World Development 209 (2027) 107566

Contents lists available at ScienceDirect

World Development

journal homepage: www.elsevier.com/locate/worlddev

Regular Research Article

Arrested development: analyzing popular resistance against the arrest of war-criminals in DR Congo and Liberia

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ARTICLE INFO

Keywords:
War crime tribunals
Transitional justice
Peacebuilding
Civil wars
Democratic Republic of Congo
Liberia

ABSTRACT

International war crimes trials have become a common feature of post–civil war politics, sparking debate about the effectiveness of such interventions. A key shortcoming in the literature is its neglect of the critical moment when wartime leaders are arrested and that such incarcerations sometimes trigger public resistance that can put peace at risk. In this paper, we contribute to the literature on war crime tribunals by asking: *when and how do subelites mobilize followers to protest the arrest of former wartime leaders?* Drawing on insights from the protest movement literature, we hold that large-scale protests often require elite involvement. We argue that demonstrations are especially likely when subelites possess limited autonomy in the aftermath of war—lacking independent sources of financing and constrained by identity politics. In such contexts, the cost of remaining passive is high, compelling subelites to mobilize protests to maintain their standing among followers. To assess this argument, we compare the incarcerations of Jean-Pierre Bemba in the Democratic Republic of Congo and Charles Taylor in Liberia. Our analysis draws on original, in-depth interviews with key informants in both countries. The paper contributes by unpacking the conditions under which local actors contest international criminal justice interventions.

1. Introduction

Recent years have witnessed a "global justice cascade,"[1] as international actors have increasingly propagated the use of war crime tribunals to build peace. This has reinvigorated the long-standing debate about 'peace versus justice', where it is assumed that "both are necessary but one is often possible only at the expense of the other" (Zartman & Kremenyuk, 2005: 1).[2] Sceptics have criticized internationally sponsored courts for being neo-colonial,[3] politically biased,[4] and prolonging civil wars and abuses.[5] Even if these critiques have nuanced the debate about international tribunals, scholars have largely overlooked what is arguably the most critical juncture in post-war judicial processes: the arrest of wartime leaders, defined here as the highest-ranking heads of armed groups (e.g., presidents, prime ministers, or leaders of rebel or militia organizations). Arrests can be likened to systemic shocks that risk rupturing vertical and horizontal relations that sustain peace processes. Not only can similar rifts leave followers economically and physically exposed, but also polarize relations between war afflicted communities (Meernik, 2005). The grievances generated by arrests often spur popular resistance as supporters take to the streets to demonstrate the imprisonment of their leaders. When Yugoslav ex-President Slobodan Milošević was arrested in 2001, thousands of supporters rallied to demand his release. There were widespread fears that the protests would escalate into violence, as followers had warned of civil war should their

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[1] Sikkink and Walling (2007: 429).

[2] See e.g. Akande (2003), Ahkavan (2001), Binningsbø et al. (2012), Cannon et al. (2016), Chazal (2016), Clark (2019), Dancy and Wiebelhaus-Brahm (2018), Dancy et al. (2019), Duursma (2020), Hillebrecht (2016), Imoedemhe (2015), Kersten (2016), Kim and Hong (2019), Kitagawa (2023), Kitagawa and Bell (2022), Krcmaric (2018), Lugano (2017), Meernik (2005, 2008), Meernik et al. (2010), Miller (2023), Prorok (2017), Sikkink and Walling (2007), Simmons and Danner (2010), Snyder and Vinjamuri (2003/04), Stensrud (2009), and Wippman (1999/2000).

[3] Akande (2003) and Imoedemhe (2015).

[4] Clark (2019), Kersten (2016), and Lugano (2017.

[5] Duursma (2020), Prorok (2017), Krcmaric (2018) and Snyder and Vinjamuri (2003).

https://doi.org/10.1016/j.worlddev.2026.107566
Accepted 6 September 2026
Available online 19 September 2026
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leader be incarcerated (AP, 2001). This case is in not unique. Out of 414 arrests made against wartime elites–both senior and junior leaders–during 1989–2017, 20% (81) were followed by protests.[6]

Despite the importance of this topic, there is a lack of theorizing about why arrests sometimes provoke public resistance. This is problematic. Large-scale demonstrations, often organized along wartime cleavages, can increase polarization and risk renewed violence (Meernik, 2005). Notably, of the 81 demonstrations mentioned above, as many as 36% escalated into violence.[7] This suggests that the detention of wartime leaders—intended to secure long-term peace—can, paradoxically, undermine it in the short term. Any assessment of international war crimes tribunals must therefore also account for the immediate effects arrests have on fragile post-war contexts.

We contribute to the literature on war crime tribunals by analyzing public reactions to arrests. Although there may be multiple reasons why post-arrest demonstrations erupt, in the absence of existing theory, we argue that a fruitful starting point is to analyze the role played by subelites—conceived here as a specific type of resource within the broader set of factors identified in the protest literature as shaping protest emergence (Chenoweth & Ulfelder, 2017). By subelites, we mean the leadership positioned immediately below a wartime leader (e.g., senior politicians, bureaucrats, and (ex)-generals). This focus is motivated by protest movement research, which highlights that elite involvement often plays a crucial role in enabling protests (e.g., Chenoweth & Stephan, 2011; Goldstone, 2004; Gurr, 2000; McAdam, 1996). From this perspective, even when aggrieved followers (i.e., ex-combatants and civilian supporters) may wish to take to the streets, they are unlikely to have the economic means, leadership skills, or networks needed to organize large-scale demonstrations on their own. The research question guiding this paper is therefore: *when and how do subelites mobilize followers to protest the arrest of former wartime leaders?*

Based on insights from the protest and peacebuilding literature we develop a theoretical framework to investigate this question. According to this framework, demonstrations are particularly likely when subelites possess limited post-war autonomy. This occurs when they lack independent sources of financing and are constrained by identity politics. In such contexts, the cost of remaining passive in the face of arrests is high, compelling subelites to take visible action to maintain their status among followers. In contrast, when subelites enjoy economic independence and operate beyond rigid identity constraints, inaction becomes less costly. As a result, they are less inclined to mobilize protests, and their disengagement limits followers' ability to organize, due to a lack of leadership skills, networks, and economic means.

To assess the relevance of this framework, we compare the incarceration of two African military leaders—Jean-Pierre Bemba (ex-Vice President of DRC and leader of Movement for the Liberation of the Congo, MLC) and Charles Taylor (ex-President of Liberia and head of National Patriotic Front of Liberia, NPFL). While there were fears in both DRC and Liberia that the arrests would generate opposition, it was only Bemba's imprisonment that triggered large-scale protests. Bemba's case is particularly revealing, as the grievances expressed during the demonstrations were later instrumentalized by Odjani Mangbama to mobilize support for the Lobala rebellion in 2009. The analysis draws on in-depth interviews with key informants in both countries, many of whom were personally affected by the imprisonments. This allows us to explore the decision-making process when subelites and followers contemplated whether or not to resist the incarceration of their leaders. While we also consider alternative explanations, it is important to note that our findings are only based on two cases and therefore cannot be readily generalized to other contexts.

This paper makes two chief contributions. First, we highlight that it is pivotal to see arrests as crucial junctures–like elections and the withdrawal of peacekeepers–in peace processes. It is therefore essential that scholars study the broader societal effects of incarcerations. Second, we open up the black box of how local actors challenge and maneuver international tribunals' "moral authority and normative imperative" (Lugano, 2017). We do this by developing a theoretical framework that traces how actors at the meso-(subelite) and micro-(followers) levels interpret and react to arrests. This framework allows us to see how wartime constituencies employ demonstrations to propel themselves onto the international scene and help shape global discourses about the appropriateness of having international criminal courts. However, due to the central role subelites have in enabling or inhibiting protests, they de facto determine whether followers can partake in this debate.

