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The implications of bifurcated citizenship and access to land in Africa: the case of DRC conflict

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The history of colonialism has impacted negatively on violent conflicts in Africa. The DRC conflict remains one of the violent and protracted conflicts the world has ever come across. Although extensive research is well-documented regarding the conflict, concerted efforts to find a sustainable and lasting peace remain a huge conundrum. Access to land and bifurcated citizenship has had serious implications in the escalation of the conflict. This is largely because there is a fierce contestation between natives and non-natives in DRC. The non-natives originally migrated from Rwanda and fled to DRC due to 1994 genocide. Yet, despite these contestations, the scholarly works that focus exclusively on the implications of local dynamics including access to land and bifurcated citizenship remain miniscule. As a result, further scrutiny is required to examine the implications of access to land and bifurcated citizenship in DRC. Through critical examination of existing literature, this paper argues that failure to comprehend and respond to local dynamics has had adverse consequences on the DRC conflict. In response, this paper aims to dissect and demystify the implications of local dynamics on the escalation of conflict by employing social identity theory, relative deprivation theory and consociationalism theory. Employing these theoretical perspectives assists greatly in determining (1) the implications of ethnic and/or tribal diversity on the conflict and contestations for land; (2) the causes of the conflict, and (3) to suggest viable and context-specific responses that can provide an enabling environment for sustainable peace. The findings reveal that addressing the issue of access to land and bifurcated citizenship can go a long way in alleviating the conflict in DRC. The findings also reveal that finding an amicable solution in DRC depends on addressing local dynamics and finding a bottom-up/multi-level response. Consequently, this paper recommends an integrated and differentiated approach to dealing with the conflict in question.

KEYWORDS

DRC conflict, bifurcated citizenship, access to land, local dynamics, sustainable and lasting peace

1 Introduction

Colonialism has permeated and adversely impacted economic growth and development in Africa – thereby creating a fertile ground for protracted violent conflicts. Most countries in Africa including Mozambique, Somalia, Ethiopia, Eritrea, Sudan, Chad, Nigeria, Central African Republic, Mali, Niger, Burundi, Madagascar and Kenya are grappling with heinous and gruesome acts of violent conflicts from time to time. Insurgent (or militia) groups such as Boko Haram (in Nigeria) and Al-Shabaab (in Somalia) remain a ferocious and formidable source of security threats, and hostilities. These groups continue to pose threat to

human security and instil trepidation among citizens on the African continent. The Democratic Republic of Congo (DRC) is no different in this regard as the M23 has forcefully re-emerged after what appeared to be a total disappearance and annihilation in 2013. In this regard, it is instructive to note that most studies have attributed the root causes of violent conflicts to a lingering colonial legacy (Kanu, 2012; Mekoa, 2019; Bakwesegha, 2004). One notable legacy of colonialism is the bifurcation of politics where, on the one end there is a split between citizens who enjoy uninterrupted access to high-skill jobs, and those who cannot, on the other end (Jennings and Stoker, 2016: 372).

Meanwhile, Bulham (2015) accentuates that colonialism created legacies that would perilously sustain and maintain European domination. To illustrate this perilous situation, South Africa and Rhodesia are considered as classical examples. To this end, it is essential to note that the colonial legacy succeeded in elevating white race above black people (Kanu, 2012: 126). Driven largely by economic, political, cultural and social motives (Bulham, 2015), colonialism resulted in the ferocious removal of people, displacements of people, and arbitrarily drawn boundaries particularly in Africa (Mbiyozo, 2022). Sadly, the DRC was not immune to these adverse effects of colonialism.

Inexorably, such forceful removal and movements of people has subsequently amounted to atrocious and vicious cycles of land disputes, access to land, and bifurcated citizenship. For example, the Rwandan citizens fled their own country in awe of genocide in 1994 to the neighbouring country, DRC (Davey, 2024). This was partly because one ethnic group (Tutsi's) saw themselves as more superior than the other group (Hutu's) (Kanu, 2012: 126). These movements compound and heighten challenges in terms of understanding what the concept of "citizenship" essentially means. According to Macklin (2007: 334), "Citizenship describes status, rights, practices and performances." While globally most constitutions advocate for equality of the citizens, the movements of people across borders have led to an unfavourable situation where "there is a bifurcation of citizenship between the "native-citizens" and "non-native-citizens" (Oyesola, 2020: 49). Thus, hotly contested definitions of "who is a citizen" and "who is not a citizen" have emerged. Inevitably, such definitions have either contributed wittingly or unwittingly to the intensification of violent conflict not only in DRC, but in various parts of the African continent. Equally, ethnic, tribal, and religious conflicts have become ubiquitous in Africa, not only in DRC. Although ethnic conflicts are largely prevalent in Africa, it should be emphasised that they are not confined to Africa as they have gradually become a global phenomenon (Bakwesegha, 2004: 54). More importantly, Macklin (2007: 334) further provides a yardstick to measure what citizenship entails:

"Citizenship applies at the level of the state (national citizenship), below the state (urban citizenship), across states (supranational citizenship), between states (transnational citizenship), beyond states (cosmopolitan and global citizenship), and in deterritorialized socio-political spaces (the market, terrorist networks, the internet)".

