and local legitimacy, whereas, those that collaborated with them were rewarded with successful colonial careers.³⁶

The Kivu was the last region 'discovered' and conquered by the Belgian colonizers.³⁷ As a result, Kalima did not enter into the ambit of colonial authority until after 1910. The colonial authorities first referred it to as 'Musikami chieftdom' after the name of its chief: Mutchwa Musikami. During World War I, the colonizers foisted exacting demands for porters and food produce upon 'Batembo' chiefs and populations for their military campaign against German East Africa. Mutchwa Musikami did not produce the demanded contributions, and he received 50 whiplashes for his insubordination. The resistance of Musikami and other Batembo chiefs continued after the conflict. This implied that they lost their independence as their chieftdoms were incorporated into the Buhavu sector in 1921 (from 1929: Buhavu Chieftdom) and made them subchiefs of the *Mwami* of Mpinga of the Basibula dynasty. However, Musikami Mutchwa and his successors, Bwenene Miraso and Mishinda Babwirisa, refused to recognize the authority of the chief of Buhavu, and to meet the demands of the colonial authorities.³⁸ As a result, in 1934 the colonizers appointed the chief of Buhavu: Bahole, as the interim ruler of Kalima. However, he held little authority in the area, and the *de facto* ruler was *Mwamikazi* (queen-mother) Nasirambula who was from Kalima's Babutechu dynasty. During her rule, colonial authority in Kalima became more entrenched, largely because the colonial authorities built an administrative post in Kalima in 1934, as a means to better control the area.³⁹ Subsequently, a road was constructed, which further consolidated colonial rule. Gradually, and under constant threat of sanctions, the *bami* (pl. of *mwami*) of Kalima began to collaborate with the colonizers.⁴⁰

As our case illustrates colonial intervention transformed the power dynamics of social fields in eastern Congo. In our case study the colonial authorities vested customary capital in the *Mwami* of the Bahavu. However, his customary capital, did not carry much value beyond his own *groupement*. In Kalima, the Bami from the Babutechu dynasty remained the *de facto* indigenous political authorities.

Power struggles and the politics of custom and ethnicity in Buhavu in the post-independence era

The Congo became independent on 30 June 1960. However, decolonization was marked by armed rebellion and political turmoil. The collapse of the colonial order and the ensuing turmoil brought to the surface a multitude of subjacent political tension at all levels of the new state. The politics of ethnicity and custom shaped these struggles in profound ways, including in Buhavu chieftdom where different factions clamoured for ethnic and territorial autonomy.⁴¹

Kalima's chief Bakondjo Musikami, who had been elected as a senator in the new national parliament in Kinshasa, led one of these factions and demanded the creation of an independent Batembo chiefdom. On 14 November 1961, a majority in the legislative assembly of the Central Kivu Province recognized the claim, and created a unified Batembo chiefdom, within which Kalima became a *groupement*. However, the creation of this chiefdom set in motion a conflict between Bakondjo Musikami and Shebirongo, the chief of neighbouring *groupement* Walowa-Loanda over who was to be the new chief in the new unified Batembo chiefdom. The turmoil led to the fragmentation of the chiefdom as several *groupements* separated from it. By 1964, only four out of the original 10 *groupements* remained, Kalima, Mubugu, Ziralo and Bufumandu. Bakondjo Musikami was its 'customary chief'.

After Mobutu Sese Seko staged his second military coup in 1965, he reverted almost all 'ethnic boundaries' to their 1960 positions, which meant that by 1967 the old colonial Buhavu chiefdom was reconstituted and with that the Batembo chiefdom was abrogated. Bakondjo Musikami served as the chief of Kalima *groupement*. In 1970, he was chosen by the regime to be a *Commissaire du Peuple* (People's Commissar) in the national parliament, where he worked until 1975. In his absence, his cousin Kabolire and the sub-chief Mbeke, ruled Kalima on his behalf. When Bakondjo Musikami returned in 1976, Mbeke refused to hand over customary authority to him, but in the end he was forced to resign.⁴²

Bakondjo Musikami died in 1986. In his testament dated to 15 September 1985, Bakondjo Musikami designated his son Jacques Nzibiro II (henceforth: Nzibiro) as his rightful successor. However, the testament included a clause stating that in the case Nzibiro proved to be an incapable ruler, his younger brother, Claude Ngalamira Musikami, would take his place.⁴³ Nzibiro ruled from 1986 to 1995.⁴⁴ In 1995, following the advice of members of Kalima's customary elite, including the ruling family, the *bakungu*, and the *baluzi* (sub-chiefs), the government revoked Nzibiro for mismanaging the *groupement*. Subsequently, on 14 September 1995, the government recognized Claude, who was a minor at the time, as the chief of Kalima.⁴⁵ It was the start of a fierce power struggle between two factions, which continues to divide Kalima's elites and their dependants until today.