2. War crime tribunals and the justice cascade

War crime tribunals have become a common feature of international peacebuilding interventions. Having fallen into desuetude during the Cold War, war crime courts are increasingly seen as a viable way to end impunity (Simmons & Danner, 2010). This has resulted in war crime trials becoming the most frequently employed post-conflict justice mechanism (Binningsbø et al., 2012). Prosecutions are, furthermore, now normatively embedded in international law and enshrined in key United Nation documents. To decrease selectivity in the prosecution of war criminals, growing emphasis has been on supporting international courts that are exclusively or partly[8] run by international actors; epitomized by the creation of International Criminal Court (ICC) (Cannon et al., 2016; Stensrud, 2009; Wippman, 1999). The most commonly cited reason for prosecuting war criminals is to stop atrocities and prevent new violence. War tribunals are assumed to do this by removing elites with a criminal disposition, deterring would-be perpetrators, and socializing citizens in principles of rule of law.[9]

The increased usage of international war crime tribunals has spawned an impressive body of research that assesses their effectiveness.[10] This has given new impetus to the longstanding 'peace versus justice' debate concerning the trade-off between building peace and achieving justice. Three main critiques have emerged from this debate. First, some scholars question the ability of international tribunals to promote peace, arguing that indictments incentivize leaders to escalate abuses or prolong civil wars (Duursma, 2020; Krcmaric, 2018; Prorok, 2017; Snyder & Vinjamuri, 2003). Second, others hold that international courts are often politically biased. Rather than minimizing judicial selectivity, indictments reflect the institutional interests of the tribunals and desire of local regimes to pacify political opponents (Clark, 2019; Kersten, 2016; Lugano, 2017). Finally, by primarily targeting African states, while overlooking abuses committed by major powers, ICC has been described as a neocolonial enterprise (Akande, 2003; Imoedemhe, 2015).

3. Post-war arrests as systemic shocks

Even though the critiques mentioned above have contributed to a more nuanced understanding of international tribunals, scholars have

[6] This data is based on coding of international and national news sources identified through the *Factiva Newswire Database*, using iterative search strings consisting of an array of arrest-, protest-, and violence-related terms. Searches were confined to the period 1989–2017 and to countries where an internal armed conflict had been terminated (UCDP Conflict Termination Dataset version 3–2021, https://ucdp.uu.se/downloads/index.html#termination [last visited 2025–04-28]).

[7] Ibid.

[8] To increase local legitimacy, the international community has supported the creation of hybrid courts–such as Special Court of Sierra Leone–that combine international and local ownership (Stensrud, 2009).

[9] Ahkavan (2001), Dancy and Wiebelhaus-Brahm (2018), Meernik et al. (2010), Snyder and Vinjamuri (2003) and Wippman (1999).

[10] See footnote two for list of references.

largely overlooked what is arguably the most precarious moment in a post-war judicial process: the instant when wartime leaders are arrested. This oversight is surprising, given that both international and local stakeholders commonly regard arrests as critical junctures in peace processes. Peacekeepers often increase their patrolling in anticipation of incarcerations, while leaders from the affected side may threaten unrest if their superiors are detained (Doss, 2020; Snyder & Vinjamuri, 2003). The reason key stakeholders securitize the moment of arrest is that such actions risk rupturing the vertical and horizontal relationships that sustain peace processes. In terms of the former, incarcerations can jeopardize wartime constituencies' access to essential goods. After hostilities cease, ex-military leaders often continue to distribute various forms of patronage—such as jobs, food, and money—to ex-combatants and civilian followers. Moreover, due to weak state institutions and a lack of trust in the security forces, wartime leaders frequently remain vital security providers for their supporters (Lyons, 2005; Utas, 2012).

Incarcerations also risk damaging horizontal relations between wartime communities. A central goal of most peace accords is to build trust between belligerents and ensure that each group has a stake in the political system. The outcome of this process is generally a fragile political equilibrium, which can easily be shattered if ex-military leaders are arrested (Kim & Hong, 2019). When war crime trials only target one side, they are perceived as adversely affecting inter-group power-balances by disfavoring the interest of one group (Samii, 2013). The same is, however, also true when convictions are made against all parties; supporters seldom view the atrocities committed by their own group to be wrongful. As a result, evenhanded imprisonments are generally also seen as biased (Wippman, 1999). Due to the perceived political nature of incarcerations, war afflicted communities often "respond with increased hostility towards one another after an arrest" (Meernik, 2005: 287) leading to a radicalization of the political environment (Ahkavan, 2001).

Because of their role in sustaining vertical and horizontal relations, many wartime leaders embody the well-being of their constituencies. As such, arrests can be likened with what network theorists refer to as systemic shocks–sudden exogenous events that undermine the ability of a network (in this case composed of a wartime leader, subelites and followers) to perform its central functions. Such shocks disrupt balances of interests, power relations and flows of resources within the network, and makes the network susceptible to cooption from outside actors (Barabasi & Watts, 2011; Jen, 2003). Systemic shocks, in the form of incarcerations, thereby risk leaving followers exposed and with feelings of betrayal (Kreutz & Nussio, 2019). Similar tremors are amplified by the visibility of arrests–often captured in expressive media images of handcuffed leaders being ushered away–whereby the fate of a peace process appears to be reduced to one single episode. The moment of arrest is therefore one of the post-war events that is likely to generate the starkest reaction from wartime constituencies (Meernik, 2005).

In post-war contexts, demonstrations often represent the most cost-efficient form of resistance to incarcerations. Protests generally involve fewer risks than launching armed rebellions—especially when combatants have demobilized, reducing their military capacity. Moreover, in societies where power relations are in flux—such as those undergoing war-to-peace transitions— protests become an integral part of political bargaining: by mobilizing followers into the streets, actors signal strength and determination (Daloz, 2003). Research also shows that non-violent resistance is often more effective than armed rebellion in achieving its aims (Chenoweth & Stephan, 2011). Although demonstrations can indicate a healthy peace process—citizens exercising free speech and assembly rather than resorting to violence—they are not without risk. Publicly contesting criminal proceedings may provoke fear among opposing groups, deepening wartime cleavages. Furthermore, protests sometimes escalate into renewed conflict (Gustafson, 2019; Meernik, 2005). Demonstrations thus serve as valuable early warning indicators for peacebuilders. Understanding the triggers of post-arrest protests is crucial. Only then can peacebuilders determine when an impending arrest demands conflict prevention measures (e.g., mediation, peacekeeping patrols) and when resources are better allocated elsewhere. In what follows, we develop a theoretical framework that analyzes the role subelites play in either fomenting or discouraging protests against incarcerations. Our argument centers on the post-war autonomy of subelites and how this shapes the likelihood that demonstrations will erupt.

4. Should I stay or should I go: Subelite autonomy and post-arrest demonstrations

Research on protest movements has identified three clusters of factors—*grievances*, *resources*, and *opportunities*—as key to understanding why protests erupt (Chenoweth & Ulfelder, 2017). While the first refers to various types of group-based injustices—such as discrimination, repression, and the unequal distribution of wealth and power—that generate a willingness to demonstrate, resources comprise the financial, human, informational, and network assets available to a group to launch protests. Finally, opportunities refer to broader structural shifts that reduce the costs of mobilization, such as political transitions, declines in state strength, and weak repressive capacity of opponents (e.g. Chenoweth & Stephan, 2011; Chenoweth & Ulfelder, 2017; Goldstone, 2004; McAdam, 1996). We argue that it is reasonable to begin the search for explanations of why arrests sometimes generate protests by focusing on variation in resources; more specifically, on the actions of sub-elites within the imprisoned leader's constituency. There are three reasons for this. First, as previously discussed arrests are likely to generate intense grievances amongst followers; either due to the loss of an economic patron, or security provider. In most instances, we can therefore assume that there are sufficient grievances to enable protests. Second, most post-war societies are characterized by weak state institutions, and political and miliary flux as wartime structures are dismantled and replaced by civilian institutions and structures. Subsequently, war-ridden societies should be rife with opportunities to demonstrate. Finally, in the aftermath of war, mobilizational capacity is unevenly distributed, making resources central to explaining variation in protest outcomes. As will be developed further below, sub-elites within wartime constituencies often control the networks, funding and organizational experiences needed to transform grievances into protests. In the Appendix, we assess whether factors related to grievances, opportunities, and other types of resources hold greater explanatory power then the argument presented here.

To understand how resources shape mobilization in this context, it is necessary to examine how they are controlled within post-war political networks. In particular, the relationship between ex-military leaders and sub-elites is central, as the latter act as key intermediaries in mobilizing followers. Much scholarly attention has been devoted to how military leaders build a following during civil wars (Eck, 2014; Weinstein, 2005). However, maintaining control over supporters is equally crucial after war. Grassroots followers—who serve as voters, demonstrators, and potential fighters—are key to sustaining political relevance (Lyons, 2005; Utas, 2012). Yet, due to problems of span of control—where leaders can personally manage only a limited number of individuals—ex-warlords must rely on subelites to mobilize their base effectively (Themnér, 2011). These actors, including legislators, bureaucrats, party functionaries, and (ex)-generals, organize, socialize, and distribute resources to followers (Manning, 2004). Such systems of brokerage, however, remain stable only as long as subelites remain dependent on their patron. An ex-warlord's ability to consolidate power thus hinges on the degree of autonomy subelites gained during the civil war and subsequent peace process. In the following, we develop a theoretical framework explaining when subelites possess substantial or limited post-war autonomy, and how this, in turn, affects the likelihood of demonstrations following arrests.