While noting that it would be remiss not to recognise the variations of citizenship that Macklin (2007) provides, the paper is primarily concerned with the rise of bifurcated citizenship and its implications in the DRC. Although the paper may draw lessons or pay attention to similar examples across the African continent, its primary focus is on the DRC wherein bifurcated citizenship has not merely led to fierce contestations over access to land, but it has also led to fierce contestation over natural resources. Like in Nigeria, once Congolese

polity begins to prioritise indigeneity as a criterion for accessing opportunities, it places non-indigene at a disadvantage (Sayne cited in Oyesola, 2020: 50). A focus on bifurcated citizenship is essential to demystify the possible triggers of violent conflict in the DRC. This has been a bone of contention that requires further analysis. To demystify the triggers of violent conflict, Chilunjika (2024) conducted a seminal study to understand the root causes of conflict in the eastern DRC. As such, the study concluded that although there has been a plethora of resolutions, flaccid peace processes, and peacebuilding efforts, no sustainable and/or effective solutions have been found yet. As a result, more original research is needed in this regard. In response, the originality of this paper finds expression in the integration of findings and a myriad of available perspectives that were used to address the critical research questions. This research approach augurs well with Guetzkow et al.'s (2004: 191) observation that originality should be defined broadly to include "using a new approach, method, or data, studying a new topic and doing research in an understudied area, as well as producing new theories and findings" among other things. A new approach in this paper includes comparing DRC with Kenya and Nigeria in terms of how they deal with bifurcated citizenship and contestations over access to land. This is extremely crucial to think critically and draw lessons using international best practices. The combination of these variables remains understudied and meaningful research is needed. However, in conducting a literature study, we took note of Snyder's (2019) observation that even if the review of documents was done meticulously, and systematically, there are always issues with regards to what constitutes good contribution or originality.

Taking cue from Snyder's (2019) study, this paper offers new theoretical interpretations and policy insights drawing not merely from the DRC context, but also from closely related cases such as Kenya and Nigeria to appraise and demystify the context within which triggers of conflict can be understood, using practical examples. More importantly, this is done through interrogating the relevant theoretical frameworks and applying a comparative analysis to offer new insights and differentiated approaches as opposed to myopic approaches. As such, differentiated and/or context-specific approaches can be considered to suggest viable policy recommendations that can deal with bifurcated citizenship and contestations relating to access to land and other natural resources in unstable country like DRC.

Despite inherent limitations in a literature study, such research approach was found distinctly valuable and timely considering the volatile/unstable nature and cultural diversity in DRC. For example, Matemane (2017) submits that with roughly over 450 tribes and 250 ethnic groups occupying a territory of 2,345,095 km², the country is bound to be prone to varying waves of conflict. This also implies that conducting an empirical study might risk excluding certain ethnic groups. Therefore, these studies suggest that there is still a lacuna that exists in terms of innovative conflict resolution processes and peacebuilding efforts. As a result, whilst continuing where Chilunjika's (2024) study had left off, this paper argues that scholarly works that focus exclusively on the implications of local dynamics including access to land and bifurcated citizenship remain miniscule. Therefore, this paper seeks to contribute to the body of knowledge by critically examining the implications of access to land and bifurcated citizenship in DRC.

In trying to contribute to knowledge, the paper recognises that the meaningful understanding of the implications of bifurcated citizenship

and access to land in Africa with a particular reference to DRC requires thorough consideration. In trying to ensure thorough consideration, this paper is premised on three critical research questions, namely:

- How does bifurcated citizenship affect tribal diversity?
- What are the fundamental causes of the protracted conflict in the DRC?
- What are some of the viable context-specific remedies?

To discern and decipher the extent to which bifurcated citizenship and access to land has resulted to enormous violent conflict in DRC, the rest of the paper is structured as follows. First, the paper starts off by critically discussing the theoretical framework that undergird the analysis of bifurcated citizenship and contestations over access to land in DRC. Three theories are employed in this regard. Second, the paper attempts to provide context and trace a plethora of developments that led to the start of the DRC conflict by reviewing related literature. Third, the paper critically discusses the research design and methodology that was used to collect research data and information from primary and secondary sources. Fourth, the paper provides a critical discussion of the results and findings by linking them to the available literature. Finally, the paper concludes and makes important recommendations.

2 Theoretical framework

2.1 Social identity theory

Originally, social identity theory was largely considered as a theory “of intergroup conflict in the 1970s...” (Ellemers and Haslam, 2012: 379). However, the theory has evolved rapidly overtime, considering the changing circumstances. In its various stages of evolution, it has gone through various refinements, expansions and updates (Ellemers and Haslam, 2012: 379). Despite the notable refinements and expansions, social identity theory has largely been preoccupied with group situations and group memberships. At its core, the founding principle of social identity is “...that people strive to achieve or maintain a positive social identity (thus boosting their self-esteem) and that this positive identity derives largely from favourable comparisons that can be made between the ingroup and relevant outgroups” (Brown, 2000: 747). In such situations, when group members are not entirely happy, they often decide to leave their groups where they originally belonged. This implies that there is always a stiff competition where each group thinks that it is superior to the other group. Superiority could be based purely on material possessions and/or elite positions that the group occupies in society. These group dynamics clearly epitomise the situation between the Tutsi's and the Hutu's. The Tutsi's felt inferior and had to abscond in fear of being killed by Hutu's. Therefore, such unequal power relations create unequal status between groups which might ultimately be a source of conflict. The theory best describes the intricacies and a sense of inequality in terms of recognition and access to resources and marginalisation that exists between the Congolese (native citizens), and some members of the M23 group which originally came from Rwanda, Burundi and other neighbouring countries (non-citizens). This binary or non-symbiotic relationship compounds the security