The outbreak of the first Congo War in 1996 had a dramatic impact on traditional chieftaincy in eastern Congo. The seizure of power by the Alliance des forces démocratiques pour la libération du Congo-Zaïre (AFDL, Allied Democratic Forces for the Liberation of Congo-Zaire) in May 1997 completely changed the configuration of the Congo's meta-field of power. Militarized power networks from eastern Congo took up most of the positions of authority in the new government. Customary chiefs were forced to reposition themselves. Most chiefs resented the AFDL rebellion due to its revolutionist rhetoric, the prominence of Congolese Tutsi in its leadership, and its allegiance to the Rwandan regime. In Bunyakiri, Batembo chiefs mobilized a local militia to fight the AFDL. However, eventually a deal was struck with the AFDL, which spared customary chiefs in the areas, including Kalima's chief, Claude, from being targeted by the AFDL. Meanwhile, at the regional level the relationship between the new president Laurent-Désiré Kabila and his Rwandan and Ugandan backers severely deteriorated in 1998. Eventually this led to the outbreak of another rebellion instigated by Rwanda and Uganda: the Rassemblement congolais pour la démocratie (RCD, Congolese Rally for Democracy) in August 1998.

The RCD quickly took control over much of North and South Kivu. Initially, the RCD tried to combat the customary chiefs, assuming that their departure was necessary for the subjugation of Kivu's largely rural population. The massacre committed by the RCD of the Banyindu chief Nalwindi of Lwindi chiefdom along with several members of his family and more than 1000 civilians,⁴⁶ sent shockwaves throughout eastern Congo. It was not only an extraordinary brutal massacre,⁴⁷ it was also seen as attack on local culture and identity, due to a widespread belief in the Kivus that customary chiefs historically derive their authority from the chief of Lwindi.⁴⁸ The killing fuelled resistance against the RCD, which subsequently, adopted a more pragmatic strategy of co-optation vis-à-vis the chiefs. The conflict changed the politics of custom in important ways. The ascendance of military actors such as the Mai-Mai and the RCD forced the customary elites to adapt. Some chiefs aligned with different Mai-Mai groups, others chose to go underground, and still others aligned with the RCD.⁴⁹

In Bunyakiri, a local Mai-Mai armed group launched a guerrilla campaign to counter the RCD. To combat this group, the latter carried out a bloody and destructive counter-insurgency campaign, which only fuelled resistance and armed mobilization further.⁵⁰ When the RCD also took over control of the centre of Kalima in 1999, the *mwami*, Claude, along with most of the incumbent customary elite, fled to join Padiri Bulenda's Mai-Mai, the most powerful Mai-Mai group that emerged during the Second Congo War, in the *maquis*.⁵¹ When Claude left for Kinshasa in 2001 to study, he appointed one of his *bakungu*, as the interim ruler of Kalima in his absence.

The ascendance of Padiri's Mai-Mai had a pivotal impact on the politics of custom and ethnicity, because the group built much of its legitimacy on ethnic discourse. They portrayed themselves as defenders of the customs, culture, land, and rights of the 'autochthonous communities' against 'invading Rwandophone foreigners'.⁵² The Mai-Mai's use of *dawa* (spiritual practices of protection, meaning medicine or treatment in Swahili) in combat contributed significantly to its popularity. Historically, *dawa* has been integral to collective healing practices in the region, in which violence could have a therapeutic dimension in countering social ills.⁵³ The *dawa* appealed to people's sense of self and pride and became a crucial element in mobilization strategies. Their use of *dawa* and the popular support for their 'cause' imbued the group with charisma, and in particular Padiri himself. However, unlike a *mwami*, Padiri and his group's charisma was not derived from the institution of traditional chieftaincy. Instead, it was a *prophetic* form of charisma derived from their own appropriation and enactment of customs through *dawa* and ethnic discourse, which, in the eyes of the civilian population, imbued them with extraordinary spiritual powers.⁵⁴ By appropriating and enacting custom, Padiri's group was, exceptionally, able to break the chiefs' monopoly on customary capital, and to rapidly accumulate and wield customary capital. Nevertheless, the group still recognized and protected customary authorities, whom in return played an indispensable role as intermediaries between the group's central military headquarters and the civilian population. They were involved in sensitizing their kinsmen to support the Mai-Mai and helped with the collection of taxes, food provision and the recruitment of fighters.⁵⁵

Parallel to this, Nzibiro reached out to the RCD to rule Kalima as customary chief on behalf of their government. In need of customary capital, the RCD accepted Nzibiro's offer and recognized him as the *mwami* of Kalima, thus creating a rival parallel customary administration. It was the start of a bitter conflict between two networks over power

and authority in Kalima. An important stake in this conflict was the appropriation and distribution of ethnic and customary identity capital.