During civil wars, it is tempting for military leaders to offer substantial economic incentives to subelites. Such a strategy can be beneficial for two reasons. First, coopting local leaders—such as politicians,

chiefs, businessmen and generals—and leveraging their networks allows rapid growth in support without investing in local organizational structures (De Waal, 2015; Hoffman, 2011). Second, providing economic incentives enables leaders to reach new constituencies beyond their traditional bases. These alliances also benefit marginalized communities by granting access to elite patronage. Expanding the in-group through subelite alliances allows armed groups to "work across virtually any divides" (Utas, 2012: 13). However, coopting local leaders is costly and may require major concessions—distributing money or surrendering control over natural resources, land, or businesses—thus empowering subelites at the wartime leaders' expense.

Subelites often strengthen their economic position after the cessation of hostilities. Under pressure to demobilize armed units and dismantle illicit networks, ex-military leaders become vulnerable to outbidding by political opponents seeking to coopt subelites and expand their constituencies. Governing elites, with superior access to peacebuilding rents, can exploit this to poach subelites (Driscoll, 2015). These dynamics create a patrimonial market where ex-military leaders and rivals engage in bidding wars to secure influential subelites (De Waal, 2015). The latter, in turn, leverage competition to extract concessions—government positions, business contracts, or cash payments—that further enhance their economic standing. While such deals can bring short-term benefits to ex-military leaders, they carry risks. This is especially true when subelites gain access to independent sources of finance—such as businesses, land, real estate, or state jobs controlled by political rivals—reducing their dependence on brokering for their patron as a means of livelihood. With financial independence, subelites can build their own client base, enabling them to form their own political movements or defect to rival leaders with their followers (De Waal, 2015).

There are, however, measures that (ex)-military leaders can take to limit subelites' autonomy. Building armed groups around strong shared identities—such as ethnicity or religion—requires fewer resources and attracts more committed supporters (Weinstein, 2005). By sharpening distinctions between 'in-groups' and 'out-groups,' leaders reduce the space for neutrality, as passivity becomes suspicious. Under such conditions, individuals are incentivized to enlist as a means of securing personal safety (Kalyvas, 2006). High levels of intergroup polarization make it harder for subelites to defect with their followers (De Waal, 2015). Given heightened animosity, 'carpet crossing' is less likely to be accepted—both by followers and military opponents (Eck, 2014; Utas, 2012).

Ex-warlords who employed identity politics during war have incentives to continue doing so in peacetime. Given the difficulty of financially rewarding subelites and followers, maintaining support through fearmongering is more cost-effective (Lyons, 2005). By playing on fears of renewed hostilities and intergroup distrust, economic rewards lose value as citizens prioritize access to security. Ex-military leaders can then leverage their wartime credentials to present themselves as the only guarantors of followers' physical safety. This makes it easier to prevent subelites—seeking economic opportunities elsewhere—from defecting with followers (Rauschenbach & Paula, 2019; Themnér & Sjöstedt, 2020). Subelites' political fate thus becomes more closely tied to the wartime leader, with their greatest asset being the ability to relay the leader's political vision.

How does the peacetime autonomy of subelites affect the likelihood of post-arrest demonstrations? As discussed earlier, incarcerations risk disrupting vertical relationships, leaving followers economically and physically vulnerable. The resulting grievances are likely to foster a willingness to mobilize. A key finding from mobilization research is that ethnic groups facing harassment are more prone to collective action. In weak judicial systems, protests serve as crucial tools for pressuring opponents to respect the rights and security of vulnerable groups (Gurr, 2000). Similarly, a desire to liberate an incarcerated leader can spark resistance, as the loss of a patron heightens perceptions of personal insecurity (Duque-Salazar, 2025). Incarcerations may also jeopardize followers' access to patronage networks or their ability to cash in wartime debts. Studies show that clients often go to great lengths—through protests, threats, and violence—to stay within these networks (Taylor et al., 2017). However, grassroots grievances—whether economic or security-related—are rarely sufficient to trigger mass mobilization on their own (McAdam, 1996; Themnér, 2011; Taylor et al., 2017). Without elite-provided funds, networks, and leadership, followers often lack the capacity to organize large-scale protests. Elite involvement thus bolsters followers' sense of security and belief that resistance can succeed.

Whether demonstrations occur thus depends on how subelites respond to the arrest of their leader. In post-war societies where subelites lack independent financial means and are constrained by identity politics, it is harder to resist grassroots pressure to mobilize. With few means of their own, they lack the economic clout to entice or compel followers to remain calm (Themnér, 2015). Meanwhile, deep inter-group tensions make it difficult to preserve client networks by encouraging defection to rival leaders from other identity groups. Strong 'in-group' identities may also compel subelites to act, even when they personally prefer moderation. Kaufman (1996) notes that such pressure can be so intense that elites feel forced to comply with popular demands for mobilization. In these contexts, organizing protests becomes a strategic tool for retaining influence. There are also instrumental incentives. Mobilization literature shows that subelites—whose power rests on channeling information and resources between clients and senior leaders—often foment unrest to safeguard their brokerage role (Gould, 1998). Under pressure, subelites may instigate demonstrations to pressure authorities or peacekeepers to release their superior. Even if unsuccessful, protests help preserve their credibility by demonstrating commitment to followers.

This stands in contrast to situations where subelites enjoy financial independence and are not tightly bound by identity politics. Less reliant on brokerage to sustain power, they have fewer incentives to organize protests (Gould et al., 1998). Their access to alternative resources allows them to pacify followers by offering new forms of patronage. With lower ethno-religious polarization, defection is less costly and more acceptable. Subelites' reluctance to resist arrests is detrimental for followers: without leaders to direct them, they struggle to engage in collective action (McAdam, 1996). Put differently, the post-war autonomy of subelites constitutes the structural context within which subelites and followers exercise agency, shaping—and constraining—their capacity and willingness to mobilize or refrain from protest.

Fig. 1 below summarizes the conditions under which we are most (scenario A) and least (scenario D) likely to experience post-arrest demonstrations. According to these scenarios and the reasoning developed above, variations in economic independence and constraints from identity politics (independent variables), affect elites' willingness to organize demonstrations (causal mechanism), which in turn influences

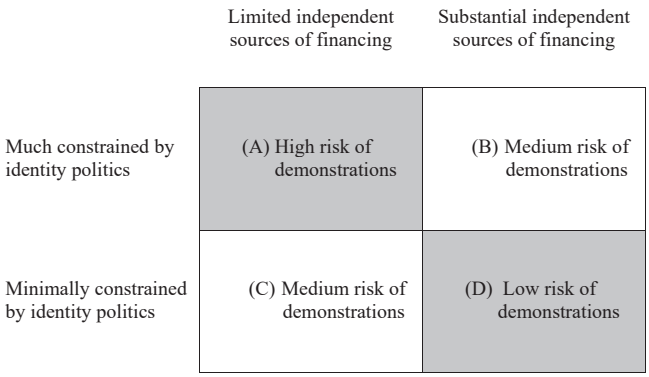

Fig. 1. Summary of the theoretical argument outlining when subelelites are most and least likely to mobilize followers to protest the arrest of former wartime leaders.

whether protests erupt (dependent variable). Between these two extremes, scenarios B and C reflect more mixed contexts and outcomes. In scenario C, even if limited economic means weaken subelites' capacity to pacify followers through buyouts, lower inter-group polarization should reduce protest risks, as subelites can more easily persuade followers to defect. In contrast, in scenario B, strong identity-based constraints may limit the effectiveness of wealthy subelites, preventing them from using economic leverage to deter protests. As a first step in assessing this theoretical framework, we confine ourselves to comparing a case with substantial (scenario A) and limited (scenario D) subelite autonomy. In doing so, we employ a diverse case selection strategy, aimed at ensuring maximum variance and extreme values on the independent variables. This is particularly suitable early in a research project, where the aim is to provide an initial understanding of whether proposed independent variables have some explanatory value (Seawright & Gerring, 2008). Hence, we leave it to future research to assess what effect more moderate levels of subelite autonomy have on the likelihood of post-incarceration protests.

5. Methodological considerations

In this study, the unit of analysis is the arrest of a wartime leader who is accused of committing war crimes. More specifically, we focus on leaders who are incarcerated after having signed a civil war peace accord and are no longer engaged in violence with their erstwhile enemies. The indicting body should partly or wholly be run by external actors. This concerns international ad hoc or hybrid courts, or ICC. The reason for this is that internationalized courts are assumed to possess less local legitimacy (Stensrud, 2009). The study therefore speaks to the imprisonment of leaders in countries such as Bosnia-Hercegovina, Cambodia, Croatia, DRC, Kosovo, Liberia, Rwanda, Serbia, and Sierra Leone.