threats that exist. For example, Chilunjika's study (Chilunjika, 2024) found that ethnicity, Uganda and Rwandan involvement in the DRC conflict perpetuates clash for natural resources such as land, minerals, timber, and weak governance structures.

2.2 Relative deprivation theory

Mekoa (2019: 43) aptly notes that “The conditions of the African people are worse than they were in the colonial period.” Notwithstanding the fact that the causes of conflicts may differ, this presumably suggests that relative deprivation is one of the fundamental reasons why there is a plethora of violent conflicts in Africa. Historically, relative deprivation theory (RDT) was first ushered in by Samuel Stouffer in 1949 as a post facto explanation (Pettigrew cited in Smith and Pettigrew, 2015: 1). Its rise to prominence is attributed to the fact that it is mainly about social comparisons that may cause discomfort to an individual or the individual's membership group (Walker and Pettigrew, 1984: 302). Viewed mainly as a social psychological concept, RDT is defined as judgment that one or one's ingroup is disadvantaged compared to a relevant referent, and that this judgment invokes feelings of anger, resentment, and entitlement (Smith and Pettigrew, 2015: 2). Put differently, relative deprivation becomes a reality when an individual's desires and/or feelings are blocked by society (Flynn, 2011: 100). The DRC context typifies a situation where there is a fierce contestation over access to land and bifurcated citizenship. On the one hand, the contestation thus invokes feelings of anger and resentment to those who are regarded as non-natives. The feelings of anger and resentment are invoked amongst M23 members who persistently want to be recognised and granted a full (or unconditional) citizenship status, and access to land. On the other hand, it also invokes feelings of entitlement to those who regard themselves as natives. The Congolese steadfastly claim to be the rightful owners of land who deserve to live in harmony and unperturbed. They want to continuously enjoy this privilege and entitlement by virtue of indigeneity. For instance, Imani (2023: 3) avers that “Banyamulenge people's collective status as Congolese citizens is hotly contested by most other ethnic groups in South Kivu, who consider themselves “native” Congolese.” This is not surprising partly because Ngoy-Kangoy (2007) illuminates that ethnicity and its ambiguity, and its accompanying paradoxes has always played a determining role in DRC.

Therefore, RDT appears to be better suited as it crystallizes an uneven scenario where there are groups who enjoy unperturbed access to natural resources, and land, while others are being thwarted on the basis that they do not originally belong to DRC. This leads to heightened enmity and antipathy amongst the M23 and the Congolese. In this context, Chilunjika (2024: 54) aptly notes that Mobutu Seseko's dictatorial leadership style created severe animosity between the repressed and oppressed members of different tribes.

2.3 Consociationalism theory

In cases where there is fierce competition or contestation, consociationalism is ordinarily a preferred method of government. Historically, the theory was first ushered in by Arend Lijphart and Gerhard Lehmbruch in 1967 in a World Congress of the International

Political Science Association in Brussels. It then gained prominence in the field of comparative politics and International Relations (IR). Due to its focus on a wide range of factors, consociational theory is best suited and is largely applicable in plural societies. This is partly because [Steiner \(1981\)](#) maintains that plural societies are often characterised by a universe of cases. The characteristics of plural societies include *inter alia* different groups organised according to religious, ideological, linguistic, regional, cultural, racial, or ethnic cleavages ([Steiner, 1981: 340](#)). These cleavages often create problems and confusion when they are not properly represented in government. Thus, the consociational theory usually advocates for segmented society, grand coalition, proportionality, segmental autonomy and mutual (minority) veto ([Andeweg, 2000: 513](#)). Traditionally, this form of governance creates a conducive environment for power-sharing. Power-sharing in the process ensures that the voices of the minorities are not marginalised. DRC consists of various ethnic groups and there is an M23 which predominantly consists of Tutsi speaking population. [Imani's \(2023\)](#) study concluded that the eastern DRC situation should be treated with sensitivity due to the multifaceted nature of the causes of conflict. The thorny challenge that remains elusive is that the voices of different ethnic groups are not heard equally. The political system that protects the interests of minority group is essential so that they do not get marginalised, suppressed and exterminated. For example, [Imani \(2023: 3\)](#) asserts that "... targeted killings of Banyamulenge people rest on the claim they are 'Rwandan invaders' who should be eliminated." As a minority group, Banyamulenge deserves to be constitutionally recognised and represented ([Tshiyoyo, 2002](#)). However, weak governance structures continue to pose a serious threat to the effectiveness of consociationalism theory ([Chilunjika, 2024](#)). Ethnicity may also significantly constrict and undermine consociationalism and its propositions within the DRC context. To this end, [Ngoy-Kangoy \(2007\)](#) cautions that ethnicity also plays a disruptive role in the choice of leaders and plundering of resources.