The succession struggle at the end of the Congo wars

Chiefs' relative power varied greatly in South Kivu at the formal end of the wars (2003) particularly because of their positioning during the conflict. Chiefs who allied with the RCD rebellion, generally lost a lot of credibility. Others were forced to leave the area and lost connection with their populations. Still others allied with rural armed groups such as the Mai-Mai and the government. However, as an institution, traditional chieftaincy was able to preserve much of its force. Officially traditional chieftaincy was recognized by a new constitution, which was approved in a referendum by the Congolese people in 2005, and promulgated on 18 February 2006. The constitution also granted chiefdoms a degree of financial and administrative autonomy, but not *groupements* such as Kalima. Subsequently, several laws have since defined the extent of the financial and administrative autonomy of chiefdoms.⁵⁶ More importantly, it was upheld by people's continued belief that chiefs embody and guard their authentic culture and identity. Similarly, state officials continued to regard the institution as a powerful one.⁵⁷ According to a high-ranking government official in South Kivu, this is due to the concentration of different forms of power in it. In his words, the power of the institution of the chief is: 'aggregated, because he is, simultaneously, inspector, manager, judge; he is everything ... he is even spiritual because he presides over the blessings of the cultivation of crops ... His foundation is both legal and mystical'.⁵⁸

This perception shapes how state officials and politicians deal with customary chiefs. In general, they do not like to interfere unduly in customary affairs as they think it can unleash uncontrollable social forces. Yet, politicians, also, are keen to forge relations with chiefs since they believe it can help to persuade people to vote and follow them. As an illustration, many chiefs received material and political support from politicians during the 2006 elections in return for public backing.⁵⁹

Field trips to Kalima, and other Batembo areas in 2010 and 2011, though, showed that many people were frustrated with their customary chiefs especially with the ongoing succession struggles,⁶⁰ their tendency to sell off ancestral lands, and the lack of services they received in return for the taxes being paid. Nevertheless, respondents still perceived chiefs as incontrovertible and necessary authorities, and as the embodiment of the culture of their tribe. Their power was considered to derive from God and from the ancestors of the 'tribe'. Said one peddler: 'The chiefs are important because their power comes from the ancestors, and it is not today that they were instituted'.⁶¹ In addition, the figure of the chief was seen as a father figure, whose primary responsibility was to protect and provide for his children (the population). So, while the legitimacy of individual chiefs locally depended on their ability to 'protect', 'give' and 'provide',⁶² the institution of the chief was seen as inviolable, perennial and even sacred. Such beliefs testify to the continued charisma of the institution of the customary chief.

The end of the war and the inauguration of the transitional government in April 2003 drastically changed the local field of power in Kalima; it not only forced customary chiefs to reposition themselves, but also added a new chapter to the succession conflict. With the creation of the transitional government, the parallel administrative structures of Bunyakiri

(i.e. Kalima, Mubuku, Buloho, and Ziralo) merged, at least officially. Claude was reinstated as the *mwami* of Kalima by the Congolese authorities, but was still in Kinshasa working as senior manager in COHYDRO, a state-based oil company. So, he reappointed the same *mukungu* who had ruled in his absence during the war, as the interim regent of Kalima.⁶³

However, the struggle over customary capital in Kalima continued unabated. On the one side was Claude's outfit, which was supported by the government, and former Mai-Mai members and supporters. On the other side was Nzibiro's outfit, which remained embedded in the RCD power network. Four of the dominant figures of the network in Kalima made an agreement to support each other in the struggle over customary capital in Kalima: Nzibiro himself; a high-ranking member of the RCD, and two sub-chiefs from Kalima, who had both worked as customary chiefs for the RCD during the war. Nzibiro provided his supporters with economic assets in return for their continued support to recapture Kalima's throne, including a palm tree field that could be used for palm oil production.⁶⁴ Hence, he was able to parley customary land for political protection.