More specifically, we compare the arrests of Jean-Pierre Bemba (Democratic Republic of Congo) and Charles Taylor (Liberia). A key benefit of this comparison is that the two cases differ significantly in terms of post-war subelite autonomy, aligning with the criteria for a diverse case selection strategy. Moreover, the cases share several important similarities. First, Bemba and Taylor's careers closely resemble each other: (1) both were heads of rebel movements that profoundly shaped their respective countries, (2) both held high-level state positions (Bemba as Vice-President, Taylor as President), (3) both went into exile after losing power, and (4) both were incarcerated around the same period. Second, the two ex-warlords operated in similar environments, characterized by weak state institutions, patrimonial politics, UN peacekeeping forces, widespread poverty, and the need to develop strategies for maintaining power during a post-war election. Since these similarities are present in both cases, they cannot explain the variation in outcomes.[11]

[11] We acknowledge that there are important historical and structural differences between DRC and Liberia—including time since independence (DRC, 1960; Liberia, 1847), geographic and population size, levels of democracy, and ethnic and religious composition. Within the scope of this paper, we cannot fully assess whether these factors better explain the variation in outcomes. Instead, we focus on variables highlighted in the protest movement literature as more relevant for understanding protest emergence—namely, grievances, repressive capacity, regime transition, and popular support (see Appendix). The inability to hold all potential alternative variables constant is a limitation not unique to this study but inherent in all qualitative comparative research. The primary way to address this challenge and strengthen causal inference is to clearly specify and empirically trace the key causal mechanism linking the independent and dependent variables—an approach we adopt here (Goertz, 2017). To the extent that the additional factors noted above influence the outcome, they are likely antecedent variables that shape the degree to which subelites are constrained by identity politics and have access to external sources of financing.

To recall, this study investigates two types of subelite autonomy: (a) access to independent sources of financing and (b) the degree to which subelites are constrained by identity politics. Subelites are considered economically independent when they personally control significant assets—such as businesses, land, or real estate—or hold state jobs not controlled by their ex-military leader. Under such conditions, they are less reliant on their wartime leaders for material support. Subelites are deemed to be constrained by identity politics when their ex-military leader primarily mobilized war- and peacetime followers through appeals to a shared 'in-group' identity, such as ethnicity or religion. The subelites' willingness to support demonstrations, which serves as the causal mechanism, is operationalized as whether they encouraged or discouraged followers from protesting. Demonstrations, in turn, are defined as non-violent gatherings where participants publicly articulate opposition to the arrest of a wartime leader. The intended audience for these protests is the indicting body and or national or international actors who are assumed to have the influence to pressure a court to release the incarcerated leader.

Our empirical material is primarily based on unique in-depth interviews with key informants in Liberia and DRC. For more information on the field work and list of interviews, see the Appendix.

6. Charles Taylor: buying loyalty

The Liberian Civil War erupted in December 1989 when NPFL–headed by the ex-state official Charles Taylor–launched an insurrection against President Samuel Doe. After Doe was killed by a rival rebel group in September 1990, the state disintegrated as competing factions struggled for power. It was not until August 1996 that NPFL and rival groups agreed to end the war. A central pillar of the peace accord was the organization of elections in July 1997. To contest in the latter, Taylor transformed NPFL into a political party–National Patriotic Party (NPP)–and subsequently won. Taylor's victory triggered an exodus of anti-Taylor ex-militiamen, who in 2000 formed the rebel group Liberians United for Reconciliation and Democracy (LURD). By early 2003, LURD reached Monrovia. On 4 June 2003 Special Court of Sierra Leone (SCSL) indicted Taylor for supporting the abusive actions of Revolutionary United Front (RUF) in Sierra Leone. The indictment made Taylor's position even more precarious and in August Taylor went into exile in Nigeria. A condition for Taylor's exile was that he was prohibited from interfering in Liberian politics. Before entering the plane carrying him to Nigeria, Taylor declared "I have accepted this role as sacrificial lamb" and "God willing, I'll be back" (Vick, 2003). Taylor's departure paved the way for the signing of the Accra Peace Agreement, which called for the creation of a transitional government that included representatives of NPP. With the support of United Nations Mission in Liberia (UNMIL), the new government was tasked with disarming, demobilizing and reintegrating ex-combatants, as well as organizing elections in 2005.

The 2005 Presidential election was won by the Unity Party (UP) candidate Ellen Johnson Sirleaf. To gain the support from key NPP-leaders during the second round of the Presidential elections, Sirleaf had promised not to seek Taylor's extradition. However, after US pressure, Sirleaf backpedaled and committed herself to sending Taylor to SCSL. Presumably acting on a leak from the Nigerian authorities about his pending arrest, Taylor fled his house on 27 March 2006 (LI12). One day later, the ex-warlord was captured and flown to Monrovia, where he was put in a helicopter bound for SCSL in Freetown. News of Taylor's arrest sent shockwaves through Monrovia and other parts of Liberia. Fearing a response from NPP-loyalists, streets in Monrovia emptied and shopkeepers closed their businesses. According to one ex-NPFL commander, "[t]he citizens were in panic" as they "[…] thought there were going to be some reactions from some of our men like demonstrations" (LI1). UNMIL and the government harbored similar qualms, prompting the former to step up their military patrols (Doss, 2020) and the latter to disseminate threats via the radio to scare potential troublemakers (LI6).

Despite widespread fears that the arrest would spark large-scale opposition, no protests erupted.[12] How can we make sense of this inaction?

6.1. *Performing allegiance, pursuing power: the autonomy of NPP-subelites*

During the transitional government period, NPP subelites gained substantial autonomy vis-à-vis Taylor. The roots of this autonomy trace back to the civil war. Being of mixed ethnic descent,[13] it made little strategic sense for Taylor to base his movement on ethnic identities. He therefore largely avoided identity politics. While NPFL initially attracted mainly Gio and Mano recruits, Taylor later mobilized significant numbers of Americo-Liberian, Bassa, Grebo, Kissi, Kpelle, and Lorma leaders and fighters. This made NPFL Liberia's most ethnically diverse armed group (Ellis, 2006; Gerdes, 2013; Waugh, 2011). To broaden support, Taylor organized NPFL as a "profiteering organization" with the primary aim of facilitating private commercial ventures. During the war, Taylor proclaimed, "I'm not interested in ideology. I just want money and I want to be on top" (Hoffman et al., 2006: 311).

Although Taylor, as the ultimate 'Big Man,' was the primary beneficiary of this enterprise, the spoils also extended to subelites who joined his cause. Many of these local leaders had lost access to state patronage after the United States withdrew support from the Doe regime at the end of the Cold War. By aligning with NPFL, they regained economic footing through the movement's exploitation of diamonds, gold, and timber, which gave them some economic autonomy. For instance, to secure their loyalty, NPFL-generals were permitted to retain a portion of the resources extracted from their areas of control (Ellis, 2006; Reno, 1998). As the war progressed, this arrangement increasingly empowered NPFL-generals, who began to treat NPFL more as a "brand name" than a centralized organization—using it to assert personal control over territory for profit (Ellis, 2006: 104). While such economic cooptation allowed Taylor to project his rebellion as a broad national movement, it also made NPFL vulnerable to fragmentation. The loss of resource-rich territories to rival militias in 1993–94 created incentives for disillusioned commanders to defect, taking their units to competing factions in search of better economic prospects (Ellis, 2006; Gerdes, 2013). This fluidity was also enabled by NPFL's limited reliance on ethnic identity.

During the 1997 elections and his presidency, Taylor continued policies of economic cooptation and inclusive ethnic outreach. His superior access to resource-rich areas allowed him to outspend opponents during the campaign. The scale of his material distribution reassured voters that his pledges to rebuild the country were credible. Combined with NPFL's broad multi-ethnic base, this enabled Taylor to tap into a wider electorate than other contenders. As President, Taylor based his regime on patrimonial rule, satisfying allies and coopting enemies through government positions and lucrative jobs (Waugh, 2011). A key feature of his rule was personal generosity—he was known for distributing cash and cars (Bjarnesen, 2020; Gerdes, 2013). In the long run, it proved difficult to sustain this model. International reluctance to support the NPP regime and UN sanctions weakened Taylor's ability to provide resources, undermining his legitimacy among subelites. This erosion of support was particularly damaging, prompting several NPFL generals to defect to LURD with their fighters. Although LURD was originally conceived as a 'Mandingo' faction, many defectors were Lorma (Gerdes, 2013).

The creation of the transitional government and Taylor's exile put NPP-subelites in a bind. On the one hand, remaining loyal to their erstwhile leader had clear benefits. It ensured continued access to the economic resources that the ex-warlord still controlled and allowed them to exploit the political brand that was Charles Taylor (Hoffman et al., 2006). On the other hand, it was risky to stake their political futures on the increasingly remote possibility of Taylor's return to Liberia. To hedge their bets, most NPP-leaders publicly acknowledged Taylor's authority and accepted his financial support, while simultaneously preparing for a future without him.