3 Literature review

3.1 Defining bifurcated citizenship

Citizenship in general is a legal norm and concept that centres the relationship between the state and its people ([Melber et al., 2023: 35](#)). Internationally, a state has claim over a specific demarcation or territory; nationally, a state thus has authority over its people in its territory. In Africa, however, citizenship was initially ascribed only to minority White settlers, and the Black people (natives of Africa) were constructed and presented as subjects of the extractive economies of Europe ([Mamdani, 1996](#)). Black people were thus instrumentalized to provide labour and enjoyed very limited rights and little privileges, if at all ([Melber et al., 2023: 36](#)). Bifurcated citizenship refers to the distinction made between "native citizens" or what [Aiyede \(2017: 1336\)](#) calls the indigene or the original inhabitants of a particular country and their "non-native," or settler or naturalized counterparts ([Oyesola, 2020: 49](#)). [Aiyede \(2017: 1328\)](#) intones that the bifurcation of citizenship in Africa can be traced back to colonial settler societies that were founded to give the rights of full citizens to White settlers, and the native Africans (indigene) were relegated to a lesser citizenship that is best described as subjecthood of the colonial order.

The Democratic Republic of Congo, Cote d'Ivoire, Cameroon and Zambia are some of the African countries that have faced prominent challenges of bifurcated citizenship such that these respective governments have at some point stripped citizenship on some parts of their populations ([Riggan, 2016: 162](#)). In this paper, bifurcated citizenship refers to citizens of a host country, the DRC, that have been naturalized or who have acquired their current (DRC) citizenship, yet they emanated from another country, specifically, Uganda, Rwanda and Burundi. Put differently, the bifurcation of citizenship applies to DRC nationals by acquisition who may hold another nationality.

3.2 Contextualising bifurcated citizenship in the Democratic Republic of Congo

In the Democratic Republic of Congo (DRC), citizenship is either acquired by origin (or birth), or by acquisition (naturalization). Citizenship by origin applies to natives who were original inhabitants, and their subsequent offsprings, as of 31 June 1960 when the then Zaire, now DRC, gained its independence ([Fazili et al., 2021: 2](#)). Seemingly, citizenship by origin is less contentious as this form of citizenship is almost straightforward in the DRC, although there are some challenges too posed by native citizens of DRC who go on to hold other citizenships as well. Citizenship by origin or native citizenship is determined by belonging to one of the ethnic groups that were recognized to belong at the founding of the now DRC. It is the latter form of citizenship, citizen by acquisition, which is at the heart of the current, ongoing and protracted conflict in the DRC.

[Fazili et al. \(2021: 2\)](#) quip that citizenship by acquisition is directly responsible for the conflict within DRC and between the DRC and its neighbours that include, Uganda, Burundi, and Rwanda. Congolese citizenship is "one and exclusive" meaning it cannot be held together with another citizenship of a different country ([Fazili et al., 2021: 2](#)). Most of the people who acquire Congolese citizenship come from the Great Lakes region and a large portion of them do not want to go back to their countries of origin for various reasons, including fearing for their lives. Some of the people who have acquired Congolese citizenship did so through corrupt means and there already begins the contentions of acquired citizenship in the DRC.

There is a minority of Congolese citizens who migrated from Rwanda and Burundi in the early 1990s fleeing the 1994 genocide in Rwanda, they are referred to as "Rwandaphone" and some of them are identified as the infamous "Banyamulenge" ([Jackson, 2007: 481](#)). The Banyamulenge are Congolese nationals who are comprised of the Banyarwanda who are found in the Fizi and Mwenga areas in the Eastern DRC. They are also found in the Uvira, in the South Kivu province of the DRC. They are essentially Tutsi speaking and are a minority in DRC ([Koko, 2013: 47](#)). Some of the Banyarwanda are descendants of the 1959 Rwandan refugees who now call themselves Banyamulenge (*ibid*). [Fazili et al. \(2021: 2\)](#) add citizens from Uganda in the minority community of now Congolese nationals. This is the central challenge of bifurcation of citizenship in the DRC that has fuelled conflicts over land, water and forestry, and other resources needed for sustenance.

There is another element that fuels both confusion and tensions in DRC. There are some Congolese nationals with citizenship by origin who have also been cited as holding citizenship of other countries, which is also against the Constitution of the country ([Fazili](#)

et al., 2021: 3). This is thought to have been enabled by politicians who pit some sections of the population against other sections for political mileage and expediency. The main challenge posed by Congolese citizens who hold other countries' citizenships is that the DRC government cannot command loyalty and confidence in their citizens. This presents a precarious situation where citizens are always looking out to go elsewhere where peace, security and economic activities are viable. This further complicates the bifurcation of citizenship in the DRC.

