

**When the hidden transcript stroms
centre stage:
From slow to sudden violence in eastern
DR Congo's Kahuzi-Biega National Park**

Fergus O'Leary Simpson



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DISCUSSION PAPER / 2021.03

When the hidden transcript storms centre stage:

From slow to sudden violence in
eastern DR Congo's Kahuzi-Biega
National Park

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July 2021

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ABSTRACT

It has been argued that protected areas give rise to forms of incremental ‘slow’ violence when populations are displaced from their lands and resources. The literature has shown how this can lead communities living at the edge of national parks to resist conservation regulations, often through everyday strategies designed to go under the radar of park authorities. I make an original contribution to this debate by exploring how conditions of slow violence and practices of covert resistance surrounding conservation projects can over time be transformed into forms of overt resistance and a state of ‘sudden’ violence. Taking a recent conflict over eastern Democratic Republic of Congo’s Kahuzi-Biega National Park as an illustrative example, I argue that an attempt by indigenous Batwa communities to violently take back parts of the park’s highland sector can be explained by three factors: first, the failure of forms ‘rights-based’ resistance strategies to achieve meaningful change; second, specific threats to Batwa livelihoods, identity and dignity that have emerged over recent years; third, the arrival of opportunities to forge new alliances with more powerful actors who could support their struggle. My overall argument speaks to the literature on conservation by exposing the intricate relationships between ‘everyday’ and ‘overt’ forms of resistance, and between ‘slow’ and ‘sudden’ violence. In turn, rather than romanticizing the Batwa’s actions, the paper shows how their struggle has ultimately intersected with elite interests, politico-military networks and wider conflict dynamics in a way that has led to widespread environmental destruction.

KEYWORDS

Conservation, Everyday Resistance, Overt Resistance, Slow Violence, Sudden Violence, DR Congo.

1. INTRODUCTION

There is an extensive literature on the social impacts of conservation projects in the Global South (West et al., 2006; West and Brockington, 2006). In addition to studying the violence involved in coercive and militarised conservation approaches (Duffy et al., 2019; Titeca and Edmond, 2019; Verweijen and Marijnen, 2018), this literature also sheds light on the long-run consequences of establishing and enforcing protected areas, such as through marginalisation, impoverishment, increased mortality, and loss of cultural values (Lasgorceix and Kothari, 2009). There is an equally substantial body of literature on resistance to conservation (Cavanagh and Benjaminsen, 2015; Holmes, 2007; Mariki et al., 2015; Norgrove and Hulme, 2006; Wilshusen, 2009). This work draws extensively on Scott’s (1990, 1989, 1985) writings on the covert or everyday forms of resistance (theft, poaching, slander, folktales) that subordinate groups employ, but also the more overt forms of protest (rebellion, riots, land invasions, legal action) that can occur under certain conditions. I aim to make a contribution to this literature by exploring what causes covert forms of resistance to turn violent and burst onto the centre stage.

As an illustrative example, I look to an ongoing conflict surrounding territorialisation and militarised conservation in Kahuzi-Biega National Park (KBNP) in eastern Democratic Republic of Congo (DRC). This conflict has its roots in the 1970s when the Congolese government first displaced Batwa¹ communities from the forest. I conceptualise the marginalisation and impoverishment which the Batwa endured over the preceding decades as forms of incremental ‘slow’ violence (Nixon, 2011), defined as the kind of violence which takes place incrementally over long periods of time, and is usually difficult to assign blame or responsibility for. In response to these conditions, the Batwa developed ‘infrapolitical’ strategies of resistance designed to go under the radar of park authorities (Scott, 1990, 1985). This occurred through both ideology and action, encoded in their hidden transcripts and in practices of everyday resistance. A group of local and international NGOs also supported the Batwa in peaceful forms of ‘rightful’ resistance (O’Brien 1996), including several court cases, international media coverage and formal dialogue processes.

To the great surprise of outside observers, the nature of Batwa resistance changed in October

[1] I use the terms ‘Batwa’ (plural) and ‘Twa’ (singular) to refer to the indigenous people living in and around KBNP. When reporting direct quotations or referenced work, I use the specific term used by the interviewee or in the text, which ranged from ‘Twa’, ‘Pygmy’, ‘Batwa’ to ‘Bumbuti’.

2018 when their hidden transcript burst into the public arena. Over a period of just several weeks, hundreds of Batwa violently reoccupied parts of the park's highland sector. Eco-guards from the Congolese conservation agency, *L'Institut Congolais pour la Conservation de la Nature (ICCN)*, worked alongside soldiers from the government army to displace the Batwa once again, but in most cases without success. So far eleven Batwa, at least two ICCN eco-guards and a government soldier have died as a result of the fighting, with many more injured on both sides. Once inside the park, the Batwa built commercial and military alliances with rebel groups, acquisitive traders, wealthy farmers, illegal miners, timber cutters and even, reportedly, employees of ICCN. These alliances enabled them to secure protection and exploit natural resources. As of February 2020, the ensuing scramble for the park's resources has caused hundreds of hectares² of deforestation in the highland sector, the region home to the majority of the park's population of critically endangered eastern lowland gorillas.

I argue that the eventual turn toward violent reoccupation can be explained by a combination of three factors. First, repeated failures to transform conditions of slow violence through peaceful, rights-based approaches since 2008. Second, specific threats to Batwa livelihoods, identity and dignity that have emerged since 2017. Third, the arrival of opportunities around the 2018 national election to forge alliances with powerful actors who could support their struggle. I conclude that an improved scholarly understanding of the intricacies between covert and overt resistance and slow and sudden violence could serve to prevent the social and environmental destruction that has engulfed Kahuzi-Biega in recent years from occurring in other protected areas in the Global South. It could also help to generate momentum toward a kind of new conservation that puts people and their rights front and centre of its projects and practices.

2. TERRITORIALISATION, DISPLACEMENT AND VIOLENCE

Calls are increasing to expand the global area of land dedicated to preserve nature, halt biodiversity loss and mitigate climate change. Take the case of Nature Needs Half³ movement which advocates for protected areas to be established on fifty per cent of the earth's surface by 2030. Considering that about 15.4 percent of the world's land area and 3.4 percent of the global ocean area are currently covered by protected areas⁴, a radical expansion of conservation territory would be required to meet this target.

Holmes (2014:2) argues such an expansion would necessitate a process of internal territorialisation (Vandergeest and Peluso, 1995) whereby states 'sub-divide their territory, creating territorial units within national boundaries'. To territorialise a protected area, conservation actors must first map and delimit the boundaries of the land they seek to control. Then they must create laws and plans to define how and for whom the land will be managed. After that they need to develop mechanisms to establish and enforce the new territorial arrangements. Whereas states hold the sovereign power to create new conservation territories, international NGOs often deliver the political, technical, financial and discursive resources for states to implement the territorialisation of protected areas (Holmes 2014). This is particularly true in the Global South where governments frequently lack the financial means or political will to implement conservation projects (Corson, 2011). Historically, territorialisation for conservation has been justified based on discourses that frame protected areas as people-free spaces (Neumann, 1998) where, according to the US Wilderness Act of 1964, 'man himself is a visitor who does not remain.' In more recent years, territorialisation for conservation is increasingly justified with reference to the apparent urgency of the global environmental crisis, most notably the loss of charismatic species (Massé 2019).

The most extreme forms of territorialisation for conservation involve the displacement of people from their lands and resources. In conjunction with Lasgorceix and Kothari (2009, 38), I differentiate between three different types of conservation-induced displacement: voluntary displacement, whereby communities move by their own volition; forced displacement, whereby relocation takes place in the face of community opposition; and induced displacement, whereby communities decide to move as a result of negative circumstances created by conservation. In other cases, people are allowed to live inside protected areas

[2] During fieldwork, various actors involved in the conservation of the park quoted me figures ranging between 400 to 500 hectares of deforestation in the park's highland sector between October 2018 and February 2020.

[3] The website of the movement can be viewed as this link: <https://natureneedshalf.org/who-we-are/history/>

[4] See UNEP-WCMC's website for more details: <https://www.unep-wcmc.org/>

and use resources but in a much more restricted way, which displaces their economic activities elsewhere (Brockington and Igoe 2006). In addition to, or after having forcefully displaced certain communities, conservation actors seek to maintain their territorial control by monitoring who has access to the protected area, and for which purposes. One way of doing so is through a process of 'green militarisation', which involves 'the use of military and paramilitary personnel, training, technologies, and partnerships in the pursuit of conservation efforts (Lunstrum 2014, 816).' This approach represents an acute version of the exclusionary or 'fortress' approach to conservation adopted during the colonial era (Brockington, 2002; West et al., 2006)

The most immediate social impacts of coercive conservation stem from the direct forms of violence required to evict and exclude communities from their lands and resources. However, even once this has occurred, a community can go on to experience impacts that persist years after a dislocation event. These include landlessness, joblessness, marginalisation, impoverishment, food insecurity, morbidity, mortality, and loss of access to common property and ecosystem services (Agrawal and Redford, 2009; Brockington and Igoe, 2006). Other long-term impacts of conservation are less obvious, but no less significant for affected communities: for example, the loss of cultural values, history and memory that they ascribe to landscapes that (in many cases) their ancestors have inhabited for generations (Lasgorceix and Kothari, 2009). These costs are felt most acutely by indigenous communities who depend intimately on the 'ecological base' of their lands for survival (Domínguez and Luoma, 2020; Kabra, 2009). There are occasions when benefits can accrue to local communities from conservation-induced displacement, for example through compensation and development schemes, ecotourism projects and opportunities for employment (Beazley, 2009; Kabra, 2009). However, these benefits are often distributed unequally to the benefit of community elites (Tumusiime and Sjaastad, 2014). It is unfortunately those communities that have borne the brunt of displacement that are typically least able to access compensatory measures (Kabra, 2009).