In doing so, NPP-subelites leveraged Taylor's determination to make a political comeback. Taylor's primary asset was his continued popularity among the NPP-grassroots. To maintain this loyalty, Taylor needed to continue providing for his base. Thanks to an estimated $150–210 million hidden abroad and continued stakes in Liberian firms, he had the economic means to do so (Gerdes, 2013). However, distributing these resources and communicating with his followers required the cooperation of NPP-subelites. Ex-senator Sando Johnson emerged as a key intermediary. Designated by Taylor as his spokesman and caretaker of his properties and family in Liberia (LI4; LI5; LI7), Johnson became the go-to figure for anyone seeking to connect with Taylor. The ex-warlord also maintained regular contact with NPP-politicians such as Cyril Allen, his ex-wife Jewel Taylor, and Benoni Urey, as well as ex-generals including Coco Dennis, Adolphus Dolo, Roland Duo, Duopo Makerzon, Siaffa Norman, and Alex Tweh (LI5–LI11).

To placate his ex-fighters, Taylor tasked Johnson with distributing cash and rice, a task Johnson carried out with the help of former generals like Dennis and Dolo, who could more easily reach the ex-combatants. When such kickbacks were given, recipients were told that it was a gift "[…] from the chief in Nigeria to show that he is still thinking about us" (LI2). Such gestures often had the intended effect; many ex-fighters felt that "Taylor was the only person that knew how to take care of us and know our importance" (LI2). As a result, many NPP-followers remained economically dependent on their former leader. NPP-subelites also benefited personally from their roles as Taylor's representatives in Liberia. In addition to receiving kickbacks, elite allies had their campaigns sponsored by Taylor during the 2005 elections. Over time, some began to expropriate Taylor's business assets and funds sent from Nigeria for their own purposes, rather than distributing them to the grassroots (CIJ, 2005; Gerdes, 2013; Reno, 2008, 2010).

While ostensibly supporting Taylor, many subelites also pursued their own agendas. NPP-dignitaries used their positions in the transitional cabinet, administration, and state agencies to establish economic-political fiefdoms. These efforts were facilitated by the economic assets—real estate, farmland, businesses, and trade licenses—acquired during the war and Taylor's regime (Gerdes, 2013; Reno, 2008, 2010). A key part of this strategy was forming new political alliances, enabled by the fact that ethnic and religious cleavages were not the most salient fault lines in post-war Liberian politics. For instance, NPP, LURD, and Movement for Democracy in Liberia representatives in the transitional government often broke party lines to ally with former enemies—including those from different ethnic backgrounds—to gain political advantage (Gerdes, 2013). Meanwhile, from exile in Nigeria, Taylor did not incite ethnic fears. True to his original strategy, he continued to seek broad, multiethnic support. In addition to backing various NPP-subelites' electoral campaigns, he bankrolled eight other political parties and encouraged NPP-loyalists to take up roles within these parties (CIJ, 2005; Gerdes, 2013). Through these tactics, Taylor fashioned himself in the tradition of the African 'Big Man'—a figure above the petty squabbles of party politics (Utas, 2012).

The 2005 elections offered NPP-leaders further opportunities to consolidate their autonomy by forming new alliances. While some, like Edwin Snowe, ran as independents, others participated on behalf of other parties—such as Dolo (Coalition for the Transformation of Liberia). With no party consensus on which candidate to support in the second round of the presidential elections, NPP-leaders had leeway to

[12] The absence of demonstrations was confirmed by our informants and a systematic review of international and national news articles—published within three months of Taylor's arrest and retrieved from the *Factiva Newswire Database*–as well as other secondary sources.

[13] Taylor was part Americo-Liberian and part Gola. Since both of these groups are among the smaller ethnic communities in Liberia, it would also have been difficult for him to mobilize any larger support for NPFL by appealing to either group's identity or grievances.

endorse whichever candidate offered the best terms (Gerdes, 2013). Carpet crossing was encouraged by the fact that the two main parties—UP and Congress for Democratic Change (CDC)—had a national appeal and competed to recruit local leaders as electoral brokers. As a result, in many communities, political competition became intra- rather than inter-ethnic.[14]

After the elections, many NPP-leaders who had supported Sirleaf became integral members of the latter's political entourage. Dolo and Jewel Taylor became key Senate allies; Duo was appointed Presidential Security Advisor; ex-generals Augustine Nagbe, Varney Sando, and Tweh secured positions in various ministries; and Urey was appointed mayor of Careysburg (LI1; LI7; LI10; LI11). Although Taylor had encouraged these alignments, the strategy backfired. Once in office, many NPP-leaders were absorbed into the UP regime's patrimonial networks and developed new loyalties. This, combined with Taylor's dwindling access to funds to distribute, led to a loss of control over his intermediaries inside Liberia (Gerdes, 2013).

6.2. *The demonstration that never was: the passivity of NPP-subelites*

The arrest of Taylor on March 27, 2006 generated much resentment amongst ex-fighters and civilian followers. One reason for this was that they questioned the legitimacy of SCSL's actions. A common theme was that the arrest, sometimes described as a 'kidnapping', constituted a conspiracy organized by the United States and United Kingdom. According to this narrative, the conspirators used false evidence and promises of economic rewards to Sirleaf to get rid of a democratically elected leader who dared to challenge the 'West'. Similar sentiments were often draped in accusations of neo-imperialism, or expressed by one ex-NPFL commander (LI6):

> Taylor was President of an African country but we allow the white man to disgrace our African brother and President on African soil. That will never happen in white man home because the white people are using black people against another for little […] the ex-fighters were very angry and shocked by the fact that our former president was arrested by foreigners and wicked white people.

Economic woes constituted another source of grievance. Taylor's arrest did not only entail a suspension of patronage from Nigeria, it also shattered followers' hope that the ex-warlord would one day return and improve their economic situation (LI4; LI11). According to one ex-NPFL commander the ex-fighters were ready to act because:

> […] they knew how Charles Taylor used to take care of them. The former president also made a promise when he was leaving that he was going to be back and because he has a lot of children (ex-fighters) in Liberia that nobody else is able to care for like him (LI4).

Looking for direction and eager to take to the streets, many followers congregated at the homes of ex-NPFL commanders to inquire about what would be done to free Taylor (LI1; LI2; LI4). One ex-NPFL commander described the sense of urgency as follows: "[T]he ex-fighters were more than feeling bad […] They grouped themselves and went to their bosses to ask what the next alternatives were, and they wanted to go and release the President" (LI4).

However, due to NPP-subelites' autonomy, it was not obvious how they would relate to Taylor's incarceration. When ex-NPFL commanders[15] relayed the grassroots' demand for action, NPP-subelites called for restraint to deliberate on how to proceed. For this purpose, a number of meetings were held, the most important one organized by Duo at his house (LI2; LI8; LI9). At the latter NPP-politicians, ex-generals and some lower-level ex-commanders, discussed strategies for how to attain Taylor's release–organizing demonstrations, using violence to free Taylor upon his arrival in Monrovia, or engaging the legislature. Large parts of the NPP-brass–such as Allen, Former Defense Minister Daniel Chea, Dennis, Duo, transitional government Vice President John Gray, Norman, Urey, and Varney–forcefully argued against demonstrations. Instead, they promised to use their close relations with Sirleaf and clout in the legislature to block Taylor's extradition to SCSL. After other attendees adhered, the ex-commanders were tasked to disseminate the decision to the NPP-base (LI1; LI3; LI4; LI7; LI9).

The NPP-leadership's reluctance to resist Taylor's arrest was largely due to economic considerations. According to Doss, Former Special Representative of the UN Secretary General and Head of UNMIL (LI12):

> NPP-leaders felt obliged to publicly condemn and protest Taylor's arrest, but they did not want to risk anything by organizing demonstrations. They had good lives. Some of them were in the legislature and received salary […] Many NPP-leaders were privately relieved that Taylor was out of the equation.

Similar sentiments were echoed by a number of ex-NPFL commanders and fighters. According to one informant, their leaders did not want to spearhead any protests since "[s]ome of those people had businesses in the country", Duo, for instance, "[…] was trying to protect his properties that he already had" (LI3). Actions by the government and UNMIL seem to have reinforced NPP-subelites' perceptions about the benefits of reigning in their followers. Government representatives–Sirleaf herself according to some sources–held a meeting with ex-generals, such as Dennis and Duo. To ease the mounting tensions, they were given cash, rice and promises of retirement benefits (LI2; LI4; LI5, LI11). Meanwhile, at a gathering hosted by UNMIL–and attended by stalwarts such as Dennis, Duo, Gray, Johnson, Urey, and Varney–the peacekeepers promised to ensure their security as long as they desisted from resisting Taylor's incarceration (LI5; LI6; LI8; LI10).