3.3 The triggers of the current conflict

It is almost an anomaly to speak of current triggers of the DRC conflict without understanding the history of the conflicts that have played out in the DRC. It almost implies that there have been distinct triggers of conflict in other eras in the history of the DRC. Yet, at the crux of the conflicts and contestations in the DRC, is unresolved contestations of citizenship. The bifurcation of Congolese citizenship is at the very heart of conflicts in the DRC. Delay (2013: 906) evinces that:

Banyamulenge group (with a Rwandan heritage) are caught up in identity politics and struggles over citizenship that go back to 1980s struggles over land and territory. Part of the ongoing contestation is the relationship of ethnic groups of Rwandan heritage with an irredentist Rwanda state and the CNDP [*Congrès National pour la Défense du Peuple*, CNDP is an armed group led by Banyarwanda (Tutsi)], who some claim were seeking to resettle Rwandans in the DRC under the guise of being refugees.

This evidence provided by Delay (2013) speaks to unresolved identity and political issues between the DRC government and its citizens, and among Congo's citizens themselves, whether be it those with acquired citizenship (naturalised citizens) or those who hold citizenship by origin. So, the bifurcation of citizenship in the DRC comes across strongly as a trigger of conflicts over the years, including the manifestation of this protracted conflict today (Koko, 2013: 58). Regrettably, the Government of Congo D.R. has shown very little appetite to resolve this contestation, and politicians continue to exploit this limbo when they canvas for votes from these sections of the population.

Armed groups are another challenge to the conflict in the DRC (Ntung, 2019: 132; Hanai, 2021: 1). Armed groups come a long way in the conflicts that have happened in the DRC. Initially caused by the French indirect rule during colonialism, which has continued in post-independent DRC, governance is led by both traditional authorities that have sometimes sought and funded their own protection including military protection and central government (Cooper, 2014; Henn et al., 2024: 11). The use of violence enhances political and military profiles of leaders who seek political contestation (Ntung, 2019: 139). Thus, such leaders appeal to violence to exert their influence on the populations of various regions within the DRC. The arbitrary use of violence is a huge challenge to peace that exacerbates the ongoing conflict as the state does not have a monopoly over violence, as the state should, in the form of the military, police and other state security services. Clearly, quasi military formations that discharge violence have proven to both trigger and sustain conflict in the DRC.

Mineral resources management, or the lack thereof, is another trigger of conflict in the DRC. Hanai (2021: 2) reveals that mineral resources are used to fuel and sponsor conflict. Both local (within DRC) and international players (Australia, Rwanda, Uganda, Burundi) have been implicated in underhanded mineral resources conflicts that suggest the use of mineral resources to sponsor conflict and armed military conflict in the DRC (Hanai, 2021: 3).

Increased and intensified inter-group competition is another trigger of the current conflict (Delay, 2013: 894). Armed groups control mines in the DRC. While there is high demand for mineral resources in the DRC, those resources create intensified inter-group competition for those resources. As a result of armed military groups' presence and subsequent interests in the DRC, the situation escalates into armed combat over the control of resources (Hanai, 2021: 6). So, the high competition for resources and control of the mining sector continue to fuel conflict in the DRC.

The control of mines and mineral resources further reveal another of the triggers of the current DRC conflict. The land question continues to be a thorny and hotly contested issue in the DRC (van Leeuwen et al., 2022: 311). Access to land, or the lack thereof, is cited as a primary driving force that prompts communities to take up arms to defend their territories (van Leeuwen et al., 2022: 310).

There is a variety of triggers of the ongoing conflict in the DRC today. While this work does not claim to present an exhaustive list of triggers to the current conflict in the DRC, we however think that the triggers presented in this paper form the fundamental concerns and challenges that continue to affect conflict in the DRC.

Comparatively, the issue of bifurcated citizenship is not only unique to DRC, but it is increasingly becoming a thorny issue in Africa. The issue of bifurcated citizenship and its implications on violent conflict has also been analysed critically in Nigeria (Oyesola, 2020; Ibrahim and Hassan, 2012; Arowosegbe, 2016; Otor and Wokoro, 2025). For instance, Oyesola's (2020) study investigated the impact of bifurcated citizenship in Nigerian cities and concluded that it creates severe crisis due to the fact certain rights are accorded to different ethnic groups. Like in most African countries, challenges associated with citizenship are attributed to adverse colonial experiences and the nature of post-colonial state in Nigeria (Ibrahim and Hassan, 2012). The authors attribute the failure of citizenship and indigeneity crisis to "the failure of the emerging post-colonial state to adequately maintain social order and promote nation-building and institutionalize the principles of social equality amongst existing social groups have also been advanced" (Ibrahim and Hassan, 2012: 8). Arowosegbe's (2016) study remains critically important as it examines how dual citizenship and disputed access to land may inadvertently contribute to violent ethnic conflict. According to Otor and Wokoro (2025: 41), indigeneity is simply a discriminatory concept employed in the Nigerian state to distinguish between the indigenes or natives of a state or locality. In the process, non-indigenes are therefore unfairly treated. The lessons that can be learned from the Nigerian case is that bifurcated citizenship and access to land remains contentious issue in Africa.