Meanwhile, the government of South Kivu made an official inquiry among Kalima's residents to assess the legitimacy of the two claimants of customary power, out of fear that the succession struggle would reignite an armed conflict between ex-RCD and ex-Mai-Mai supporters. Customary elites, and other social groups, including the Batembo ethnic association, religious groups, women associations, development organizations, youths, civil society, and a powerful merchant's association were all included in the inquiry.

The inquiry took place on 4 and 5 February 2006 at the Catholic Parish of Bunyakiri, in front of a large crowd. The commission accused Nzibiro and his allies of creating a parallel administration in Kalima. However, the majority of the respondents criticized Claude for having abandoned his chiefdom, for not caring for the well-being of his population, and for appointing an interim ruler without consulting the ruling family (the *bakungu* and the *baluzi*). In addition, the interim ruler was denounced for behaving like a tyrant, for being a 'foreigner', and for imposing illegal exactions. The majority of the respondents were in favour of replacing Claude with Nzibiro as the chief of Kalima on the ground that the latter was the only one enthroned according to the proper customary rites after his father's death. Several respondents also thought that the misfortunes, which had befallen Kalima, were the result of the government's revocation of Nzibiro as the chief of Kalima. This was regarded as a breach of tradition. Moreover, a majority among the *bakungu* denied that they had deposed Nzibiro in 1995, and that it had been the work of 'politicians'. Furthermore, youth representatives alluded that Claude owed his reappointment to a Mai-Mai politician from Padiri's group, who had become a minister in the transitional government in Kinshasa.

While there was consensus that the interim ruler appointed by Claude should be relieved of his responsibilities,⁶⁵ his supporters in the customary elite opposed the inquiry. In their view, the inquiry was biased because the *bakungu* and *baluzi* who were allowed to take part, did not represent all the nobility. This claim was not unfounded since the spokespersons of several groups were known allies of Nzibiro. Furthermore, Claude's supporters opposed the inclusion of non-customary social groups in the inquiry. In their eyes, only the nobility should be associated with revoking and appointing a *mwami*.⁶⁶

Importantly, as a means to delegitimize their opponent's claim to the title, both parties argued that the customary procedures of appointing a *mwami* had been breached by foreigners' interference. In this sense, both sides framed Kalima's succession dispute as

a binary opposition between the ‘authentic’ customs of the tribe and ‘foreign’ elements that spoil the purity of the latter. These claims and counter-claims attempted to delegitimize their opponents by showing that they had violated the sacred custom of the community and as such did not merit inheriting the throne. This shows that notions of custom and ethnicity underpin both sides’ claim to authority and that the ability to legitimately define who is truly customary and who is compromised by foreign elements remains a key stake of the field of power in Kalima.⁶⁷

Elections and the return of Claude

2006 was an important year for Congo’s politics and society. On 30 July, the first democratic elections since independence were held. The situation in eastern Congo remained very tense though, and in order to avoid unrest in the rural hinterlands, the Minister of Interior, Security and Decentralization ordered the provincial authorities across the country to resolve all existing customary conflicts in their provinces prior to the elections. The government of South Kivu continued to support Claude, in spite of the results of the aforementioned public inquiry. However, Nzibiro refused to accept the status quo, and reinstated himself as the *mwami* of Kalima on 30 June.⁶⁸ What followed illustrates the government’s inability to impose itself in Kalima’s social field as well as in the meta-field of power more generally.

Two years after the elections, on 3 October 2008, Claude finally returned from Kinshasa to claim the position as *mwami* of Kalima. He organized several closed-door meetings with local notabilities to obtain their support. However, he was unable to reach unanimous support.⁶⁹ Yet, Claude still claimed that he was the only legitimate ruler since he was officially recognized by the state.⁷⁰ Nzibiro, for his part, argued that he had the support of the customary elites and the population, and that Claude’s recognition was a violation of Kalima’s customs since he had never been enthroned in accordance with them.⁷¹ Claude’s supporters accused Nzibiro and his supporters of collaborating with Rwandan-backed rebels. Interestingly, they also claimed that Nzibiro was not really a customary chief since his mother was partly Portuguese, and since he was brought up outside of Bunyakiri by his uncle.⁷² In other words, if Nzibiro were to be recognized as *mwami*, it would dilute or even negate Kalima’s customs and original culture.