Here I argue territorialisation for conservation involves different kinds and degrees of violence, which take place over different time scales. As such, I draw attention to the 'sudden' acts of physical violence used to establish and manage protected areas – i.e. the instantaneous, visible forms of violence required to force people from one place to another. In addition, I focus on a delayed, subtler form of violence that often follows conservation displacements. Following Nixon (2011, 2) I conceptualize the latter as 'slow' violence: 'a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is not viewed as violence at all.' This kind of violence produces negative social effects that last long into the future, yet often without creating the kind of drama that captures international media coverage or NGO interest. In his book on the subject, Nixon explicitly refers to the long-run consequences of exclusionary conservation practices, as well as the prioritisation of tourism and hunting over local land uses, as forms of slow violence. Since then, other authors have used the concept to highlight the creeping, more incremental forms of violence that surround protected area designation over extended timescales (Cavanagh and Benjaminsen, 2015; Witter and Satterfield, 2019).

Specifically, I apply the concept of slow violence to highlight how a sudden act of violent displacement gave rise to a less spectacular, but no less debilitating form of violence – which was apparent in the Batwa's landlessness, marginalisation, impoverishment and loss of cultural identity. As I will argue in the next section, this provides a breeding ground for clandestine resistance movements against conservation regulations, which can – under certain conditions – generate yet more sudden violence years after a conservation displacement event.

3. RESISTANCE TO CONSERVATION

Neither territorialisation for conservation, nor the slow violence that it can give rise to, have gone unopposed. There are countless examples where communities affected by protected areas have engaged in forms of resistance and counter-territorial struggles. For instance, in Indonesia a community forcefully (re)appropriate land inside Lore Lindu National Park (Li 2007), while in eastern DRC's Virunga and Uganda's Mount Elgon National Parks local populations engaged in direct acts of violence against conservation personnel in order to access park resources (Cavanagh and Benjaminsen, 2015; Hochleithner, 2017; Verweijen and Marijnen, 2018). Resistance also occurs when populations openly destroy resources inside protected areas, including rare species and habitats, to protest conservation regulations. For example, Peluso (1993) found Massai pastoralists in Kenya started to kill rhinoceros and elephants to demonstrate their opposition to conservation. Mariki, Svarstad, and Benjaminsen (2015) documented a case in Tanzania where a group of villagers chased a herd of elephants off a cliff to resist conservation practices. In other cases, communities have made use of formal/legal strategies of rightful resistance (O'Brien 1996), such as through petitions, court cases, appeals to customary land rights, and mobilising the support of politicians (Cavanagh and Benjaminsen, 2015; Holmes, 2014; Norgrove and Hulme, 2006). The acts of resistance described above can all be conceptualized as 'overt resistance', and include both 'violent forms of political action – e.g. riots, rebellion, revolutionary movements' and 'less violent forms – e.g. petitions, rallies, peaceful marches, protest voting, strikes, boycotts (Scott 1989, 33).'

Yet the seminal work of James Scott (1985, 1990) has drawn attention to other, more clandestine forms of resistance. These are conceptualized as 'everyday' resistance, and include among other things, foot-dragging, false compliance, desertion, theft, smuggling, arson, sabotage, assault, and anonymous threats (Scott, 1989, 34). The ideological foundation of these acts lies in the 'hidden transcripts' of subordinate groups, or the discourses of dissent that usually go under the radar of authority figures. Hidden transcripts show up in rumour, folktales, songs, expressions, humour and theatre (Scott 1990, xii). Cavanagh and Benjaminsen (2015) argue that the hidden transcript of subordinate groups is what separates acts of everyday acts of resistance to conservation projects from low-level crime and opportunism. In contrast, the public transcript refers to the discourse used in open interaction between subordinates and dominant groups. This discourse is used by dominant groups to portray themselves in a favourable way; it is mimicked by subordinate groups, often through feigned compliance (Scott 1990). Key forms of everyday resistance against conservation include the clandestine continuation of banned livelihood activities, such as hunting, farming and artisanal mining, inside protected areas (Cavanagh and Benjaminsen, 2015; Duffy, 2005; Holmes, 2007); the covert destruction of resources, in particular through acts of arson, which are difficult to trace back to a single perpetrator (Kuhlken 1999; Kull 2004); the deceptive relocation of boundaries to reduce the size of protected areas (Norgrove and Hulme, 2006); feigned compliance with, and ignorance of, conservation regulations (ibid.); and slanderous talk about conservation authorities, including character assassinations (ibid.). Together, everyday resistance and hidden transcripts can be considered an 'infrapolitics of the powerless' (Scott 1990).

This paper focusses specifically on the relationship(s) between everyday and overt resistance, the latter of which can include both peaceful and violent strategies. I do not see these relationships as dichotomous (covert versus overt), but following Vinthagen and Johansson (2013, 9), consider everyday resistance to be an 'initial, offstage, or later stage activity in relation to other more sustained, organized and conventional political forms of resistance'. Thus, I view resistance to conservation as existing on a continuum ranging from clandestine activities to more open forms of political contestation. What interests me here, specifically, is why at certain points in time everyday forms of resistance suddenly burst onto the centre stage and formerly peaceful strategies turn violent – while acknowledging the reverse may also occur.

To begin with, I address why resistance is so often confined to the covert end of the continuum. Different forms of power are related to different forms of resistance. Put simply, the more vertiginous the power differential between groups, the lower the chance overt resistance will occur. In this regard Scott (1985, xv) has pointed out that for most of history it would have been 'dangerous, if not suicidal' for marginalised groups to engage elites in open protest. He argues this has led to the predominance of everyday forms of resistance. Holmes (2007:186) work on resistance to conservation lends support to this observation. He

argues that people living around protected areas are generally pushed toward subtle forms protest due to the fact that they 'face constraints limiting their potential for open rebellion.' Such constraints include fear of violent reprisal, the need to balance protest with making a living and the cost of collective action (ibid), but also the fact that 'formal or quasi-authorised practices of "rightful resistance" (O'Brien, 1996) seem infeasible or compromised by poor governance' (Cavanagh and Benjaminsen 2015, 728). Acts of high-risk, overt resistance are therefore usually only employed as a last resort (Norgrove and Hulme, 2006).

My review of the literature exposes two ways in which more covert forms of resistance can move along the continuum toward more overt strategies, while acknowledging that the latter can incorporate both peaceful and violent strategies. The first way covert resistance moves toward overt resistance is when elites threaten subordinate groups' sense of dignity, autonomy or means of survival. According to this logic, 'external threats are the main factors behind collective mobilisation' (Lilja et al. 2017, 44). Bayat's (1997) research on poor people living in unauthorised urban neighbourhoods is particularly instructive in this regard. He argued that the urban poor seek to advance their position in relation to elites through a process of gradual encroachment: 'a silent, patient, protracted, and pervasive advancement of ordinary people on the propertied and powerful in order to survive hardships and better their lives (ibid, 57).' For the most part, this involves quiet, individual and incremental practices that benefit the poor at the expense of elites. However, when these benefits are in some way threatened, the poor tend to shift toward more direct, audible and collective strategies. This pattern can also be observed in the conservation literature. For example, the Bamasobo people in Uganda adopted more overt methods of resistance, including non-cooperation and threats of violence, when conservation authorities threatened to consolidate the boundary of Mount Elgon National Park (Norgrove and Hulme 2006).

The second means by which covert forms of resistance move along the continuum toward more overt strategies is when opportunities arise for marginalised groups to shift power relations in their favour. Scott refers to this mechanism throughout his work on resistance. Describing events that precede revolutionary actions, he wrote, 'what had changed was above all the conditions which had previously confined the public expression of these actions and sentiments (1985, 59).' One way such conditions can shift is when the dominant actor in a power relationship becomes weaker. For example, there are cases where wider socio-political developments (elections, wars, crises of state legitimacy) alter the 'political opportunity structure' (Tarrow, 1998) of social movements, making normally risky forms of political contestation less dangerous and collective action more feasible. According to this logic, acts of overt and collective mobilisation are therefore about exploiting crises among the elite. Subordinate groups are also more likely to adopt overt forms of resistance when they find new, powerful allies who can help them to organise and attract resources (Tilly and Tarrow 2007). Indeed, it is not uncommon for people living at the edge of protected areas to form alliances with more powerful state and non-state actors in order to receive financial compensation or continued access to land and resources (Beazley 2009; Almudi and Berkes 2010). This is often achieved through collaboration with human rights NGOs, politicians and even critical anthropologists who can help them to 'transcend the local and participate in arenas where protected area policy is decided' (Holmes 2014, 3). Such alliances can enable marginalised groups to engage in rights-based forms of resistance, which seek to address injustices through peaceful, negotiated strategies.

However, overt resistance is not always, or even often, rights-based. Such resistance can transition toward more violent tactics when peaceful, negotiated strategies fail to achieve meaningful change. This can occur when governments are unwilling or unable to take the necessary regulatory or penal actions to ensure the rights of marginalised groups. For example, based on their research on local responses to oil extraction in the Peruvian Amazon, Orta-Martínez, Pellegrini and Arsel (2018) characterise such a situation as one of 'conflict imperative', whereby communities use conflict as a way to reopen negotiations with the state and/or private companies. Lombard (2016) observed a similar dynamic in the Central African Republic, where people instrumentalise rebellion as a way to get the state to take their requests seriously. According to this logic, the move toward open conflict can, in the words of Carl von Clausewitz, become a form of politics by other means. But conflictual strategies of resistance are not necessarily violent *per se*.

