

Market governance in Kinshasa: the competition for informal revenue through ‘connections’ (branchement)

Albert Malukisa **Nkuku**
Kristof **Titeca**

Working Papers are published under the responsibility of the IOB Research Commission, without external review process. This paper has been vetted by **Danny Cassimon**, chair of the Research Commission.

Comments on this Working Paper are invited. Please contact the author at kristof.titeca@uantwerpen.be or jolinomalu@yahoo.fr

Institute of Development Policy

Postal address:	Visiting address:
Prinsstraat 13	Lange Sint-Annastraat 7
B-2000 Antwerpen	B-2000 Antwerpen
Belgium	Belgium

Tel: +32 (0)3 265 57 70
Fax: +32 (0)3 265 57 71
e-mail: iob@uantwerp.be
<http://www.uantwerp.be/iob>

WORKING PAPER / 2018.03

ISSN 2294-8643

Market governance in Kinshasa: the competition for informal revenue through ‘connections’ (branchement)

Albert Malukisa **Nkuku***

Kristof **Titeca****

Février 2018

* Professor at the Catholic University of Congo (UCC) and Postdoc Researcher at the Institute of Development Policy (University of Antwerp) for the ‘Security Livelihoods Research Consortium Program in the Democratic Republic of Congo (DRC), coordinated by ODI and financed by DFID, focusing on public services in the DRC.

** Lecturer at the Institute of Development Policy (University of Antwerp) and Project leader for the ‘Security Livelihoods Research Consortium Program in the Democratic Republic of Congo (DRC).

This research is part of the Secure Livelihoods Research Consortium, funded by the UK’s Department for International Development (DFID).

TABLE OF CONTENTS

ABSTRACT	5
1. INTRODUCTION	6
2. URBAN GOVERNANCE AND INFORMALITY	6
3. MARKET GOVERNANCE	7
4. THE STRUGGLE FOR CONTROL OVER URBAN MARKETS: THE PRESIDENTIALISATION OF THE MARKETS?	9
4.1. THE MARCHÉ CENTRAL: THE CHALLENGES OF BUILD-OPERATE-TRANSFER (BOT)	10
4.2. THE ‘MARCHÉ DE LIBERTÉ’: NOTHING FOR THE CITY OF KINSHASA	12
4.3. MARKETS, PRESIDENTIAL CONTROL AND REVENUE COLLECTION	15
5. FROM MUNICIPAL MARKETS TO URBAN MARKETS: THE GAMBELA AND MATETE MARKETS	15
5.1. GAMBELA MARKET.	16
5.2. MATETE MARKET	16
5.3. POWER NETWORKS IN KINSHASA’S URBAN GOVERNANCE: THE POWER OF ‘CONNECTIONS’ (BRANCHEMENT)	18
5.3.1. FAMILY, TRIBAL AND REGIONAL TIES/LINKS	18
5.3.2. PARTISAN LINES	18
5.3.3. FINANCIAL AND MATERIAL INTERESTS: PATRONAGE AND KICKBACKS	19
5.4. THE EFFECTS OF CONNECTIONS ‘BRANCHEMENT’	19
6. CONCLUSIONS	23
BIBLIOGRAPHY	25

ABSTRACT

This paper analyses in detail the governance of urban markets in Kinshasa. By unpacking the complex relations of power which underpin these markets, the paper shows how informality is used as an instrument of accumulation by a variety of actors, which try to gain access to the revenue generated by the markets. Concretely, actors within and outside markets rely on a system called *branchement*, which refers to connections with higher-level authorities, allowing these actors to access their positions and revenue. Focusing on these connections, the paper draws the following main conclusions: first, market revenue is the site of an intense competition, in which particularly high-level political actors (with links to the Presidency) control revenue streams – rather than the Kinshasa provincial government (which has the legal right to do so). Second, these alliances are fragile and unstable: both changes at higher- as well as local-levels (i.e. the market) create a series of conflicts, in which actors try to re-affirm their position and access to revenue. Third, these connections rely on a variety of linkages – ethnicity, regional, clan – but particularly family- and financial linkages are important. Overall, the paper highlights the need and importance for analysing the informal vertical connections through which urban actors navigate their positions and income.

1. INTRODUCTION

A significant amount of literature has paid attention to the crisis of the African cities, and how the “institutional and economic crises of the early postcolonial period resulted in an urban crisis, consisting of government failure, environmental decline, overburdened infrastructure, impoverishment and pervasive informality” (Monteith, 2016: 11). Tostensen et al (2001: 10-11) summarize this as the crisis consisting of “states have failed to provide institutional and legal frameworks for the overall development of cities. Instead, individuals and firms are exposed to obstructionist legal norms, corrupt civil servants and pervasive informality.” What all the views on the ‘urban crisis’ have in common is that they emphasise the profound informal character of this crisis and urbanization in general: in the light of economic liberalization, and the increasing fragile nature of the state, much economic as well political activities take place outside of the state regulatory framework (Meagher, 1995; Rakodi 1997).