Claude’s strategy to assert his authority in Kalima eventually prompted the *chef de poste* (station chief) of Bunyakiri to recommend to his superiors to stop Claude’s attempt to open an office in Kalima.⁷³ However, the *chef de poste*’s superiors accused him of supporting Nzibiro’s unlawful attempt to seize the power, and removed him from office.⁷⁴ During a meeting, in December 2008, the territorial administrator of Kalehe, ordered Nzibiro to close down his parallel office, but the latter maintained his own administration nonetheless.⁷⁵ This shows not only that central authorities were unable to impose their authority in Kalima, but also the relatively independent character of local fields of power.

On 5 March 2009, Claude’s men attempted to shut down Nzibiro’s office. In response, on 30 March 2009, a group of unidentified individuals sealed off Claude’s new office. Subsequently, the new *chef de poste*, who was Nzibiro’s aforementioned ally from RCD network, suspended Claude. On 26 April 2009 South Kivu’s government sent a mission to Kalima to restore Claude’s authority,⁷⁶ yet Nzibiro and his allies refused to comply. Then, in September 2009, the Congo’s Attorney General ordered the Administrator of

Kalehe Territory to close down Nzibiro's office.⁷⁷ Eventually, in mid-2010, the new *chef de poste* was also suspended for his role in inciting customary conflicts in Kalima, and neighbouring Buloho and Mubuku, where he had equally supported chiefs connected to the RCD. Finally, Nzibiro conceded to let Claude be chief, on the condition that certain long-time RCD-collaborators would receive protection.⁷⁸

The arrival of the Raia Mutomboki

The year of 2011 brought important changes to Kalima's social field and the distribution of customary capital. It was marked by two important developments: national elections and the arrival of the Shabunda-based Raia Mutomboki armed group. The Raia Mutomboki emerged as a popular reaction against atrocities committed by the Rwandan Hutu rebel group, Forces Démocratiques pour la Libération du Rwanda (Democratic Forces for the Liberation of Rwanda, FDLR) in neighbouring Shabunda territory. After the Raia Mutomboki had ousted the FDLR in Shabunda it continued its campaign in Walikale and Kalehe. The group's success against the FDLR in Kalima made it very popular there. This enabled it to mobilize local youths on a large scale, often with spiritual and material support from customary chiefs.⁷⁹ Once the area was cleared from the FDLR, however, the Raia Mutomboki started contesting local state authorities, arguing that the latter had not been capable of protecting local communities from the FDLR.

The arrival of the Raia Mutomboki led to another reconfiguration of Kalima's social field. After it had expelled the FDLR, the group began claiming political authority over Kalima and neighbouring entities and created its own parallel systems of justice provision and resource extraction.⁸⁰ It also challenged both the government's and Claude's authority. In response, Claude's faction asked the group to demobilize, arguing that since it had already defeated the FDLR in Bunyakiri, there was no longer a need for it. Nzibiro, by contrast, tried to capitalize upon the popularity of the Raia Mutomboki and started collaborating with its leaders. For Nzibiro, this represented a remarkable positional shift: he had replaced the RCD network, which had gradually lost influence in Kalima, with the Raia Mutomboki, whose leadership was partly constituted by ex-Mai-Mai officers, his former adversaries.

The emergence of the Raia Mutomboki breathed new life into Nzibiro's aspirations and the succession dispute. While Claude remained the legally recognized chief, Nzibiro managed to acquire the support of a contending armed actor imbued with prophetic charisma. Furthermore, powerful actors from the area sought to augment their political capital locally by aligning with one of the two factions. This was evident during the campaign leading up to the national elections in 2011. Claude supported the candidature of a member of President Kabila's ruling party, the *Parti du Peuple Pour la Reconstruction et la Démocratie* (PPRD, People's Party for Reconstruction and Democracy). Nzibiro, on his part, supported the candidature of an ex-Mai-Mai of the *Parti Démocrate Chrétien* (Christian Democratic Party), a part of the larger PPRD coalition. The latter won the seat in the national assembly.

Although today Claude remains the officially recognized chief of Kalima, Nzibiro continues to claim the right to the throne. While Claude's camp remained well integrated in the dominant PPRD network, Nzibiro's camp is still very powerful in Bunyakiri and allegedly continues to support factions of the Raia Mutomboki. In addition, both Nzibiro and

Claude still enjoy the support of different networks of personalities and families in Bukavu, the provincial capital of South Kivu, showing again that succession struggles are inextricably connected to Congo's meta-field of power. These entanglements make it even more difficult to settle the succession struggle and reveal the extent of the fragmentation of political authority in eastern Congo.