Pertinently, Kenya's bifurcated (contested) citizenship provides lenses through which to better understand DRC's bifurcated citizenship and the contestations thereof. In post-colonial Kenya, the bifurcation of citizenship, like in the DRC, was between state-settled Kikuyu people and Indigenous Kikuyu people who claimed land rights in the Burnt Forest area of Uasin Gishu County in Kenya

(Ajwang, 2024: 1). Furthermore, Fredrick Ajwang avers that property rights were at the centre of the contestation of land amongst the Kikuyu people. To settle the tensions and contestations, Kenya had to consider a bottom-up approach termed “the sons of the village [SoV]” concept (2024: 1). The relevance and importance of the SoV idea is that it “endows groups with the capacity to deploy credible history and ritualistic connections to place in asserting their claims over land and belonging.” In other words, the SoV has at the centre of it land utility. Thus, access to land to use it is what is at stake in the contestation to claiming access to land rights. This means that land should be communal and not privately and exclusively owned by individuals as promulgated by the western-centric legal norm of property rights. What can be appreciated by this approach [SoV] is that it makes a distinction between property rights and land rights. The state-settled Kikuyu people and the indigenous Kikuyu people, because they share common beliefs, language, worldview and cultural norms, can use land in common to practice their culture and tradition in an amicable manner. Thus, common identity and understanding land utility can be co-constructed through both legal and discursive means. Perhaps, the DRC could benefit from co-constructing identity and citizenship to form lasting and sustainable peace.

4 Research methodology

4.1 Desktop research or qualitative research

The research methodology that undergirds this study is qualitative. Qualitative research is best suited for such an enterprise as the paper seeks to understand the dynamics that are at play in the ongoing DRC conflict. It is nuances that the paper seeks out to identify to make sense of the reasons of the protracted conflict in the DRC. Thus, the best methodology to engage is qualitative. This study was conducted via desktop. The major limitation in the study’s methodology is that fieldwork was not considered owing to the volatility of the ongoing conflict; as such, it was discarded as that would have potentially jeopardized the safety and wellbeing of the researchers.

While desktop research is particularly useful as it allows researchers to gather information from a wide range of sources, researchers should use it cautiously owing to its discernible biasness. Apart from issues of safety and volatility in DRC, the first limitation is that desktop research consists of data that were collected for a different study with a different research purpose, which may not be in sync with a new study that is being undertaken. As a result, there is a high possibility that researchers build their research on flawed assumptions (Snyder, 2019). If researchers take this reality for granted, desktop research may then be indecipherable and incomprehensible. Guerin et al. (2018: 63) caution that researchers must be very circumspect when choosing to use desktop research precisely because “one cannot assume that the literature presented offers a complete picture of knowledge on a given topic.” Because of limitations, desktop research is often used a stepping stone to determine the amount of existing material available on a specific topic before further research can be undertaken. Further research ordinarily includes interviews, experiments and surveys on a particular topic (Guerin et al., 2018). Therefore, by its very nature, desktop research is incomplete and not

exhaustive. We took note of these limitations when we were preparing this paper.

However, despite the limitations that are inherent in desktop research, reviewing documents remains an effective process that allows researchers “to limit the scope of the review, save time and ... increase accuracy” (Mwita, 2022: 620). Reviewing documents helps researchers “to collect data from people who can no longer provide information in person due to different reasons, including death but had their information documented” (Mwita, 2022: 620). In this paper, the limitations of desktop research were mitigated by (1) limiting the scope of the review to bifurcated citizenship, access to land and conflict in DRC to ensure accuracy and focus; (2) by triangulation whereby the information was obtained from a wide range of sources so that each material could be used to verify, corroborate, and validate another material obtained from a different source. Lastly, (3) using Kenya, and Nigeria for comparative analysis purposes also helped to give more objectivity and credibility in terms of proposing relevant policy recommendations that can be applicable in DRC and to give more insights from different perspectives. This was also limited to the material that is available on bifurcated citizenship, access to land and conflict in Africa. In practice, triangulation and comparative analysis added more weight in bridging any information gap (s) that may have occurred and improving the quality of the material that was gathered and to offset the limitations of desktop research.

4.2 Primary and secondary sources

The paper consulted primary sources in the form of situational analyses, Congolese legislation, policy documents and reports from various organizations who have analysed and studied the dynamics of the Congolese conflict that were sources by using the already stated phrases and key words. The paper also interrogated secondary sources in the form of academic articles, book chapters and various organizational reports generated mainly by humanitarian and aid organizations. Part of the secondary sources that were consulted, were input on Google Scholar, academic search engines such as Web of Science and Scopus and the search engines were formatted to output literature that is publicly available. Key words and phrases that were used to source for literature, included but were not limited to, *bifurcated citizenship*, *Congolese bifurcated citizenship*, *conflict in the DRC*, *triggers of conflict in the DRC*, *protracted conflict in the DRC*, *access to land*, *local dynamics in the DRC* and *sustainable peace in the DRC*. Since there is such density and saturation of literature and data on the conflict in DRC and bifurcation of citizenship, the study had to circumscribe the timelines that the literature was produced. The timeline or period that the study chose was between 2015 to 2025. This was further refined and curtailed to the period between 2020 and 2025 to reflect recent and newer information and data on the subject matter. The paper also used a critical literature analysis. Themes as indicated by the descriptors and key words informed the analysis.