There is an important body of literature on the complex relationships between conflict and violence which emphasises how violence is not just a different stage in a cycle of conflict, but rather ‘a form of social or political action in its own right’ (Brubaker and Laitin 1998, 425). In turn, there are diverse interpretations of how conflict interacts with acts of direct physical violence. For example, Collins (2008) suggests that antecedent conditions do not adequately explain outbursts of physical violence, whereas Kalyvas (2006) places primacy on external factors, including the presence of armed groups, as drivers of violence action. The latter is relevant in the context of resistance to conservation in the milieu of conflict, such as in eastern DRC, where populations have been found to solicit protection from armed groups in order to resist conservation regulations and access resources inside protected areas (see Verweijen and Marijnen, 2018). Under these conditions, ‘not having connections with politico-military entrepreneurs makes contentious action dangerous, as it renders contesters vulnerable to repressive action by the authorities or competing power networks’ (Verweijen, 2017, 471).

4. UNCOVERING HIDDEN TRANSCRIPTS: METHODOLOGICAL AND ETHICAL CONSIDERATIONS

For a social science attuned to the relatively open politics of liberal democracies and to loud headline-grabbing protests, demonstrations, and rebellions, the circumspect struggle waged by subordinate groups is, like infrared rays, beyond the visible end of the spectrum. (Scott 1990, 183)

As stated in the quote above, everyday resistance and hidden transcripts comprise the kind of political discourse and action that usually goes under the radar of authority figures – but also social scientists. The reason hidden transcripts and everyday resistance so often go undetected is because they are intended to do so. They are by their very design difficult to unearth, inaccessible to outsiders. A crucial task, then, for the study of social relations in power-laden situations, is to discern and bring to light the activity that usually lies at the ‘infrared’ end of political spectrum.

For this research, data were gathered as part of my PhD research over a period of six months between August 2019 and February 2020 in eastern DRC’s South Kivu Province. Working with a team of Congolese researchers⁵, I visited several different Batwa and Bantu communities living in and around the villages and towns of Bitale, Civanga, Kabamba, Kafurumaye, Katasomwa, Katana and Miti. These villages are all located in the territories of Kabare and Kalehe. They were selected for the study because they are all located close to the border of KBNP’s highland sector, where the recent conflict between Batwa and the Congolese conservation agency has taken place. Four focus groups were carried out with Batwa communities, three with different Bantu communities, and four with the members of armed groups. These focus groups provided valuable arenas in which to learn how different stakeholders presented their public transcript to the outside world, including to scientific researchers like myself. The public transcripts presented in these focus groups involved considerable drama, gesticulation, and creative expression, always orchestrated under the watchful eye of the community chief or appointed leader. In these settings, I was able to witness both just how coherent the public transcripts of different communities were, as well as what the social consequences would be for individuals who exposed facts or discourses that were meant to remain hidden – such as being publically shamed, told to ‘hush’ or leave the room.

However, hidden transcripts and everyday resistance are by their very nature difficult to uncover. To ensure peasant resistance is not misdiagnosed (Ortner, 1995) or identified based on the exaggerated claims of elites (Gupta, 2001), the researcher must document not just acts of resistance, but also the intentions which lie behind them. I tried to garner insights into such intentions primarily through 136 semi-structured interviews with Batwa and Bantu peasants – including members of armed groups – living

[5] This team at various points included Michel Bazika, Papy Mulume and John Tombola. My thanks go out to them for their hard work – and for sharing their courage, knowledge and experience with me. Without their contributions in the field, this paper would have been immeasurably poorer.

in villages in and around the park's highland sector. I performed a further 36 interviews with key informants working for conservation agencies, NGOs and Congolese civil society based in Bukavu. In order to help research participants feel as comfortable as possible, I generally aimed to conduct interviews in private 'off-stage' locations, out of earshot of authority figures and other community members. The data gathered in the focus groups and interviews was triangulated with an extensive document analysis of letters, declarations, NGO reports, emails and WhatsApp messages.

During the course of the field research, I encountered numerous ethical and practical challenges. On several occasions, I was in possession of sensitive knowledge that, if made public, could have fatal consequences for people on either side of the conflict. For example, there were times when Batwa would let me know beforehand about an imminent attack against eco-guards, which I knew eco-guards were likely unaware of. Was the ethical decision here to say nothing and let the conflict play out? Should I have tried to persuade the Batwa to halt their actions? Or should I have informed the eco-guards of what was about to come? What made questions like this even more difficult was the fact I had invested considerable time building relationships with individuals on both sides of the conflict. At such moments of ethical ambiguity, it was challenging to effectively tread the tightrope walk between compassion and detachment, engagement and impartiality. In the end, I chose to maintain a healthy degree of objectivity throughout, confining my role to a documentation of events throughout the conflict, as opposed to actively intervening on either side.

I also noticed how I started to develop my own hidden and public transcripts when confronted by unequal power relations and conditions of insecurity. For example, when conducting interviews in the presence of authority figures or members of armed groups, I often found myself adjusting my manner of speech out of either deference or fear. While this undoubtedly influenced the way in which respondents both perceived and interacted with me – how they answered my questions – it also enabled me to better understand the way they adapted their own speech and action. I also noticed that I, as a European researcher, was viewed as a potential means to access opportunities for economic accumulation and political power. On several occasions I was asked to intervene on behalf of a group in order to alter the balance of power in their favour. For example, a Twa chief made the following remark as I was leaving his community:

We see you as the Angel who can bring the solution to our way of suffering. The way I see you, God could not have sent an Angel like you without doing something for us! You must be afraid of nothing here – you can plead for us as a leader. I believe through your research you will become a big man and once you are a big man you will be able to plead for us! We have three people jailed in Bukavu and we don't have anyone to plead for them. We need people like you to plead for their rights.⁶

All this meant I had to constantly decipher what lay behind my respondents' public speech: the carefully curated performance and façade designed to make me think, feel and act in a certain way. In turn, despite the extensive ethnographic data collected for this article, I should be clear that my insight into the hidden transcripts of Batwa remains limited, especially with respect to their intentions. The fact all the interviews I personally conducted were performed through a translator no doubt constrained my ability to understand the intimate political dynamics of the different communities living in and around KBNP. While this poses limits to my interpretation, I have done my best to ensure the validity through a careful triangulation of data and methods, a thick description of the research context, an acknowledgement of my positionality and a critical interpretation of the research findings, taking into account probable biases as outlined above. To protect the anonymity of respondents, I have chosen not to mention any of them by name.

[6] Interview with Twa chief, Kabare, 07 January 2020.

5. TERRITORIALISATION, DISPOSSESSION AND SLOW VIOLENCE IN KAHUZI-BIEGA NATIONAL PARK

KBNP is located in eastern DRC's South Kivu Province about 20 km west of the provincial capital, Bukavu. The name is derived from two extinct volcanoes in the highland sector of the park (see figure 1): Mt. Kahuzi at 3,308m and Mt Biega at 2,790m. Its forests have been populated by Batwa people for hundreds if not thousands of years. The Batwa are considered the first inhabitants of the land by other ethnic groups, and traditionally practice a hunter-gatherer lifestyle. Several different Bantu groups also live in the vicinity of the park's highland sector in the territories of Kabare and Kalehe. These include the Bashi, Balega, Bahavu, Batembo and Barongeronge. These groups live in and around forests too, but do not have the same depth of cultural connections with their environment as the Batwa. Although the Batwa have historically collaborated with these groups, they have also been marginalised and discriminated against, to the point that many Bantus consider the Batwa to be second class citizens (Bacirongo and Nest, 2015).

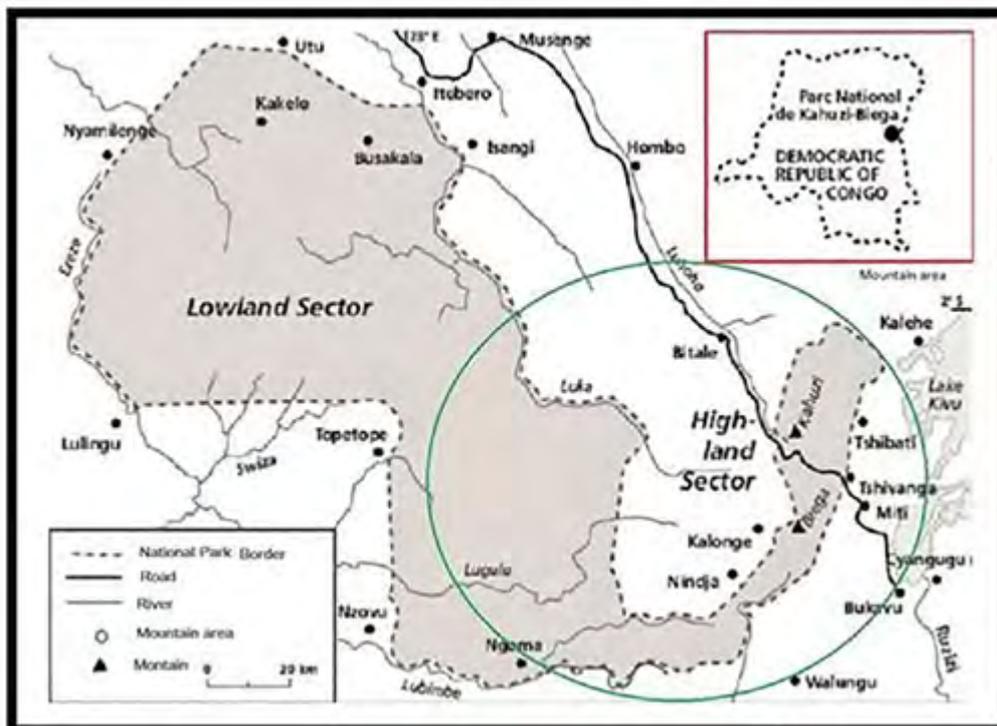


Figure 1: map of Kahuzi-Biega National Park showing the highland and lowland sectors (Mangambu Mokoso et al., 2018:53).