Conclusion

For some time, the debate on traditional chieftaincy in Africa was polarized between those who it as a despotic residue of colonial rule, and those who saw it as an expression of authentic African political institutions and culture. More recent scholarship recognizes the manifold forms, and unique trajectories of traditional chieftaincy in different contexts. In this article we have contributed to this body of literature by studying the production and reproduction of traditional chieftaincy in eastern Congo through the lens of Pierre Bourdieu's theory of symbolic power and its attendant concepts of field and capital. Our study raises three important points about traditional chieftaincy in eastern Congo.

First, it shows that despite dramatic political changes, traditional chieftaincy remains politically salient. As we argue, this is largely due to the continued and widespread belief in the authenticity and sacredness of the institution of traditional chieftaincy as well as the ethno-territorial imaginary of the Congolese political order. This belief and imaginary underwrite custom as a symbolic political resource, and enable chiefs to exercise authority over people and resources in rural areas in eastern Congo.

Second, due to the concentration of different forms symbolic and material resources in the institution of traditional chieftaincy, the competition to occupy the position of customary chief is chronic, intense, and uncompromising. Yet, even though customary capital is concentrated in the institution of traditional chieftaincy, customary chiefs do not hold a monopoly over it. The competition draws in a wide array of actors, including different factions in the royal family, various state authorities, NGOs, ethnic associations, religious organizations, local militias, and rebel groups backed by foreign governments. Traditional chieftaincy can be claimed and appropriated by other actors under exceptional circumstances, such as war and revolutionary upheaval. This is precisely what prophetic charismatic movements like Padiri's Mai-Mai and the Raia Mutomboki were able to do. Both groups claimed the right to rule territory and population by virtue of their spiritual prowess, and their ability to make a credible claim that they could protect the local community from 'external' threats. This shows that customary capital does not *a priori* accrue to a particular actor or institution. Rather, various actors can appropriate and wield customary capital if the power structure of the social field is delegitimized or violently contested. Hence, the power struggle over customary capital revolves around defining who embodies the community's authentic values and mode of being.

Third, far from a static institution bound by timeless rules, traditional chieftaincy is constantly being remade through concrete power struggles. Questions about who should rule a given traditional chieftaincy; about the geographical boundaries of traditional chieftaincies; about who belongs, and who does not belong to a given chieftaincy; about the scope of chiefly authority; the importance of 'traditions'; et cetera, are settled through actual power struggles, rather than by divine forces, or timeless customs. The institution of traditional chieftaincy, therefore, is *per force* highly dynamic. By the same

token, the value of customary capital fluctuates in relation to other forms of symbolic capital in the general competition over authority and resources, as different actors move in and out of capacity to impose their respective political projects. In this regard, the notion of 'custom' is a form of symbolic capital, which is part of a more general competition for authority and resources.

Notes

1. Logan, "Selected Chiefs," 102; Oomen, *Chiefs in South Africa*, 1–32.
2. Mamdani, *Citizen and Subject*; Costa, "Chieftaincy and Civilisation"; Ranger, "The Invention of Tradition."
3. Englebert, *State Legitimacy*; Quinlan, "The State and National Identity"; Sklar, "The Significance of Mixed Government"; van Rouveroy van Nieuwaal and van Dijk, *African Chieftaincy*; van Rouveroy van Nieuwaal, "Status and Chiefs."
4. Comaroff and Roberts, *Rules and Processes*; Mann and Roberts, *Law in Colonial Africa*; Moore, *Law as Process*; "Social Facts and Fabrications"; Merry, "Anthropology, Law"; Lund, "Twilight Institutions"; Buur and Kyed, "Contested Sources"; Stacey, "Political Structure"; "Rethinking the Making and Breaking"; Oomen, *Chiefs in South Africa*.
5. Lund, "Twilight Institutions"; Logan, "Selected Chiefs."
6. Ibid.
7. But, see, Namegabe, "Pouvoir Traditionnel"; Tull, "A Reconfiguration."
8. Bierschenk and Olivier de Sardan, "Power in the Village"; Moore, "Law and Social Change"; Kuper, *Kalahari Village Politics*; Sahlin, "What is Anthropological Enlightenment?"
9. Bourdieu and Wacquant, *An Invitation*, 17–18; Bourdieu, "The Forms of Capital," 56n3.
10. Bourdieu, "The Social Space."
11. Comaroff and Comaroff, "The Politics of Custom," 13.
12. Bourdieu, *Sociologie Générale*, 867.
13. Dorronsoro and Grojean, *Identity, Conflict and Politics*.
14. Peluso and Lund, "New Frontiers of Land Control."
15. See *infra*, 5.
16. Hoffmann, "Ethnogovernmentality"; Jewesiewicki, "The Formation of the Political Culture of Ethnicity."
17. Stoler and Cooper, "Between Metropole and Colony."
18. Spear, "Neo-traditionalism and the Limits of Invention."
19. Hoffmann, "Ethnogovernmentality."
20. Young and Turner, *The Rise and Decline*.
21. Article 207, Constitution de la République Démocratique du Congo modifiée par la Loi n° 11/002 du 20 janvier 2011 portant révision de certains articles de la Constitution de la République Démocratique du Congo du 18 février 2006; Loi organique n° 08/016, du 7 octobre 2008 portant composition, organisation et fonctionnement des Entités Territoriales Décentralisées et leurs rapports avec l'État et les Provinces; Loi n° 15/015 du 25 août 2015 fixant les status des chefs coutumiers.
22. Bisimwa, *Les pouvoirs politiques traditionnels*; Muzihirwa, "Les Bases Économique"; "Pouvoir Royal et Idéologie"; Mworoha, *Peuples et Rois des Grand Lacs*.
23. Pindo, "Essai d'histoire," 40.
24. Newbury, "Bushu and the Historians."
25. Pindo, "Essai d'histoire," 48–58.
26. Muzihirwa, "Pouvoir Royal et Idéologie."
27. Bourdieu, *Sociologie Générale*, 352.
28. Ibid., 400.
29. Bourdieu, "Rethinking the State."
30. Mugangu, *La gestion foncière au Zaïre*, Muzihirwa, "Les Bases Économique."