NPP-subelites' reluctance to act dealt a serious blow to those followers who wanted to mobilize. A recurring theme in our interviews with the NPP-base was that protest was simply not possible without the planning, funding, and logistical support of their leaders (LI2; LI5; LI6; LI9). This sentiment was clearly summarized by one ex-fighter (LI7):

> We did not initiate any action like demonstrations or riots because we were not told to do so by big people […] You know that demonstrations or riots has to be planned […] If there was an opportunity, I was going to take action any means that were available to me and my commander to save the day for our former president.

Furthermore, there were economic risks associated with grassroots-driven demonstrations. With Taylor struggling to sustain his patrimonial networks, followers had become increasingly dependent on NPP-subelites—and by extension, the Sirleaf regime—for employment, cash, and rice (LI1; LI8). Taking to the streets risked angering the NPP-leadership and subsequently being cut off from coveted patronage networks.

7. Jean-Pierre Bemba: son of the soil

In October 1996, Alliance of Democratic Forces for the Liberation of Congo–led by Laurent-Désiré Kabila–launched a rebellion against President Joseph-Désiré Mobutu. After capturing Kinshasa in May 1997, Kabila's regime soon garnered opposition as several new rebel groups emerged. One of the most influential was the Ugandan backed Movement for the Liberation of the Congo (MLC), established in September 1998 by the businessman and ex-Mobutu associate Jean-Pierre Bemba. During 1999 MLC captured large swaths of Équateur and Orientale Provinces. However, after a failed attack on Mbandaka (Équateur), the front stabilized (Reyntjens, 2009; Stearns, 2011). On April 2, 2003 Joseph Kabila–who had become President after his father had been

[14] Interview with an anonymous UP-politician, Monrovia, January 14, 2017. Conducted as part of an earlier research project.

[15] Ex-commanders refer to individuals who held a lower military rank than ex-generals. Consequently, while ex-generals are classified as subelites, ex-commanders are not.

assassinated–MLC, and several additional rebel groups, signed the Sun City Agreement. The accord called for the creation of a transitional government–which awarded MLC key positions, and Bemba the posts as Prime Minister and one of four Vice-Presidentships–the disarmament and demobilization and military reintegration of rebels, as well as elections in 2006. The implementation of the agreement received international backing through United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The 2006 presidential elections was won by Kabila, with Bemba coming in second. One of Kabila's first acts as President was to compel Bemba to disarm the security detail–composed of 800–900 MLC-fighters–that had been granted to him as Vice President. Fearing for his security, Bemba refused. In April 2007, the tensions escalated into armed clashes in Kinshasa. After MONUC intervened, Bemba agreed to go into exile in Portugal, where after he relocated to Belgium (Carayannis, 2008).

On May 24, 2008, Belgium arrested Jean-Pierre Bemba on the basis of an ICC warrant. He was charged with rape, looting, and torture committed by MLC-troops while fighting on behalf of President Ange-Félix Patassé in the Central African Republic during 2002–2003. When news of Bemba's arrest reached Kinshasa, large parts of the city were paralyzed. According to one eyewitness, "[…] People were hesitating to go out. They were really scared […] they thought the MLC was going to demonstrate" (CI5). Venting their frustration, groups of MLC-supporters blocked roads and set tires alight. Fearing an uprising, MONUC and the security forces increased military patrols in Kinshasa and Mbandaka, where the latter began dispersing crowds with tear gas and gunfire, and arresting suspected ex-MLC combatants (CI4; CI5; CI11; CI16; CI23). Undeterred by these punitive measures, Bemba's supporters organized a large protest on May 27. Despite violent efforts by police to prevent participation, thousands reached the National Assembly, where they called for the release of their leader (CI5; CI6; CI20; CI27).[16] Bemba's arrest and the subsequent protests marked a critical juncture in Congo's peace process and threatened to derail the political integration of one of the civil war's principal actors. A key question is therefore why Bemba's incarceration triggered such widespread popular resistance?

7.1. Too weak to leave: the dependency of MLC-subelites

During the Congolese peace process, subelites within MLC had limited autonomy. This continued dependency on Bemba partly stemmed from the movement's internal dynamics during the civil war. As MLC's founder, Bemba used identity politics as the 'glue' holding the group together. Mobutu, from Équateur Province, had ruled with support from ethnic groups like the Ngbandi and Ngwaka. As a fellow Équateurien and former Mobutu confidant, Bemba tapped into local grievances over lost dominance and harassment by the new regime (CI9). For instance, in the early stages of the war, the Congolese army and its allies controlled Équateur, treating it as hostile territory and inflicting much suffering. When MLC entered in 1999, Bemba was therefore hailed as a liberator and dubbed "son of the soil" (Stearns, 2011). By presenting himself as Équateur's defender, he rallied ex-Mobutu elites and soldiers, as well as ordinary citizens (CI3). Thanks to Bemba's charisma and ties to the province, recruitment came easily (Pangburn et al., 2019: 3). For ex-Mobutu elites, joining MLC was the safest path back to Kinshasa and their former positions (CI3). However, while subelites benefited from Bemba's ethnic mobilization, it also constrained their political agency. Bemba's ability to centralize MLC around himself and create strong social cohesion left subelites with few prospects of defecting with followers. In fact, MLC was Congo's most cohesive armed faction and did not experience any splits during the war (Koko, 2016; Pangburn et al., 2019).

MLC-leaders were constrained not only by Bemba's identity politics, but also by a lack of economic autonomy. Compared to other Congolese factions, MLC had fewer resources (Koko, 2016; Stearns, 2011). Although Bemba came from a wealthy business family, much of its assets were confiscated by Kabila. To compensate, Bemba and MLC looted local banks and extracted wealth from timber, coffee, minerals, and petty taxes.[17] However, access to the most valuable resource—minerals—was limited in MLC-held areas. As a result, the movement never accumulated substantial wealth and was largely broke by 2001 (Koko, 2016; Carayannis, 2008; Stearns, 2011). This scarcity was worsened by Bemba's notorious unwillingness to share resources. He rarely distributed wealth to subelites or fighters (CI11). This lack of financial redistribution made it difficult for MLC-subelites to accumulate personal wealth (Carayannis, 2008; Stearns, 2011).

The peace process provided limited opportunities for MLC-subelites to empower themselves. In terms of economic autonomy, Bemba made no significant effort to appease MLC-dignitaries. This was partly because Kabila, as President, controlled the lion's share of state resources, and partly because Bemba remained frugal and reluctant to share the limited resources he did control (CI2; CI6; CI11; CI16; CI20; CI23). These dynamics, combined with the meagre wartime gains subelites had secured, meant they had few independent sources of income, such as businesses or real estate (CI1; CI5; CI6; CI11; CI16; CI21). Their primary assets were the government, security, and state enterprise positions allocated by Bemba under the peace accord. Yet even these came with strings attached: Bemba exercised tight control over the proceeds and demanded 30% of their salaries be paid to the party (CI7). He also expected MLC-dignitaries to use their positions to secure jobs for MLC-fighters and civilian supporters (CI7; CI9; CI11; CI16). However, subelites struggled to leverage these positions to build their own client networks. Jobs were scarce relative to the number of followers, and those who gained employment knew it was Bemba—not the subelites—who ultimately controlled access (CI7; CI9; CI11; CI16).

The agency of MLC-subelites was further curtailed by Bemba's continued reliance on identity politics. Unable to outspend his main political rival, President Kabila, Bemba sought to ensure continued political relevance by stoking inter-ethnic fears (CI1). This strategy proved effective, as many had joined MLC to gain access to security, not economic resources (CI5; CI12; CI24; CI26). Additionally, there was a shared perception of the 'threat' posed by Kabila, who, as Head of State, was seen to favor Swahili-speaking ethnic groups from eastern Congo. This allowed Bemba to present himself as the sole credible defender of Équateurien interests (CI9; CI11; CI22).