The territorialisation of the park occurred through a staggered process, involving three main stages. In the first stage, the 'Zoological and Forest Reserve of Mount Kahuzi' was created by the Governor General of the then Belgian Colonial administration through decree No. 81/AGRI on 27 July 1937 (Barume 2000, 68). The reserve was expanded to include the Biega forest in 1951. At this time, the reserve authorities waived certain restrictions so that Batwa could continue their activities in the forest (ibid). In 1970, President Mobutu set in motion the second stage of territorialisation through the publication of *Ordonnance-loi* no. 70/316. Due in part to the lobbying efforts of international NGOs such as International Union for Conservation of Nature (IUCN), this law transformed the reserve into a fully fledged national park, meaning all human habitation and resource use was now forbidden in *de jure* terms, even if this was not always enforced *de facto*. The change in legal status was justified as a way to preserve the park's large population of eastern lowland gorillas (Yamagiwa, 2008), which had begun to receive international acclaim through the films and photography of Adrien Deschryver, KBNP's first head warden and a descendant of the last Belgian Minister of Colonies.

This decree reduced the size of the park from 75,000 ha to 60,000 ha, liberating 15,000 ha of land which was distributed among sixteen wealthy farmers (Mutimanwa, 2001). None of these farmers lived in nor on the edge of the park. All but one of them were non-natives to the area. Conversely, Batwa chiefs did not receive land as part of this settlement. The third stage in the territorialisation of the Park took place in 1975. Ordonnance-loi no. 75/238 re-extended the park to include a massive 540,000 ha lowland sector. This stretched all the way from Shabunda territory in South Kivu, Walikale territory in North Kivu, across to Punia in the territory of Maniema. This extension was implemented without the consultation of either Bantus or Batwa living within the new park limits (Barume et al., 2000:72). Five years later in 1980, UNESCO further justified the territorialisation of the park's new boundaries in the eyes of the international community by designating it a World Heritage Site

With the transformation of the reserve into a national park, the forests of Kahuzi-Biega (at least on paper) stopped being a source of economic, social and cultural resources for the people who live in and around them. Officially, the park became a place of strict preservation, scientific research and – most importantly – tourism. Adrien Deschryver set-up the program for gorilla tourism in the early 1970s (Yamagiwa, 2008). Over a period from 1970 and 1975, Batwa families – estimates range between 300 and 6,000 individuals⁷ – were forcefully displaced from the forest. The Congolese conservation agency⁸ worked alongside the national army, showing up at people's houses without warning to demand they move. Accounts of the expulsion are harrowing. A Pygmy widow living in the forests of Kahuzi-Biega with her five children at the time is quoted in Barume (2000:80):

We did not know they were coming. It was early in the morning. I heard people around my house. I looked through the door and saw people around my house. I looked through the door and saw people in uniforms with guns. Then suddenly one of them forced the door of our house and started shouting that we had to leave immediately because the Park is not our land. I first did not understand what he was talking about because all my ancestors have lived on these lands. They were so violent that I left with my children.

In an interview in the village of Katana, a Batwa chief whose grandfather had lived inside the boundaries of what is now the park offered a similar statement:

48 years ago, when we were staying in Catondo, we saw soldiers of the government come to our village with eco-guards. They told my grandfather, 'you must leave this place, it is no longer your home.' My grandfather should have asked the ecoguards and FARDC where they were going to let us live, because when we left the park we came to settle in the village of Katana as refugees. Up until now they have still never given us property.⁹

Once displaced, the Batwa were left landless, pushed to live among Bantu communities surrounding the park. They never received land or financial compensation. Other Batwa went onto live a nomadic lifestyle, moving from village to village in search of food and resources (Mutimanwa, 2001). In Dowie's (2011) words, they became refugees not of war or natural disaster, but of conservation. Barume et al (2000, 84) found that 'in all the villages to which they moved after being expelled from the KBNP, the Twa suffer from obvious nutritional deficiencies, poor hygiene, lack of medical care, inadequate housing, a high mortality rate and the impact of armed conflict in the area.' However, the Batwa were not just deprived of their means of subsistence, but also cut off from their identity and spirituality, which is inscribed in the forest as their ancestral land. In effect, their dispossession did not end at the time they were displaced from the park, but has continued up until the present day.

Yet Batwa were not the only people affected by displacement. Barume et al (2000, 72) report around 13,000 Bantu people (Bashi, Batembo and Balega) were living in the lowland sector of the park be-

[7] Barume et al (2000:80) estimate the figure at 6,000. This is roughly consistent with the NGO PIDP-Kivu's estimate that a total of 580 families were impacted. German Technical Cooperation Agency (GTZ) quote a figure of around 1,000 (ibid). A retired GTZ employee suggests that the figure could be as low as 300 individuals.

[8] At the time, the Congolese conservation agency was known as the Institut Zaïrois pour la Conservation de la Nature. Its name was changed to Institut Congolais pour la Conservation de la Nature (ICCN) in 1997.

[9] Interview with Twa chief, Katana, 10 September 2019.

fore it was extended in 1975. Although some of them refused to leave and were able to continue living in the park due to a lack of enforcement, many were forcibly displaced and moved to villages outside its boundaries. However, these communities were less severely impacted by displacement than the Batwa. This was partly due to the fact that many were able to seek refuge among other Bantu communities outside the park, but also because Bantus are generally less dependent on forests for their survival. As a result, they were better positioned to take advantage of commercial opportunities in villages and towns outside of the forests. Many became traders, farmers, miners and businesspersons. Moreover, as a result of their more privileged position in Congolese society, they were better placed to demand land and financial compensation from the government. For instance, several Bantu chiefs received money for their lands that were gazetted as part of the Reserve of Mount Kahuzi (Mutimanwa, 2001).

Conversely, the Batwa's marginalisation has limited their ability to access compensation or gain political influence. For the first four decades outside the forest, they had almost no outside support or opportunities to present their grievances to authorities. As we will discuss later on, the few times they have been able to share their struggle in courts of law and other public fora, little or no change has occurred. In turn, park authorities have rarely consulted Batwa in decisions regarding the management of the park. In the 1970s they recruited Batwa as guides and trackers to support the process of gorilla habituation for tourism (Mutimanwa 2001). However, they were involved on an entirely practical level, with a focus on enhancing tourism and research, as opposed to promoting a culture of genuine participation. As such, Batwa have endured several decades of incremental slow violence, manifest in their continued marginalisation and dispossession after forced displacement, oppression of their cultural identity, exclusion from jobs and inability to pay for formal schooling.

By the 1990s, the DRC was becoming increasingly unstable, especially its eastern provinces. The Mobutu regime was on the cusp of implosion. Foreign businesses were leaving and most international aid and development programs were on pause. Following the 1991 eruption of riots in the capital Kinshasa, the number of tourists visiting the country – and as a consequence tourist revenue coming from national parks – saw a massive decline (Yamagiwa, 2008). The two Congo wars (1996–1997 and 1998–2003) added another layer of violence that dramatically impacted the territorialisation of the park. The Rwandan genocide of 1994 pushed a great wave of around 450,000 refugees into the area surrounding the park. Two huge refugee camps, each hosting 50,000 and 20,000 people, were established near the highland sector on the side of Lake Kivu (quoted in *ibid*:119). These refuges caused massive pressure on Park resources through increased demand for firewood, charcoal and farmland.

The start of the First Congo War in 1996 saw a massive proliferation of arms in the region, which poachers used to both hunt animals and fend off eco-guards. The Second Congo War starting in 1998 brought with it yet more insecurity, firearms and poaching. The proliferation of rebels in all areas of the park made it virtually impossible for eco-guards to conduct patrols. During this period, local populations were able to freely enter the park to hunt, extract minerals, make charcoal, gather firewood, and construct temporary farms. The fortress of KBNP was rapidly 'crumbling' (Kelly, 2015), shifting toward an open access space. Yet although the park boundaries were not enforced during this period, it was still too dangerous for Batwa to return to live in the forest due to the presence of the notorious *Les Forces démocratiques de libération du Rwanda (FDLR)* Hutu rebel group. Widespread impoverishment in the region meant that for many people bush meat became the only source of protein. At the time, gorilla meat sold for around \$0.25 per kg, about half the price of beef (Yamagiwa 2008, 126). As a consequence, approximately half of the park's population of gorillas disappeared between 1996 and 2000 (*ibid.*).

By the year 2000, ICCN controlled just twenty percent of the KBNP's highland sector, where its population of valuable (in touristic and scientific terms) habituated eastern lowland gorillas lived. Rebel groups controlled almost the entire lowland sector (Yamagiwa 2008). More recent data presented by Congo Research Group (2019) shows 25 different armed groups operating in and around the park. My own research found evidence of multiple smaller armed groups in the highland sector, some with no more than five recruits. Even though the end of the Second Congo War in 2003 has enabled ICCN and the Congolese military to gain greater state control over parts of the park, the proliferation of armed actors still makes it impossible

for the 250 or so eco-guards¹⁰ to assert territorial control over its boundaries. In many regions authority remains pluralised and continually contested, a characteristic shared by many protected areas positioned in regions affected by conflict (Lombard, 2016; Verweijen and Marijnen, 2018). However, this has not made state authority disappear entirely, especially in the highland sector where ICCN's headquarters is located and regular patrols are conducted. This also happens to be the region around which most of the Batwa have lived since they were expelled.