31. Muzihirwa, "Pouvoir Royal et Idéologie," 241–4.
32. Bourdieu and Waquant, *An Invitation*, 76.
33. Anderson, *Imagined Communities*.
34. Biebuyck, "L'organisation Politique des Banyanga"; Newbury, *Kings and Clans*; "What Role has Kingship?"
35. Newbury and Newbury, "King and Chief."
36. Moore, *Suffering for Territory*.
37. Hoffmann, "Ethnogovernmentality" Jewsiewicki, "The Formation"; Shanyungu, "La création."; Newbury and Newbury, "King and Chief," 221.
38. Hoffmann, "Ethnogovernmentality" Mathys, "People on the Move"; Newbury, "'Bunyabungo'."
39. Pindo, "Essai d'histoire," 184.
40. Shanyungu, "The Creation," 7–8.
41. Interview, member, ruling family of Kalima, 10 July 2010, Bukavu; Pindo, "Essai d'histoire," 126–7.
42. Shanyungu, "La Création," 1988.
43. Pindo, "Essai d'histoire," 154; Shanyungu, "La Création," 37.
44. "Testament." 15 September 1985. Mwami Chef de Groupement Kalima Musikami Bakondjo Tanende.
45. Nzibiro was officially recognized as chief of Kalima Groupement by ministerial order nr. 90/018 on 11 January 1990.
46. Arrêté nr. 95/0959 du 14 Septembre 1995 modifiant l'arrêté ministériel nr. 90/018 du 11 janvier 1990 et portant reconnaissance d'un chef de groupement dans la Collectivité-Chefferie de Buhavu, Zone de Kalehe, Région du Sud-Kivu. Vice-Premier Ministre et Ministre de l'Intérieur.
47. UNOHCHR, "Report of the Mapping."
48. Stearns, *Dancing in the Glory of Monsters*, 251–66.
49. Namegabe, "Pouvoir Traditionnel"; Turner, *The Congo Wars*.
50. Namegabe, "Pouvoir Traditionnel"; Tull, "A Reconfiguration."; Namegabe, "Pouvoir Traditionnel."
51. See, UNOHCHR, "Report of the Mapping."
52. Letter: "Doléances Chef de groupement Kalima," from 8 September 2008. Claude Ngalamira Musikami.
53. Hoffmann, "Myths set in Motion"; Hoffmann and Verweijen, "Rebel Rule"; Jackson, "Sons of Which Soil?"; Verweijen, "From Autochthony."
54. Eggers, "Mukombozi and the Monganga"; Van Bockhaven, "Anioto," 36; "Anioto and nebeli."
55. Bourdieu, "Genesis and Structure of the Religious Field," 35.
56. Morvan, *Réinventer le quotidien*; Hoffmann, "Myths set in Motion."
57. Loi organique n° 08/016, op. cit., Art. 67; Loi n° 15/015, op. cit.
58. Interview, government official South Kivu, Bukavu, 14 December 2009; Interview, official, Division of internal affairs, Bukavu, 20 July 2010; Interview, official, Division of internal affairs, Bukavu, 24 August 2010.
59. Interview, official, government of South Kivu, Bukavu, 14 December 2009.
60. Interview, ex-minister South Kivu, 31 November 2011, Bukavu; Interview, politician opposition, 10 August 2010; Group interview opposition politicians, 7 July 2010.
61. Interview, nurse, Kalima, 25 September 2011.
62. Interview, shop owner, Maibano, 29 July 2011.
63. Interview, peddler, Buloho, 20 July 2011.
64. Letter nr. 01/214/CAB/CP-SK/2005, from 29 March 2005. Governor of South Kivu.
65. "Convention de récompense récompense entre le Mwami Musikami Nzibiro II, Anon., Anon. et Anon.," 13 December 2005 in Bukavu.
66. "Procès-verbal d'enquête administrative de sondage d'opinion," 4 February 2006. Cabinet du Gouverneur de Province. Inspection Territorial. Inspecteur Territorial.