During the 2006 elections, Bemba capitalized on similar fears by centering his campaign around the slogan "Aza Mwana Congo" ("He is the son of Congo"), which invoked the widespread belief that Kabila hailed from Rwanda. According to one commentator, the slogan was chanted at rallies and "[…] became a fetish, a magical song that made people understand that the one next to him (Kabila) was not Congolese" (CI16). As the "son of Congo," it was Bemba's destiny to save the country from foreign domination (CI1). This message resonated with Lingala-speaking ethnic groups in western Congo (including Équateuriens), many of whom resented the influence of Swahili-speakers from the east and believed Kabila was selling out the country to foreigners (CI1). A central component of the "Aza Mwana Congo" discourse was the idea that all 'true' Congolese had a moral duty to vote for Bemba, casting doubt on the national loyalty of those who did not (CI10). The advantage of this strategy was that it allowed MLC to expand its constituency from Équateuriens to all Lingala-speakers. The downside was that its

[16] Estimates on the number of demonstrators range from 1,000 to 50,000. The true figure probably lies somewhere in-between. These figures are based on interviews with our informants, AFP (2008), AP (2008), HRW (2008), and Radio Okapi (2008). There were also smaller demonstrations in Équateur Province (HRW 2008).

[17] TF (2007); Global Security: Mouvement de liberation congolais. Available at https://www.globalsecurity.org/military/world/para/mlc.htm (last visited 28 April 2025); and Koko 2016.

polarizing rhetoric limited MLC's chances of becoming a national party (CI1).

Despite Bemba's efforts to polarize ethno-lingual relations, a few MLC-subelites defected during the elections. Tired of Bemba's 'greed' and 'authoritarianism,' senior figures such as José Endundo (cabinet minister) and Olivier Kamitatu (Speaker of the Transitional National Assembly) abandoned the party and aligned themselves with Kabila (CI11). Although these defections initially caused concern, they had little impact, as Endundo and Kamitatu failed to bring significant followings with them. In fact, Bemba was able to turn the episode to his advantage: their desertions were framed as a plot orchestrated by Kabila and Swahili elites, reinforcing the perception of Lingala-speakers' vulnerability (CI1). Moreover, the event fostered a traitor discourse within MLC that cast suspicion on leaders who demonstrated too much independence from Bemba (CI10; CI12; CI14). In this context, the failure of these defections sent a powerful message: challenging Bemba's authority was both politically futile and reputationally costly.

After going into exile, it was vital for Bemba to sustain the support from his base. In this endeavor he was dependent on MLC-subelites. Even if Bemba had left François Mwamba, the MLC-Secretary General, to run the day-to-day activities of the party, Bemba was also in regular contact with Ève Bazaiba and Jacques Djoli (both MLC-senators), as well as a number of ex-generals (CI9; CI10; CI11; CI16; CI25). Once the leadership had been briefed by Bemba, they disseminated the information to local MLC-leaders, who subsequently informed the grassroots (CI27).

Somewhat surprisingly MLC-subelites were unable to capitalize on Bemba's absence to empower themselves. Due to the ex-warlord's near monopolization of economic resources, other MLC-leaders' lacked the wealth and businesses needed to personally sustain large networks of clients. Leaders such as Bazaiba, Thomas Luhaka (MLC-National Executive Secretary), and Mwamba, were only able to provide for a select group of clients (CI1; CI5; CI6; CI11; CI16; CI21). Meanwhile, from his exile Bemba transferred very little economic resources to subelites and followers (CI6; CI9; CI16; CI21). This was partly due to the fact that Kabila had confiscated the business assets that Bemba had developed during and after the war, and partly a function of an effort to make MLC self-sufficient. During Bemba's exile, MLC was largely financed by membership fees and a tax on MLC-leaders' salaries (CI1; CI9). Consequently, MLC-dignitaries had limited economic wiggle room.

The persistence of interethnic-lingual fears further constrained the autonomy of MLC-subelites. The 2006 presidential elections and 2007 fighting had produced a popular image that Bemba was the only opposition leader with the courage to stand up to Kabila (CI1). This perspective gained further impetus after arbitrary arrests and intimidation of MLC-members, and rising polarization between Lingala- and Swahili communities, in the wake of the 2007 clashes (CI5; CI6; CI7; CI23). Amongst the MLC-grassroots, Bemba acquired a mythical aura, which celebrated his cunningness and strength (CI10), and created a feeling that "Bemba was still close to them" despite his exile (CI12). Thus, Bemba retained his image as the 'defender' of Lingala-speakers. What is more, MLC-subelites largely lacked legitimacy in the eyes of the MLC-base (CI3; CI9). Bemba had come to embody the will and destiny of MLC-followers, and for many it was "Bemba or nobody" (CI9). Following Endundo and Kamitatu's defections, MLC-militants were also vigilant against signs of further 'treason,' and any challenge to Bemba was unacceptable (CI9; CI12). They were particularly cautious vis-à-vis Luhaka and Mwamba, who were considered moderates (Carayannis, 2008). Bemba capitalized on these sentiments and ran MLC from exile "[…] like a private enterprise" and "[…] taking care of everything" (CI14). Any moves to assert control of the party risked punishment, and Bemba was quick to fire or marginalize leaders who exhibited too much independence (CI1). Subelites therefore had little to offer the MLC-base beyond relaying Bemba's messages and enforcing his will. With limited prospects of carrying clients to other parties, defection made little political sense (CI7; CI12).

7.2. The diligence of MLC-subelites: giving structure to the masses

Bemba's incarceration on May 24, 2008, caused grief, anger, and dismay among MLC-followers. At the heart of their grievances was the perceived injustice of the arrest. Many believed Kabila had leveraged diplomatic connections to persuade ICC, Belgium, and 'Western' powers to eliminate his strongest rival (CI5). On a deeper level, followers feared losing a leader who embodied their collective will and ensured their security. One ex-combatant expressed this sentiment starkly: "[o]ur hope was with him (Bemba), and then our life was ruined because of his arrest" (CI21). To convey their deep respect, followers often likened Bemba to 'Jesus' or a 'father'— an authoritative figure who offered protection and hope (CI20, CI21, CI22, CI23). As one ex-MLC fighter put it: "[…] the death of the son of God, the death of Jesus. When Jesus was tied up, he was brought to the cross. Because he was innocent, many were displeased […] Bemba was also innocent" (CI20). This collective grief fueled a desire for protest. When asked why so many MLC-supporters wanted to take to the streets, the same informant said: "[w]e felt that it was our father who was like dead. If your father dies, and you know someone who hurt him, you will be forced to react" (CI20).

MLC-subelites' lack of autonomy made it difficult for them to withstand grassroots pressure to resist Bemba's arrest. Within the leadership, there was a growing realization that they were obliged to organize demonstrations, lest they lose their political relevance (CI12). According to Alan Doss—former Special Representative of the UN Secretary-General and Head of MONUC—this was less a matter of loyalty to Bemba than a strategic attempt to signal to the MLC-base that "we are here" (CI4). Because Bemba was seen by his supporters as a "larger-than-life character" (CI4), it was inconceivable to them that any other leader could stand up to Kabila or counter the dominance of Swahili speakers (CI1, CI7, CI25). The pressure to act was further compounded by the fact that Kabila and MONUC refused to negotiate with MLC-subelites (CI1). Lacking both independent financial resources and the possibility of an economic buy-out by Kabila, the subelites were unable to use material incentives to deter mobilization.

The organization of the demonstrations was spearheaded by Bazaiba, Luhaka, and Mwamba. The troika tasked local leaders with assembling MLC-followers in their respective districts of Kinshasa. This mobilization was facilitated by the distribution of flyers, as well as TV calls to attend the demonstration (CI5; CI23). Hence, even if many followers rejected the idea of an MLC without Bemba, it was the subelites who gave their frustration the necessary structure to take to the streets (CI2).

On the morning of May 27, groups of demonstrators gathered in various parts of Kinshasa. Guided by their local leaders, the marchers made their way toward the MLC-party headquarters (CI5; CI20; CI23). Concern about a potential revolt led the security forces and MONUC to closely monitor the situation. To ensure coordination, MONUC maintained close communication with the Congolese police and the chief of staff (CI4; CI13; CI18). While MONUC limited its role to observation, the police intercepted several groups of protesters, dispersing them with tear gas, rubber bullets, and arrests. Demonstrators who reached the party headquarters continued their march toward the National Assembly (CI5; CI27). As they moved forward, they chanted slogans such as "Liberate the son of Congo" and "Kabila sent Bemba to ICC! Liberate Bemba!" Leading the procession were Bazaiba, Mwamba, and Luhaka. Upon reaching the National Assembly, the leadership delivered a petition calling for Bemba's release (CI5; CI6; CI20; CI23). By taking to the streets and shutting down Kinshasa, protesters hoped either to compel Kabila to advocate for Bemba's release or to attract international media attention that would pressure ICC and 'Western' powers to act (CI5; CI6; CI27). Tensions continued to simmer in Kinshasa following the demonstrations, with security forces remaining on high alert for several weeks (CI18). The grievances expressed during the protests deepened feelings of vulnerability and injustice among MLC supporters—sentiments that political entrepreneurs would later exploit.