6. THE INFRAPOLITICS OF THE BATWA: BETWEEN RESISTANCE AND SURVIVAL

The original act of dispossession, as well as the subsequent slow violence the Batwa endured, did not go without contestation. However, due to the severe punishments for breaking park regulations, Batwa strategically opted against risky forms of overt resistance. Instead they practiced clandestine methods of everyday resistance. As I will argue, illegally entering the park and collecting resources not only helped them survive, but also enabled them to make continued claims about their rights to the park. The latter point becomes clear when analysing the ideology that supported and endorsed their acts.

'We would sing these songs to remember how we were suffering'

The ideological foundations of Batwa resistance have been forged and sustained through religious and spiritual ceremonies, storytelling and songs. Together, these practices build on a common identity which has been further strengthened by a sense of collective grievance. First of all, the Batwa's religious beliefs are a hybrid of Christian and other spiritual traditions. Batwa would often draw on Christian symbols when describing their relationship with the forest. For instance, one Batwa chief told me 'when all of the world's people were spread across the earth from the Tower of Babel, God gave Bambuti the forests that are now inside the Park.'¹¹ Other Batwa referred to the park as their 'Eden'. Others would cite their faith in God as what has enabled them to survive in conditions of extreme poverty for so long.

In turn, Batwa believe in a spirit Yando that lives inside the forest, or that, metaphorically speaking, is the forest. This spirit helps Batwa to perform initiation ceremonies; gives them good health and resources; prepares them for battle; and lets them know when danger is coming. To keep this spirit on their side, the Batwa would go to the forest and make offerings, often in the form of bush meat and traditional alcohol.¹² When making these offerings, they would drink, dance and sing their praises to Yando. A group of Batwa living inside the park's highland sector in Kalehe shared one of these songs with me. It went, 'We are ready to be blessed. If we have respected your conditions, do come and bless us. We are waiting for you here. We have left our jobs to come for you. Don't get angry, come and bless us!'¹³ Even prior to the Batwa returning to the park, ICCN staff would occasionally placate them by allowing groups of Batwa to go into the forest and make offerings to Yando. A retired employee of German Technical Cooperation Agency (GTZ) told me, 'We would provide them with a little Kasiksi beer, a sheep to eat, and allow them to play their drums in the forest as part of their spiritual tradition.'¹⁴

Second, Batwa folk tales and songs entail long and detailed accounts of the injustices perpetrated against them. Narratives of victimhood have become a key aspect of Batwa's subjective experience. Batwa regularly complain that they 'are not considered people like other Congolese!'¹⁵ As the majority of Batwa cannot read or write, these narratives have been shared through oral tradition during funerals, weddings and other social events. Sung and told in the Batwa's local language, such discourses could partly be hidden from authority figures. In the most commonly recounted tale, that of their displacement, the first conservator of the park, Adrien Deschryver, is described as an archetypal villain: 'He was a robber, he took things belonging to Bambuti and gave them to the government!'¹⁶ True or false, the Batwa spread rumours that the man was an ivory trader in cahoots with Mobutu; a depiction closer to a profiteering colonialist than

[10] Interview with representative of conservation NGO, Bukavu, 12 January 2020.

[11] Interview with Twa chief, Kalehe, 08 January 2020.

[12] Focus group with Batwa, Kalehe, 08 January 2020.

[13] Focus group with Batwa, Kalehe, 08 January 2020.

[14] Interview with former employee of GTZ, Bukavu, 06 January 2020.

[15] Interview with Twa chief, Kalehe, 28 August 2019.

[16] Interview with Twa chief, Kalehe, 11 September 2019.

the courageous conservationist you can see today on YouTube.¹⁷ These narratives of grievance were often infused with dreams of returning to the forest. As one Twa chief now living in the park told me

*We would sing songs outside and inside the park to remember how we were suffering; how we could live in a good way inside our forest if we returned. For the songs we use a mixture of Swahili, Kituwa [a local language of the Batwa] and Kitembo languages. As most Bambuti did not study, to pass stories down from our ancestors, we teach our songs to little people [children] so they know what the song is about, and then the children sing it to others. This is the way we communicate our way of living. It is not only me or old men that are the keepers of the songs, all of the community must have the songs. The culture is shared between all of us.*¹⁸

To sing their traditional songs, Batwa would often drink alcohol, including modern Congolese beers like Primus, but also traditional drinks like palm wines and fermented beers made from maize and bananas. It is a well-known fact that alcoholism is rife among Batwa in DRC.¹⁹ I frequently heard tales of Batwa becoming hostile, even dangerous, when under the influence of alcohol. A Bantu farmer told me, 'You do not want to meet a Bambuti when they are drunk!'²⁰ Yet this does not take away from the 'release' function alcohol plays in Batwa communities; its role as a social lubricant to enable the unencumbered communication of hidden transcripts of resistance. Indeed, Batwa would often drink alcohol to help invoke the spirits of their ancestors during their clandestine missions back into the forest.²¹

The Batwa's ideology of resistance – in particular their dream of one day returning to the land of their ancestors – took shape in the destitute villages outside of the park to which they had been forcefully relocated. Here, they came together in what Scott (1990, 209) calls 'communities of fate', bound together by a shared sense of injustice and conditions of impoverishment. The emergence of a coherent and shared ideology of resistance was facilitated by two socio-spatial features of these villages, and by a careful polishing-and-policing by Batwa chiefs. First, the Batwa villages are located away from other communities and outside the direct sight of government authorities. This has enabled them to vent their anger and resentment in relative safety, outside the view of authority figures. It also left them less susceptible to the kinds of manipulation 'from above' (see Geenen and Verweijen, 2017) which could have prevented a coherent and shared critique of power from being elaborated.

Second, these Batwa villages are located very near to the park boundaries. This made it possible for them to secretly return to the forest in order to continue their cultural and spiritual traditions. During stealthy night-time missions, they would enter the park to collect special objects, such as leopard and monkey skins, which they would use to make clothes to crown their chiefs, or herbs used in fetishes. They would also continue their initiation ceremonies. According to a Twa man, these 'activities take place every year during the dry season. They can only take place in the forest where there are animals.'²² Batwa also have strong traditions of witchcraft. Using secret herbs from the forest, their sorcerers would conjure them powerful 'talismans' which can, supposedly, stop a man from being killed during battle. For these talismans to be effective, Batwa men must adhere to certain conditions during a time of war. Among other things, they must not accept water or money from another person, or have sexual relations with women.

Batwa chiefs also make sure to carefully polish and police what is said in to an audience and what is said in private, a process which Scott (1990, 128) calls 'surveillance from below'. This was made clear during my meetings and focus group discussions with the Batwa. After having carefully pre-selected the focus group participants, Batwa chiefs would lead the conversation, but when they felt it would back up their account, call upon someone else to take the stage. This was aided by the fact that Batwa communities surrounding the park are organised through vertical power structures, where authority resides primarily with

[17] See <https://www.youtube.com/watch?v=MKkZawWUqTQ>

[18] Interview with Twa chief, Kalehe, 09 January 2020.

[19] See Minority Rights Group: <https://minorityrights.org/2019/02/13/bambut-and-batwa-in-the-shadows-of-drcs-flawed-election/>

[20] Interview with Bantu farmer, Kabare, 12 October.

[21] Interview with Twa chief, Kalehe, 09 January 2020.

[22] Interview with representative of Batwa, Bukavu, 26 August 2020.

the chief and emanates downwards. In recent years, the availability of mobile phone technology and the internet connection has better enabled Batwa chiefs to communicate the dividing line between their public and hidden transcripts.

‘When we returned to the forest, we would look for things that could give us money’

The Batwa also engaged in material forms of everyday resistance. These actions had both practical and symbolic implications. On the one hand, they enabled the Batwa to access the resources they needed for physical subsistence. On the other hand, they made a political point about their historical rights to the park’s resources.

Usually at night under the cover of darkness, the Batwa continued their practices of hunting bush meat, fishing, collecting charcoal for cooking, wood for building and medicines for healing inside the park. A Twa man in Kalehe told me:

Even before 2018-2019, we would enter the park. If ICCN met us there we could be killed, so we had to go in secret. When we returned to the forest, we would look for things that could give us money. We would make baskets. We would pick grasses for pregnant women. We would hunt bush meat to feed our children.²³

Park authorities knew about these activities, but did not see them as a major threat. In an interview, the director of a conservation NGO that works with the park told me, ‘The Bambuti returned to the park in the past to gather resources, but only on an individual basis. It was never all of the Bambuti. They would go one at a time and so it was easy for them to be chased from the park [by eco-guards].’²⁴

Batwa did not only gather resources for their own subsistence, but also to sell to their Bantu neighbours. For example, Batwa frequently sell bush meat at mining sites surrounding the park in Bitale and Katasomwa. They would also hunt leopards and monkeys and sell the skins to Bantus, who also use them to make hats and other items of clothing to crown their chiefs. There are even stories of Batwa entering the forest with miners to show them the location of mines once used by the Belgian mining company *Minière des Grands Lacs Africains (MGL)*.²⁵ To maintain their access to these and other resources, Bantu communities at the edge of the park tended to look the other way when they saw Batwa enter the forest illegally.