5 Discussion

The study finds that among other factors, a localised bifurcated citizenship as is the case in eastern part of the DRC and a flawed

colonial management of Banyarwanda immigration in the eastern DRC perpetuates the conflict in the DRC. Ethnic identity is at the centre of bifurcated citizenship in the DRC. Inconsistent regulations in managing citizenship generally form part of the challenges experienced with bifurcated citizenship in the post-colonial DRC.

5.1 Ethnic identity as foundational element of bifurcated citizenship in the DRC

Historically, the notion of citizenship has been present in the DRC through the existence of ethnic nations (groups) that preceded the advent of post-colonial state in the DRC. In post-colonial era in the DRC (Manby, 2023), citizenship is shaped by shared ethnic values, including a common language, cultural practices, and customs. These elements are essential components of collective identity which serves as a foundational basis for determining an individual citizenship. However, Koko (2013) contends that the issue of citizenship is one of post-colonial state governance challenges that is rooted in the inadequately formulated colonial policies surrounding the resettlement of communities known as Banyarwanda in the Kivu region (Vlassenroot and Huggins, 2005). In this regard, the emergence of bifurcated citizenship in the DRC in Kivu region can be ascribed in colonial legal and administrative policies as demonstrated in the literature review section of this study. It is important to note that the bifurcation of citizenship in the DRC is closely tied to the contested construction of Banyarwanda ethnic identity in the eastern region, where they continue to be perceived by segments of other local communities as foreigners. As such, the Banyarwanda identity has consistently been scrutinised because of its lack of affiliation with other communities recognised as ethnic groups living in Kivu prior to colonisation. In addition, the identification as Banyarwanda signifies in the eyes of many Congolese an association with Rwandan ancestry, which further intensify their perceptions of Banyarwanda as foreigners in the DRC.

5.2 Inconsistent regulations on managing citizenship

Moreover, as a legacy of colonial rule, ethnic groups in the DRC are recognised based on their association with specific, bounded territories a phenomenon that reflects the territorialisation of ethnicity, which was further entrenched by colonial land policies (Verweijen and Vlassenroot, 2015). The colonial administration in the DRC established a dichotomy among citizens based on ethnic or tribal affiliations. A distinction was constructed between communities identifying as autochthones those regarded as born from the soil and thus as indigenous to a given region and groups lacking a recognised tribal homeland, who were frequently categorised as recent arrivals, immigrants, or foreigners, and consequently deemed not authentically (originally) Congolese (Jackson, 2006).

Moreover, this underscores the existence of two distinct categories of citizenship, defined by the ancestral presence of a group or the historical timing of their arrival within the territory now known as the DRC. In this perspective, ethnic groups (tribes) or communities that lack ties to a specific land (soil) and local authority (traditional chief)

in the DRC are consistently perceived as outsiders. In this regard, Young (2007) suggests that as land (soil) belongs to a given community, this implies that migrant rural workers could acquire access to land only as a short-term favour, therefore, they are not entitled to a permanent citizenship. In contemporary African states, the manifestation of citizenship is deeply rooted in the legacies of colonial rule. In Central Africa broadly, and particular in the post-independence DRC, the acquisition of citizenship has been contingent upon individuals' affiliation with autochthonous ethnic groups and demonstrable ancestral ties to land predating colonial demarcations. This implies that the absence of a connection to ancestral land for Banyarwanda who could not prove their ancestors' presence prior to colonisation of the DRC serves as a significant factor contributing to the bifurcated citizenship in the eastern DRC (Stanislas, 1990: 201).

5.3 Implications of bifurcated citizenship in the eastern DRC

The bifurcation of citizenship in the DRC has resulted in two distinct kinds of citizens. The first category includes non-Banyarwanda communities that are permitted to exercise their political and socio-economical rights including right to land. However, the second category comprises Banyarwanda who at some point in the political history in the DRC, were obstructed from exercising their political rights due to doubt surrounding their citizenship. During the *Conférence Nationale Souveraine* (CNS) in Kinshasa from 7 August 1991 to 6 December 1992, three delegates who are Banyarwanda, including Cyprien Rwakabuba, were dismissed on the grounds of questionable citizenship. The practice of *Géopolitique* in Kivu revived discussions regarding the citizenship of the Banyarwanda, directly leading to the two Masisi Wars in the mid-1990s (Koko, 2013). For instance, the Banyamulenge, who were taught into the notion that possessing a customary area is a prerequisite for being acknowledged as a “genuine Congolese tribe,” worked to address their exclusion from a customary chieftdom by the colonisers (Verweijen and Vlassenroot, 2015). Without access to local authority and land, they adopted a name that connected them to Congolese territory to legitimise their political and identity claims. Allying with Rwanda, which led the insurgencies in which Banyamulenge were involved, intensified scepticism regarding their identity as Congolese citizens and resulted in increased social exclusion (Verweijen and Vlassenroot, 2015). Consequently, poorly addressed, divided citizenship has prompted certain Banyarwanda to engage in protracted armed conflict against non-Banyarwanda communities in the Kivu region and the Congolese government (Stearns, 2014). This situation has led to the instability of the Kivu region. The Rally for Congolese Democracy, Congrès National pour la Défense du Peuple (CNDP) and the Movement of 23 March justified their armed conflict by citing the exclusion of Banyarwanda, who are considered as non-Congolese. Similarly, in the DRC land transcends its traditional and essential function as an economic asset; it is deeply connected to ancestral legacy, social structure, and cultural identity. Additionally, land ownership and access are fundamental to livelihood, specifically in agrarian and rural communities, and can represent an historical continuity and lineage-based rights in the eastern