In 2009, Odjani Mangbama called on MLC-militants to join his Lobala rebellion in northwestern Congo. The insurrection triggered the displacement of 200,000 people, as Mangbama declared his intention to march on Kinshasa.[18] Meanwhile, the willingness of MLC-subelites to resist Bemba's arrest played a key role in consolidating the party's identity and cohesion. This resistance helped to pave the way for Bemba's political comeback after ICC acquitted him in 2018, culminating in his appointment as Minister of Defense in 2023.

8. Comparative analysis

There is a clear variation in outcomes when comparing the arrests of Bemba and Taylor. While MLC-followers staged large-scale protests to pressure Belgium, the international community, and Kabila for Bemba's release, no similar protests emerged among NPP-supporters. These differing outcomes are puzzling given that there was strong grassroots pressure from both bases to take to the streets. How can we explain these contrasting reactions? The two case studies suggest that the propensity to protest was shaped by subelites' post-war autonomy—specifically, whether they had access to independent sources of financing and were constrained by identity politics. At the time of Bemba's arrest, MLC-subelites remained dependent on him. They had largely failed to develop independent financial bases, due to MLC's relative economic weakness and Bemba's frugality. Lacking economic clout, they struggled to build client networks of their own. Bemba's use of identity politics further constrained them. By positioning himself as the sole defender of Équateuriens and Lingala speakers, he became the perceived guarantor of his followers' security. This, combined with their limited financial autonomy, made it hard for subelites to persuade followers to defect. With few options for political survival without Bemba, MLC-subelites yielded to protest demands. Drawing on their skills, networks, and visibility, they helped channel grassroots frustration into mass demonstrations.

The situation was very different for NPP-subelites. Taylor had built broad political support by economically rewarding subelites during and after the war. This allowed NPP-dignitaries to form relatively autonomous fiefdoms and client bases. When Taylor faced financial or political setbacks, subelites quickly asserted their independence, leading to recurrent defections. These 'carpet crossings' were made easier by Taylor's avoidance of identity politics and the fact that national post-war politics lacked strong ethnic divides. Subelites' autonomy was especially evident before Taylor's arrest, as many had joined Sirleaf's camp. When Taylor was imprisoned, they were well-positioned to resist grassroots calls for protest. This was especially true as many followers now depended on patronage from NPP leaders. Their refusal to mobilize protests made the base hesitant to act.

The observation that grassroots supporters struggle to protest without elite involvement aligns with the protest movement literature (Chenoweth & Stephan, 2011; Goldstone, 2004; McAdam, 1996). According to McAdam, the presence of elite allies willing to support an aggrieved group enables the latter to protest. This elite perspective is particularly relevant in patrimonial contexts, where elites shape everyday socioeconomic and political life. Without visible patron sponsorship, protests risk losing credibility and momentum (Daloz, 2003). For a discussion on alternative explanations, see the Appendix.

The two cases also show that followers' grievances were not only about losing an economic patron (Taylor) or a security provider (Bemba). A recurring interview theme was the perceived injustice of a process led by outside actors, which targeted their leader while sparing others. Many viewed this as evidence of a conspiracy between the Kabila/Sirleaf regimes and the international community. For MLC and NPP-followers, protesting became a way to assert political agency in a space dominated by international actors (Kniknie, forthcoming). Through protests, they could attract media attention, enter the international spotlight, and shape debates about the legitimacy of international criminal courts. However, subelites played a decisive role in enabling or blocking such protests. These dynamics highlight the importance of considering local actors' voices to understand the growing perception—especially in the Global South—of war crimes tribunals as neo-colonial enterprises.

9. Concluding discussion

The arrest of wartime leaders can be likened to a systemic shock that risks rupturing the vertical and horizontal relations sustaining peace processes. Arrests become particularly problematic when they trigger large-scale demonstrations. When mobilized along wartime cleavages, such protests often deepen polarization and can escalate into violence. Despite this risk, we still know little about the dynamics that prompt public resistance to incarcerations. In this paper, we examine the role subelites—understood as a form of mobilizational resource within the broader framework of factors shaping protest emergence—play in either fostering or discouraging post-arrest resistance. We find that protests are especially likely when subelites possess limited autonomy in the aftermath of war—specifically when they lack independent sources of financing and are constrained by the pressures of identity politics. Under such conditions, subelites face significant pressure to react to arrests, as inaction risks undermining their credibility and standing with their base.

To what extent do these findings apply to other cases of arrests? There are several reasons to expect that they extend to similar contexts. A telling example is the absence of protests following the 2003 incarceration of Issa Sesay, leader of Sierra Leone's RUF. After the civil war ended in 2001 and during the subsequent disarmament process, Sesay lost control over senior-RUF generals. By exploiting diamond mines in their zones of control, these subelites built independent networks of ex-combatant clients. During the 2002 elections, ex-RUF-generals used their influence over these networks to align with one of the two major political parties—All People's Congress (APC) or Sierra Leone People's Party (SLPP)—rather than RUF's heir party, Revolutionary United Front Party. These defections were facilitated by RUF's multiethnic support base, which included both Mendes and Temnes, allowing subelites to defect either to SLPP (predominantly Mende) or APC (predominantly Temne). Focused on building new alliances and reluctant to challenge the post-war order, RUF subelites appear to have been unwilling to protest Sesay's arrest (Themnér, 2011). However, any claims of generalizability must be postponed until the theoretical argument is tested across a broader and more diverse set of cases.

Even though this study leaves it to future research to assess the effects of more moderate levels of subelite autonomy—namely, independent financing but identity-based constraints (scenario B in the theory section), and limited independent financing but minimal constraint from identity politics (scenario C)—on post-arrest protests, it is useful to briefly consider how common such cases might be. There are reasons to believe that subelites' economic dependence on wartime leaders and identity politics often go hand in hand. A key finding in the civil war literature is that military leaders tend to rely primarily on either economic or social endowments when building movements (Eck, 2014; Weinstein, 2005). Leaders with access to large ethno-religious communities often find identity-based mobilization strategic: it provides a large recruitment base and reduces material costs. In contrast, leaders from smaller groups must emphasize material incentives to attract support beyond their own ethno-religious community. This suggests that hybrid configurations like scenarios B and C—where economic and identity-

[18] The Lobala rebellion began as a communal conflict between the Boba and Lobala ethnic groups in the town of Dongo in northwestern DRC. The rebellion was eventually defeated by the Congolese regime (CI21; Sanguma (2012); and Groupe D'Étude Sur Le Congo: Exclusive Interview on Dongo Crisis with Refugee International. Available at https://www.congoresearchgroup.org/en/2010/03/28/exclusive-interview-on-dongo-crisis/ (last visited 8 March 2024)).

based sources of mobilization are mixed—may be relatively uncommon in practice. Given this, we are, for example, unlikely to see many subelites operating in deeply polarized contexts who also possess the economic capacity to suppress post-arrest protests.

The findings have important implications for how peacebuilders should relate to war crimes tribunals. Because incarcerations risk disrupting relationships that sustain the post-war order, they should be seen as pivotal junctures in peace processes—on par with elections or peacekeeper withdrawals. Although arrests can trigger crises, they do not always lead to unrest. As this paper has shown, resistance is closely linked to subelite autonomy. Integrating subelites into state institutions can reduce their incentives to resist. However, this becomes harder when ex-military leaders have relied on identity politics to consolidate influence, as this often fuels a powerful 'betrayal discourse' among followers. Still, if cooptation efforts are broad—incorporating a wide range of subelites— followers may hesitate to punish leaders who refrain from resisting arrests, lest they forfeit access to elite support and protection. When accommodating subelites is too costly, prosecuting bodies like ICC should at least recognize the greater risk of resistance in contexts where subelites lack economic independence and are bound by identity politics. In such cases, war crimes courts should coordinate with other actors—such as peacekeepers—to support intercommunal mediation and increase patrols to prevent arrests from deepening polarization or sparking violence.

Statement on AI-use

During the preparation of this work, the author(s) used Gemini AI for language editing. The author(s) reviewed and edited the output as needed and take full responsibility for the content of the paper.

CRediT authorship contribution statement

Anders themnér: Writing – review & editing, Writing – original draft, Project administration, Methodology, Investigation, Funding acquisition, Formal analysis, Data curation, Conceptualization. **Rosalie Biaba:** Investigation.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Acknowledgements

This work was supported by Swedish Research Council. Anders Themnér is also grateful for the support provided by Centre for Gender and Africa Studies, University of the Free State, where he is a research fellow. We are also appreciative of the assistance provided by the NGO I-FAMARA in organizing interviews in Liberia.

Appendix A. Supplementary data

Supplementary data to this article can be found online at https://doi.org/10.1016/j.worlddev.2026.107566.

Data availability

The authors do not have permission to share data.

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