For the Batwa, these actions enabled them to access the resources they needed for physical subsistence. However, they were also underpinned by a belief that the park and its resources were legitimately theirs. For example, a Twa man told the first author, ‘This has never been the Park. It has been the land of our ancestors since it was discovered!’²⁶ This corresponds with Holmes’ (2007:188) observation that ‘the continuation of banned practices is itself a political statement, as it contains, alongside other motivations, an implicit statement that these practices should be allowed.’ In agreement with Ortner (1995), we acknowledge the risk of misdiagnosing petty crime as political. However, when considered in the context of the ideological evidence presented above, one can reasonably conclude that the Batwa’s illegal livelihood activities were – at least in part – acts of resistance.

‘They say they plead for the rights of the Batwa’

As I have argued, the vast majority of Batwa resistance took place within the clandestine sphere of infrapolitics. However, more recently the Batwa have been able to engage in more overt forms of rights-based resistance (O’Brien, 1996). This mode of opposition attempts to counter elites on their own terms by positioning critiques within the hegemony. Activities of this sort can be potent, but like infrapolitical strategies, do not pose an outright challenge to dominant power structures.

Specifically, Batwa have engaged in forms of rightful resistance through the development and propagation two narratives. Firstly, that the Congolese state – acting through ICCN – has failed to deliver

[23] Interview with Twa chief, Kalehe, 09 January 2020.

[24] Interview with director of conservation NGO, Bukavu, 07 January 2020.

[25] Interview with artisanal miner, Bitale, 29 August 2019.

[26] Interview with Twa chief, Kalehe, 09 January 2020.

on its share of what has been described elsewhere as the ‘conservation contract’ (Titeca et al., 2020a; West, 2006), displacing them from their lands without ever providing compensation. Secondly, that the Batwa’s traditional forest-based lifestyle is compatible with the goals of modern conservation: i.e. that they are exemplars of what has been described in the literature as ‘the ecologically noble savage’ (Raymond, 2007). In support of this discourse, some Batwa went as far as to describe themselves as the ‘first eco-guards’ of the forest. Using these narratives as a discursive starting point, a group of local and international NGOs have helped the Batwa to express their grievances in courts of law, through international media, and by way of formal dialogue processes. These forms of rights-based resistance have taken place alongside the covert strategies documented above, rather than replaced them.

For over a decade, Minority Rights Group (MRG) and the local Congolese NGO *Environnement, Ressources Naturelles et Développement* (ENRD) have helped Batwa to open legal cases against the Congolese government for illegally displacing them from the Park. In 2008, a case was brought before the *Tribunal de Grande Instance*, after which it was transferred to the Court of Appeal. Unfortunately, it did not succeed. In 2013, another case was taken to the Supreme Court – but is still pending. In November 2015, MRG initiated an additional case on behalf of the Batwa at the African Commission on Human and Peoples’ Rights. This case also remains pending. In conjunction with these legal actions, the NGO Survival International has helped the Batwa to communicate their plight to a wider audience by publishing articles on their website and through international media channels. Since 2014, the Forest Peoples Programme (FPP) has worked with the Arcus Foundation and the local NGO *Centre d’Accompagnement des Peuples Autochtones et Minoritaires Vulnérables* (CAMV) to facilitate ‘constructive’ dialogue between ICCN and the Batwa. The aim was to help the Batwa gain access rights to the park for cultural and subsistence purposes. FPP and CAMV have approached this through something called the Whakatane Mechanism, which involved a mapping exercise, participatory workshops and training programmes. According to FPP, on at least three occasions ICCN have made promises to either allow the Batwa to live inside the park, or to find land outside the park and to allow periodic access to ancestral sites within the forest. However, up to this day no significant changes have been delivered. FPP accuse ICCN of abandoning the process.

As a result of the repeated failures of rights-based forms of resistance to achieve change, many Batwa interviewed as part of this research have started to distrust the NGOs that support them. In two separate villages, I was provided with lists of NGOs and told ‘you not talk to these organisations if you want to continue to be friends with the Bambuti.’²⁷ A commonly expressed opinion is that people started these NGOs claiming to advocate for Batwa, but then ‘ate’ the money they received on their behalf. The number of NGOs that have sprung up to ‘plead’ for the Batwa is certainly staggering. The level of scepticism is evident in the following statement from a Twa chief:

*An NGO invited me in several different meetings, but this NGO lies that they are going to plead for our rights and bring projects. They swallow the money and then claim in their reports that they are pleading on behalf of the Bambuti!*²⁸

Another Twa chief expressed a similar sentiment:

*What the local population...is regretting is that there are NGOs that always say that they plead for the right of Bambuti, but since we are passing a bad situation in our land, we have never seen a single person from these NGOs coming to ask us about what is wrong with Bambuti in the Kahuzi-Biega Park. These NGOs are only interested in taking money, but never doing anything for us.*²⁹

The conclusion can thus be drawn that these forms of rights-based resistance first raised the Batwa’s expectations that their living situation would improve. Yet as a result of the repeated failure to achieve meaningful change, the Batwa became yet more disappointed, resentful and distrusting of outsiders. That said, regardless of the material outcome(s) of rights-based resistance, the NGOs which support the Batwa do appear to have helped them to at least ‘imagine’ that another life could be possible: to see conditions of slow violence as neither inevitable nor unresolvable, but as an injustice to be challenged and

[27] Interview with Twa chief, Kalehe, 12 January 2020.

[28] Interview with Twa chief, Kalehe, 09 January 2020.

[29] Interview with Twa chief, Kabare, 13 January 2020.

ultimately overturned. It was, after all, in the midst of these formal dialogues and court cases that the Batwa decided to take the scale and intensity of their resistance to a whole new level and return to the park for the first time *en masse*.

7. BATWA RETURNING TO THEIR EDEN

On the morning of 26 August 2017 a Twa man named Nakulire Munganga and his 17-year-old son Mbone Nakulire went into the park to collect medicinal herbs to treat diarrhoea and cholera.³⁰ While inside the park, they were shot at by ICCN eco-guards on patrol, leaving the father wounded and the son dead. This provocation – a threat to Batwa livelihoods, dignity and identity – led to almost instantaneous collective mobilisation. The following day on August 27, ICCN eco-guards took the boy's body to the Batwa village of Buyungule next to the park. A group of Batwa then took the body to the ICCN's headquarters in Civanga to protest the killing. As the hours passed, the tension increased. Some young Batwa men started waving sticks and machetes. One shouted, 'We are going to stay here and this evening we are going to build our houses in our forest [in KBNP] if you do not give us another place where we are going to live!'³¹ Although this did not precipitate immediate action, it does appear to have been the event which laid the ground for a mass land invasion later on.

During the months following the death of Mr. Nyakulire's son, it was reported that an international organisation attempted to buy land for Batwa outside the park.³² But like the court cases and dialogues described above, this did not go to plan. A representative of the Batwa in Bukavu told me how the director of a local NGO had received the money, but then only rented a plot of land for a short period.³³ The NGO director is said to have taken the rest of the money to buy himself a house and a car. This event fed into the perception that NGOs only support the Batwa out of personal interest, as opposed to through a genuine desire to help. The representative of Batwa in Bukavu said, 'Both the organisations that support the Bambuti and the Congolese government have deceived us!' It was in the aftermath of this incident that a group of Batwa decided they had enough of peaceful negotiations, and decided to return back to live inside the park by force.

In October 2018, groups of Batwa from Kabare launched a land-invasion into the park's high-land sector. They took this action just weeks before the national election, which led to an intensification of competition in many parts of the country (with knock-on effects on local dynamics of conflict and violence), driven by uncertainty over whether or not the incumbent President, Joseph Kabila, would concede power. There were even rumours, though unsubstantiated, that politicians told the Batwa that they would allow them to return to the park in return for their votes.³⁴ The Batwa who re-entered from the Kabare side used their mobile phones to tell the Batwa living on the sides of Kalehe and Bunyakire to join them. The broader community of Batwa was emboldened by the actions of the brave first-movers. In effect, what had been a utopian dream about returning to the park started to become a reality. It was as if they had taken their first full gasp of air in decades, or to use one of James Scott's (1990:196) metaphors, that waters building up behind a damn wall had finally burst through, releasing an immense pressure. Over the course of the month, it was reported that over 200 Batwa families returned to the forest.³⁵

The mass land invasion appears to have come as a surprise to most outside observers. For example, a Bukavu-based conservation NGO told me in an interview, 'Before 2018, the biggest thing to happen was the killing of the gorilla Maheshe. Before and after that our relationship with the Pygmies was good!'³⁶ Another leader of an environmental NGO in Bukavu said,

The Bambuti have also tried to return to the park in the past, but only on an individual basis. It was never

[30] I have reported their names directly given they have been quoted extensively by NGOs and in international media. For example, see: <https://www.forestpeoples.org/en/whakatane-mechanism/news-article/2017/young-batwa-boy-has-been-killed-national-park-while-trying>

[31] See: <https://www.forestpeoples.org/en/whakatane-mechanism/news-article/2017/young-batwa-boy-has-been-killed-national-park-while-trying>

[32] Interviews with Twa and Bantu chiefs, September 2019.

[33] Interview with representative of Batwa, Bukavu, 26 August 2020.

[34] Interviews with representatives of conservation NGOs working with the park, September 2019 to February 2020.