DRC. Consequently, land serves as a locus where economic worth, symbolic significance, and socio-political authority intersect to establish it as a fundamental right, an axis of identity construction, community resilience, and intergenerational remembrance. The profound importance of land makes it highly contested, particularly in situations characterised by armed conflict leading to internal displacement, exclusion, and conflicting claims, hence exacerbating local grievances and escalating wider socio-political tensions. In the context of the DRC, the renunciation of citizenship targeting a segment of the population especially Banyarwanda often is being translated in the denial of land rights, therefore fuelling inter-ethnic violence. Consequently, poorly addressed the issue of bifurcated citizenship in the eastern DRC has prompted some Banyarwanda to engage in a protracted armed conflict against non-Banyarwanda communities in the Kivu region and the Congolese government. Armed group such as the Rally for Congolese Democracy (RCD), Congrès National pour la Défense du Peuple (CNDP) and the Movement of 23 March (M23) justified their armed conflict by citing the deprivation of access to land the exclusion of Banyarwanda, who are being considered as non-Congolese.

This situation has left the eastern region of the DRC in a perpetual state of insecurity and instability, where narratives of belonging and social exclusion continue to deepen mistrust among communities. The uncertainty over citizenship and land access issues not only infuse interethnic relations but also undermines state legitimacy, as marginalised and deprived groups often view the state as complicit in their exclusion. The persistent contestation over land ownership and identity creates fertile ground for violence, forced displacement, and the proliferation of armed groups many of which claim to defend communities denied full citizenship status. As long as bifurcated citizenship remains unresolved, the region is likely to remain caught in a cycle of grievance, resistance, and fragile peace.

6 Conclusion and recommendations

The DRC has long grappled with the persistent challenge of bifurcated citizenship, particularly pronounced in its eastern regions. This condition is deeply rooted in the absence of clear, uniformly enforced legal frameworks governing the acquisition and recognition of citizenship. The resulting ambiguity continues to undermine state authority, weaken governance structures, and erode social cohesion among diverse communities in the region. Although the country possesses the most progressive legal instrument on citizenship such as Law No. 04/024 of 2004 in the political history of the DRC, the government has encountered significant obstacles in resolving the protracted issue of Banyarwanda citizenship. The failure to comprehensively address this issue has perpetuated mistrust and intercommunal tensions between Banyarwanda and non-Banyarwanda populations, severely impeding efforts toward peaceful coexistence. To redress this situation, it is imperative that the Congolese government does not only enhance its institutional and administrative capacity but also assert its presence and authority in the eastern provinces.

A coherent and consistently implemented citizenship policy, grounded in inclusivity and legal clarity, is essential to foster intergroup cohesion and promoting long-term peace and stability in

the region. Considering the land contestations that this paper debunked, and the inevitable challenge of bifurcated citizenship, finding sustainable solutions in DRC will depend largely on how different ethnic groups living in the eastern region of the DRC understand local dynamics related to land access and citizenship acquisition. This requires concerted efforts to find a context-specific and bottom-up/multi-level response. Consequently, this paper recommends an integrated and differentiated approach to dealing with the conflict in question.

Practically, the Congolese government should prioritise grassroots initiatives by conducting inclusive citizen consultations with the diverse communities in the eastern region including the Banyarwanda, Hunde, Nande, Bashi, Barega, Fuliru, Nyindu, and Tembo. These consultations should focus on increasing public awareness and enhancing the understanding of the historical evolution of state-building and the sociopolitical dynamics influencing cultural identity, land access, and social cohesion among communities, especially in the eastern DRC.

To ensure that these engagements are meaningful and effective, the process should be conducted in local languages, facilitated by trusted local leaders, customary authorities, civil society actors, and peace committees. The government in collaboration with its partners like the United Nations Organisation Stabilisation Mission in the DRC should establish community-based dialogue platforms that foster mutual understanding among diverse communities in the eastern DRC and contribute to wider provincial and national policymaking processes regarding land governance and citizenship reform.

The Congolese government shall clarify and harmonise citizenship and land tenure laws through review and reform of the national citizenship legislation to eliminate legal ambiguities and loopholes that lead to the discrimination and exclusion of communities, particularly the Banyarwanda speaking population in the eastern part of the DRC. The Congolese government should implement transitional justice mechanisms to address and rectify historical injustices related to displacement, deprived land access, and exclusion from Congolese citizenship, as an approach to mitigate land-citizenship-based conflict in eastern DRC.

Data availability statement

The original contributions presented in the study are included in the article/supplementary material, further inquiries can be directed to the corresponding author.

Author contributions

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