67. “Enquête de sondage d’opinion chefferie de Kalima. Opposition,” 6 February 2006. Chefferie de Kalima. Gardiens de la coutume en Chefferie de Kalima.
68. Bourdieu and Waquant, *An Invitation*, 98.
69. Letter: “Recours – Suspension de fonction,” 20 February 2007. Anon. Chef de chefferie a.i. Kalima.
70. Letter: “Dossier Groupement de Kalima,” 7 October 2008. Chef de post d’encadrement administratif.
71. Letter: “Doléances Chef de groupement Kalima,” 8 September 2008. Le Chef de Groupement de Kalima Claude Musikami Ngalamira.
72. Letter: “Situation sécuritaire en Groupemtn de Kalima pendant le séjour de onseur Claude Ngalamira Musikami à Bunyakiri,” 8 October 2008. Mwami Jacques Musikami Nzibiro II.
73. Allegedly, his unfamiliarity with customs of Kalima and social norms of the customary elites was one of the reasons why they recommended his revocation in 1995. Interview, member, ruling family of Kalima, 10 July 2010, Bukavu.
74. Letter: “Situation sécuritaire en Groupemtn de Kalima pendant le séjour de onseur Claude Ngalamira Musikami à Bunyakiri,” 8 October 2008. Mwami Jacques Musikami Nzibiro II.
75. Letter: “Dossier: Anon.,” 12 November 2008. Chef de division provinciale, de l’intérieur, décentralisation et sécurité.
76. Letter nr. 2980/Ete/2008: “Contestation sur l’acte de réconciliation forcée du 05 Décembre 2008,” 6 December 2008. Mwami Jacques Musikami Nzibiro II.
77. Letter nr: CAB/MIN/IJR-ASPRO/200/2009: “manoeuvre frauduleuse de l’Arrêté de Moni-seur Musikami Ngalamira J.C.” 17 August 2009. Ministre Provincial de l’Intérieur et de la Justice..Georges Shanyungu.
78. Letter nr. 1248/PG.078/021/SE/09: “Usurpation de fonctions du Chef de Groupement Kalima,” 4 September 2009. Procureur Générale, a.i. Jacques Meli-Meli.
79. Letter: “Entretien accordé à Monsieur Jacques Musikami Nzibiro II,” 29 July 2010. Chef de poste d’encadrement administratif de Bunyakiri. Jean Mwanuka Bihoo.
80. Hoffmann and Vlassenroot, “Armed Groups”; Stearns, “Raïa Mutomboki”; Vogel, “Contested Statehood.”
81. Hoffmann and Vlassenroot, “Armed Groups.”

Acknowledgement

The authors would like to thank their collaborators in the Congo, notably Fidèle Changamba, Vincent Kagale, Vincent Mukwege, Lebon Mulimbi, and Déo Buuma, who facilitated and supported the research. In addition we would to thank two anonymous reviewers and the participants in the ‘Rule and Rupture Summer Lab’ in Skagen in 2017, who provided constructive feedback on earlier drafts of this article. We would especially like to thanks Mattias Borg Rasmussen who provided detailed feedback. Last, but not least we would like to thank the guest editors of this special issue, Vicky van Bockhaven and Judith Verweijen, for their thorough feedback at different stages of the process.

Disclosure statement

No potential conflict of interest was reported by the authors.

Funding

This work has been funded by a joint PhD grant from Roskilde University and the Danish Institute for International Studies, the Department for International Development (DFID) [Conflict Research Programme], and the European Research Council (ERC) [Ares (2015) 2785650-ERC-2014-AdG-662770-Local State].

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