[35] See: <https://www.landrightsnow.org/drc-indigenous-pygmy-communities>

[36] Interview with director of conservation NGO, Bukavu, 08 January 2020.

all of the Bambuti. They would go one at a time and so it was easy for them to be chased from the park. But now the Bambuti have decided to stay in the park together.³⁷

This does not mean the relationship between Batwa and park authorities was entirely cordial before the recent violence. Conversely, it is more likely a sign that the Batwa had carefully managed the discourses they presented in public and in private. The reason the events of 2018 came as such a surprise to so many observers was, therefore, because up until that point the Batwa had concealed their most subversive political ideas from public view.

Upon returning to the park, the Batwa unleashed sudden waves of both physical and environmental violence. They justified this with politicised narratives which point back to the slow violence they have endured for fifty years: 'They call this park, but it is not a park; it is our ancestors' field! They were chased [by the military] and went to live as refugees. That is why we have now decided to return in the park.'³⁸ On multiple occasions, Batwa men told me how they were willing to die fighting for their land, while Batwa women told me they did not want their husbands to come back until the park was once again theirs. To vast numbers of Batwa, this was a do or die situation. One chief exclaimed, 'We would rather be killed than abandon the land of our ancestors for the second time!'³⁹ These kinds of discourses led to several major confrontations between Batwa and ICCN eco-guards, the latter of which were often reinforced by government soldiers.

The first major act of violence after the Batwa returned to the park took place on 23 April 2019. A Twa man was shot on the outskirts of the forest. His body was later found near one of ICCN's patrol stations. The Batwa assumed that ICCN was responsible for the murder and attacked two eco-guards the following day; one of the guards died from the injuries. The local police arrested two Batwa for the second attack. Yet no one accountable for the death of the Twa man. On 20 July 2019, more violence erupted near ICCN's park headquarters at Civanga, leaving one person dead and fourteen others injured. On 01 August 2019, a Batwa man and an eco-guard were killed following a fight in Kalehe's South Binga Groupment. The next day, according to the leader of a local conservation NGO, 'the Bambuti organised themselves with firearms, spears, machetes to search for park guards so that they could return to a bloody fight.'⁴⁰ They joined forces with the armed group of Mbangu-Cisayura to attack the ICCN patrol post in Lemera. The ensuing confrontation went on for several hours and resulted in the death of one eco-guard. The assailants left after having looted the post. Another fight took place on 20 December 2019 when eco-guards attempted to secure the boundaries of the park near to the Batwa village of Muyange, which is close to the Bantu village of Kafurumaye at the entrance to the park. Although no one was killed, the fight is said to have lasted several hours and eventually caused the eco-guards to flee. More recently on 30 November 2020, another fight broke out between a group of Batwa and government soldiers in the town of Kabamba at the edge of the park.⁴¹ The Batwa had been protesting for the release of their chief from Bukavu Central Prison, and for the soldiers to return bags of charcoal which they had confiscated from them. By the end of the day, three more Batwa and a soldier were dead. Several Batwa chiefs have also been jailed in the towns of Bukavu and Kavum since the conflict began.

The recent conflict has not only wrought violence on human bodies, but also on the natural environment. Since they re-entered the park, Batwa have started to do openly many of the things they had previously done through practices of everyday resistance – making charcoal, hunting, fishing, gathering medicinal herbs – albeit now on a much larger scale. As of January 2020, hundreds of hectares of forest have been cleared for the production of charcoal. The leader of an NGO that works with both Batwa and the park summarised the situation: 'The idea that Pygmies are conservationists is not true as they are the ones destroying [the forest]. Today, they know the importance and possibility of money. They do not go back to the forest to live there as they did in the former time – they go to make money.'⁴²

[37] Interview with director of conservation NGO, Bukavu, 07 January 2020.

[38] Interview with Twa chief, Kalehe, 11 September 2019.

[39] Interview with Twa chief, Kabare, 13 January 2020.

[40] Interview with director of Batwa NGO, Bukavu, 26 August 2019.

[41] See: <https://laprunellerdc.info/sud-kivu-deux-membres-du-peuple-pygme-et-un-element-fardc-tues-dans-des-echauffourees-a-kabamba/>

[42] Interview with director of local conservation NGO, Bukavu, 07 January 2020.

8. THE ROLE OF MILITARY AND COMMERCIAL ALLIANCES

Once inside the park, the Batwa took advantage of existing as well as new opportunities to form strategic military and commercial alliances. Through these alliances, they have both engaged in and facilitated widespread destruction of parts of the park's highland sector. This may seem somewhat surprising given the Batwa's historical connection to their ancestral land. But as one Twa chief explained, 'This is our ancestors' land and we can do as we want with it. If there are minerals, we can mine them. If there are forests, we can make charcoal. We do not have to ask for permission!'⁴³ In this section I provide an overview of the alliances which the Batwa forged with four different groups of stakeholders.

First, they allied with several armed groups operating in and around KBNP, which provided them with access to weapons and soldiers to assert control over the re-occupied territory. A Bantu chief in Kabare told me, 'these armed groups have trained Batwa how to handle guns. You can now see Bambuti running with these guns inside the forest.'⁴⁴ On the side of these armed groups, this alliance might serve as a welcome legitimization of their presence inside the park. The leader of one armed group, 'Colonel Chance Mihonya', started operating in the park's highland sector not long after the Batwa re-entered the forest. Villagers living at the edge of the park told me that he falsely claimed to be a Batwa in order to justify his activities within the park. In reality, his control of some of the park's gold mining sites allowed him to accumulate significant wealth. Another armed group under the leadership of 'Mbangu-Cisayura' had been mining in the park long before 2018, but chose to collaborate with a group of Batwa in Kalehe in order to profit from the resource frontier which they had opened up. A Bantu man who had been mining in the park clearly summed up the situation: 'the Bambuti have opened "a bridge" for these armed groups to profit from the destruction of the park.'⁴⁵ A customary chief in Katana corroborated this claim: 'Rebels were mining secretly for many years, but for a year and half it is no longer a secret. This is because Bambuti now say the park is their land and so it is no longer considered a park.'⁴⁶

Second, the Batwa collaborated with businessmen from the provincial capital Bukavu, who typically control the region's trade networks. Over several months, huge trucks filled with bags of charcoal and planks of wood could be seen leaving the villages at the edge of the park. These trucks would collect the charcoal and timber, then drive to markets in larger towns. On a single day in September 2019, I recorded six large trucks filled with charcoal parked in a single village close the edge of the park in Kabare. The charcoal trade is driven by a high urban demand. At first it went unregulated. The trucks could pass freely to Bukavu without being stopped. But in December 2019 ICCN started working with the military and police to clamp down on the movement of illegal goods from the park. They now check that truck drivers have the correct documents to transport goods. If they do not, the goods are confiscated. In response, the traders have started transporting goods overnight by boat through Lake Kivu, where they can move undetected. There are also reports that the Batwa were able to forge alliances with 'big men' from Bukavu, including members of the military, provincial ministers and members of the provincial legislature. These men, who wield considerable influence at the regional and national levels, had owned illegal farms in the park's ecological corridor. However, when these farms were disbanded after the park's current director refused to accept their bribes in April 2018, their owners decided to take revenge. According to the director, 'The farmers have promised that they will use all means to destabilise us. And the instrumentalisation of the Pygmies to come and destroy the Park is one of them.'⁴⁷

Third, Batwa have deepened their relationship with members of Bantu communities living at the edge of the park in order to access financial capital and technology to effectively exploit resources. To consolidate these relationships, a Batwa chief in Kalehe has even given Bahavu and Bashi – both Bantu groups – positions as deputy chiefs of the new Batwa territory inside the park. The main source of Bantu-Batwa collaboration has been through the production and trade of charcoal. Sometimes Bantus who entered

[43] Interview with Twa chief, Kalehe, 07 January 2020.

[44] Interview with Bantu chief, Katana, 19 October 2019.

[45] Interview with mineral trader, Bukavu, 15 September 2019.

[46] Interview with the customary chief, Kabare, 09 September 2019.

[47] As reported by PHYS.ORG, 18 October 2019: <https://phys.org/news/2019-10-high-stakes-conflict-threatens-dr-congo.html>

the park would use this charcoal for themselves, but the majority was sold to the traders coming from urban centres. For example, a group of Batwa has started working with Bashi villagers who own a chainsaw in the village of Mabingu at the edge of the forest. With this chainsaw, they have been able to rapidly strip the forest off several hills. Both groups have come to an agreement to share the profits from the sale of the timber and charcoal. This Batwa community was also working alongside Bantu miners. The Batwa chief told the first author, 'We are not traditionally miners. To mine, we must collaborate with Bantus who have the equipment and knowhow to set up mines.'⁴⁸ The same chief installed two guards near an entrance to the park at the village of Mabingu, Kalehe, to regulate movement and tax Bantu woodcutters, charcoal makers and miners who want to enter the park. The Bantus must pay a fee of between 200-500 Congolese Franks, after which they receive a paper 'ticket' which enables them to extract resources for the day. Alternatively, Bantu enter the forest in exchange for a percentage of the resources they gather. Bantu peasants are inclined to accept this system because a) many of them believe Batwa have legitimate rights to resources inside the park, and b) the Batwa are now collaborating with armed groups and cannot easily be argued with.

Fourth, even more controversial are rumours that employees of ICCN secretly collaborated with the Batwa because a) they personally benefited from the resource extraction and/or b) they wanted to make the current Director of the KBNP look incompetent, which relates to an ongoing conflict between the director and his employees.⁴⁹ Regarding the former, it is a well-known fact that eco-guards collaborate with populations surrounding protected areas in central Africa to benefit from the extraction of resources (Lombard, 2016; Norgrove and Hulme, 2006; Titeca et al., 2020b). KBNP is no exception: several interviewees described how eco-guards profited from the trade of park resources. Regarding the latter, this is less plausible given ICCN employees would unlikely have the financial means available to them to sufficiently incentivise the Batwa. More likely disgruntled employees chose to turn a blind eye to certain illegal activities in the park, which could reveal a kind of clandestine resistance of their own against the park director.

9. DISCUSSION

This article makes three contributions to the literature on the different types of violence and resistance that surround efforts to territorialise land for conservation in the Global South. First, it responds to Lilja et al's (2017, 40) observation that 'relatively few scholars have so far elaborated on the inter-linkage of shifting forms of resistance in general and how acts of everyday resistance entangle with more organised and mass-based resistance in particular.' Previous work has studied how different forms of resistance to conservation form part of 'repertoires of mobilisation' (Tilly, 1978), in which resisters use covert and/or overt strategies, sometimes simultaneously and sometimes concurrently, in order to achieve their aims. For example, based on research on eastern DRC's Virunga National Park, Hochleithner (2017, 100) found that 'While local and trans-local elites employ more overt, explicit forms of (political) contestation, peasants resort to 'weapons of the weak', engaging in more covert, implicit forms of everyday resistance'. In Uganda's Mount Elgon National Park, Norgrove and Hulme (2006) discovered that park neighbours tend to opt for low-risk, covert strategies of resistance, but resort to overt forms of resistance in order to maintain access to more high-value uses of park resources. I build on this work by providing an in-depth case study of the factors which push covert resistance along a continuum toward more overtly violent forms of political contestation. Specifically taking inspiration from the literature on resistance and collective mobilisation, I have highlighted the role of threats and opportunities in the transition from covert to overt resistance, but also how the failure of peaceful, rights-based resistance can lead to more violent tactics. However, at this stage it is unclear how long the Batwa's momentum of overt resistance will last in KBNP. It is entirely possible, for instance, that Batwa communities could soon be displaced once again, causing them to revert back to more everyday strategies of resistance in the future.

Second, this article also emphasises the intricacies between slow and sudden violence, and the role that resistance plays in this relationship. Echoing previous scholarship (Brockington and Igoe, 2006; Kabra, 2009; Lasgorceix and Kothari, 2009), I highlight how territorialisation for conservation, which often involves direct acts of physical violence, can give rise to negative consequences for communities living in and

[48] Interview with Twa chief, Kalehe, 13 January 2020.

[49] Interviews with representatives of conservation NGOs working with the park, September 2019 to February 2020.

around protected areas – including marginalisation, impoverishment, landlessness, joblessness – that last long into the future and build up over time. In agreement with Cavanagh and Benjaminsen (2015) and Witter and Satterfield, (2019), I consider such consequences as manifestations of Nixon’s (2013) slow violence: that is, their effects are incremental, accretive and thus fail to capture the attention of international media in the way spectacular acts of violent poaching might do. Thus I believe the violence of conservation displacement does not end with the act of displacement itself. In turn, under such conditions of slow violence extreme disparities of power between state conservation authorities and local communities may make it seem that conflict does not exist, when in fact tensions are bubbling under the surface (see also Watts 2013; Galtung 1969). My contribution here, therefore, is that infrapolitical undercurrents of resistance provide the latent energy through which unaddressed conditions of slow violence can generate ‘sudden’ outbursts of violence years after a displacement event. In the absence of an understanding of the material and ideological components of covert resistance, such outbursts may be misinterpreted as random or surprising, which could prevent effective solutions for peace and environmental protection from being identified.

Third, my findings should bring into question more romanticised notions of indigenous people living in perfect harmony with nature ‘as the world’s best environmental defenders’ (Domínguez and Luoma 2020, 6). I do not doubt indigenous communities have played an integral role in protecting ecosystems through customary-based systems of natural resource management. However, in situations where they have lived outside their traditional lands for long periods of time, it is unlikely they will go back to living as their ancestors did. As my analysis shows, the Batwa of Kahuzi-Biega returned to the forests not just to regain control over what they saw as rightfully theirs, but also to accumulate economic wealth through the extraction of resources, which lead to widespread environmental destruction in the park’s highland sector. This should provide cause for hesitation among organisations promoting the idea that indigenous communities should be allowed to return to live inside protected areas once again. In a fraught and fast-moving political-economic environment like eastern DRC, such actions inevitably intersect with wider political economic processes, elite interests, shadow state networks and extractivist logics in a way that is almost impossible to avoid. For communities that have already been displaced through practiced of fortress conservation, a more realistic strategy may be to find a means to ensure the injustices they have suffered are both recognised and adequately compensated for. This would necessarily involve the provision of land and opportunities for employment and development outside of protected areas in such a way that puts an end to the conditions of slow violence at the root of much resistance to conservation in the Global South.

10. CONCLUSION

This working paper provides an original contribution to the literature on environmental conservation and resistance in the context of conflict. It does so by shedding light on the intricacies between ‘covert’ and ‘overt’ forms of resistance as well as ‘sudden’ and ‘slow’ forms of violence in eastern DRC’s KBNP. In this regard, it has demonstrated how although the slow violence following displacements through fortress conservation often goes under the radar of authority figures and international observers, it can generate latent forms of violence concealed within the infrapolitical strategies of subordinate groups: namely, everyday forms of resistance and hidden transcripts. Under certain conditions, this sequestered aggression can be released in sudden bursts of violence, which have the potential to trigger large-scale social unrest and environmental destruction inside protected areas. As opposed to framing the Batwa’s actions in idealised terms, the paper shows how their actions have been influenced and magnified by elite interests, politico-military networks and wider conflict dynamics. My fundamental conclusion is that a better understanding of the intricacies between covert and overt resistance and slow and sudden violence could help prevent such events from being repeated, but also to build a conservation movement that is more environmentally sustainable and socially just in the future.



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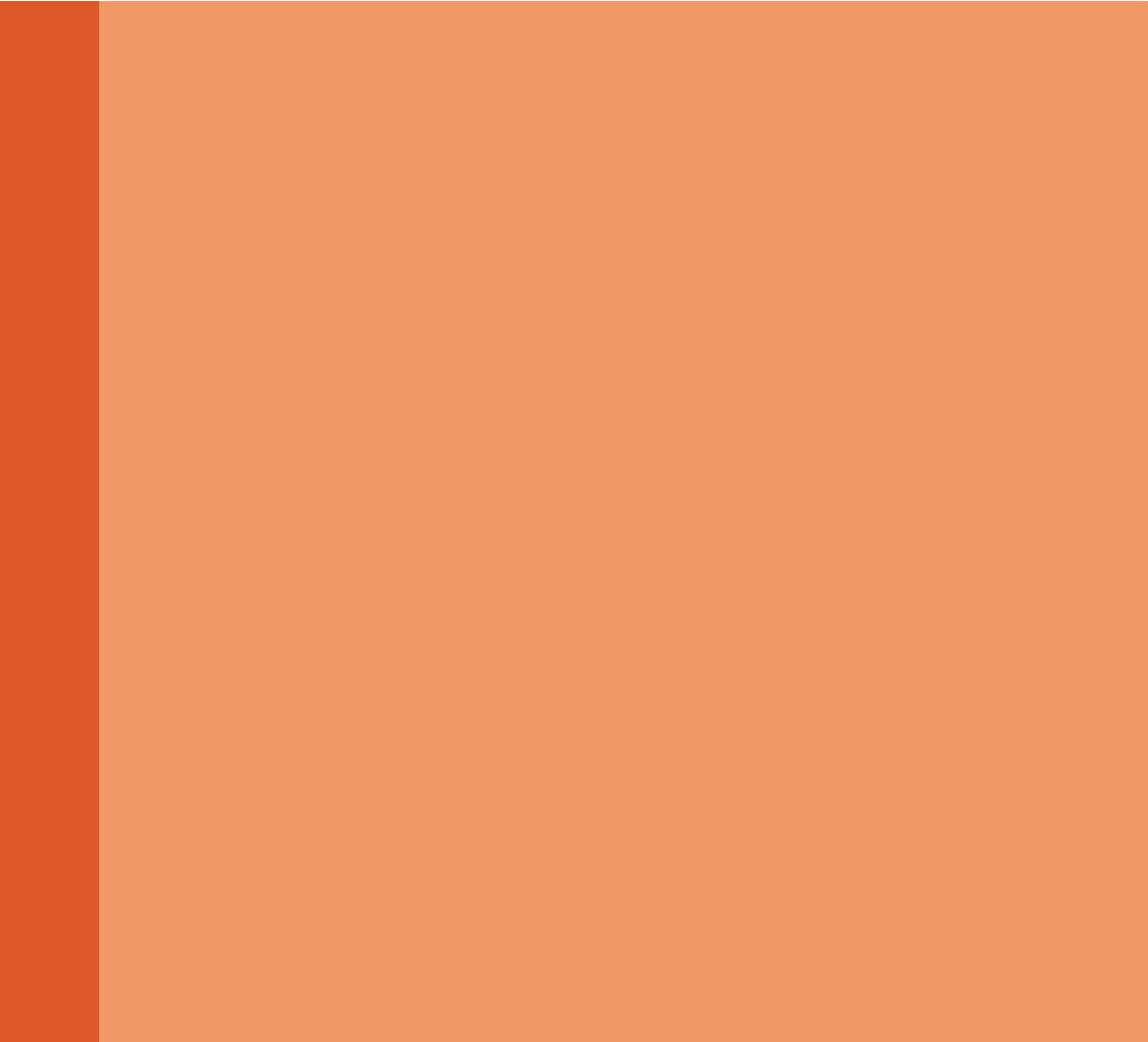
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