This is also the case for Kinshasa in the Democratic Republic of Congo, which is often ‘portrayed as a forsaken black hole characterized by calamity, chaos’ (Trefon, 2004: 1), and considered to be in a ‘sustained crisis’ (Ayimpam, 2013: 20): A ‘multiform and generalized crisis’ (Ayimpam, 2013: 83), or ‘an acute and multiform crisis, at the same time socio-economic, political, and cultural’, in response to which people develop their own informal ways of organizing themselves: the informal economy became the defining characteristic of Kinshasa.

This paper aims to understand the informal organization of urban governance in Kinshasa, by looking at a particular case-study, namely its urban markets. More specifically, we look at how the city of Kinshasa tries to control the revenue streams coming out of the markets. In doing so, we show how ‘branchement’ is a central concept, or the way in which people use their higher-level connections to secure power, and access to the markets’ revenue streams.

Kinshasa has a plethora of markets: in 2012, it was estimated that it has more than 400 formal and informal markets (Kiangebeni, 2012). Yet, not many of these are managed by the city: until now, there are 4 major markets that are officially recognized as belonging to the city – all the other markets are managed by the municipalities. How does Kinshasa manage to extract resources (i.e. tax) these markets? By looking at this question, we aim to gain a better understanding of urban governance practices in Kinshasa.

In the next two sections, we look at the theories on urban governance, informality and markets. We then look at the two existing urban markets (marché central and marché de la liberté), followed by the attempts of the city to expand their revenues by naming two additional urban markets (marché Gambela and marché Matete). In doing so, we analyse the various forms of informal control, and revenue extraction, out of these markets.

Methodologically, this paper is based on qualitative research conducted between May 2017 and January 2018. Overall, we conducted 178 interviews with the following key actors: market administrators, police commanders, central and provincial government advisers, trade unionists, provincial deputies, mayors, civil servants and heads of urban administrations. In order to have a thorough knowledge of the issues on the ground, we have also used archival analysis and participatory observations resulting from critical events in different urban markets.

2. URBAN GOVERNANCE AND INFORMALITY

The literature on informal urban governance has shown how cities do not function on the basis of formal structures alone: instead, formal and informal sectors are interconnected (Daniels 2004). Within the context of urban governance, informality is understood in various

ways: first, as a spatial categorization, in which informality is located on the margins of a city – such as the slums (MacFarlane and Waibel, 2012: 3). Equally, formal/informal can be considered as a government tool, in which the state allows and disallows particular forms of intervention – in which informal settlements are then considered to be a ‘development problem’ (MacFarlane and Waibel, 2012: 4). Lastly, informality is seen as a ‘negotiable value’ (Alsayyad, 2004): as a lived experience, the informal is closely related with the formal city – such as formal negotiations over informal economy activity (such as street sellers). The latter two categories of informality are of particular interest to this paper: how is urban governance a ‘negotiable value’; and to what extent is informality a government tool?

First, informality is negotiated between key actors in an urban context: “as a negotiable value, informality features not only as a regulatory framing of urban space, but a form of individual and collective practice” (MacFarlane and Waibel, 2012: 7). This negotiated nature manifests itself in urban planning, and the ways in which groups and individuals negotiate. “If formality operates through the fixing of value, including the mapping of spatial value, then informality operates through the constant negotiability of value and the mapping of space” (Roy and Alsayyad, 2004: 5).

Second, and related with the above, crucial are power differences in this negotiation. Roy (2009a: 8, b, c) describes informality as an idiom of urbanization: it highlights the shifting relationships between legal and illegal; authorized and unauthorized; in which political elites are able to allow or disallow violations of urban planning. The law can be used in an open-ended way, according to multiple interests, to suit particular interests. While both state elites and the urban poor have learned to do so, there are particular power differences between both. This differentiation is the site of state power, and is a “fundamental axis of inequality” (Roy, 2009b: 80). In other words, informality can be used as an instrument of accumulation by placing itself outside of the law, and allowing elite urban development – although breaking laws, allowing for particular estates to be built (Roy 2009b: 80–81). In this situation, informality lies within the state, rather than outside of it: “the state itself is a deeply informalized entity, one that actively utilize informality as an instrument of both accumulation and authority. (...) informality exists at the very heart of the state and is an integral part of the territorial practices of state power” (Roy 2009b: 81; 84). In the next section, we further develop this point: by relying on the literature on state ethnography, we show how informality is used to accumulate resources and authority.

3. MARKET GOVERNANCE

In this paper, we engage with the above questions by looking at how markets are managed in Kinshasa: markets are key sites of urban governance, and allow to better understand the nature of (informal) governance. What does the literature on urban governance and market governance say about the ways in which informality is being negotiated?

First, significant attention has been given to the agency of actors within the informal economy in the urban context: what is the nature of political organization of market vendors? This has been approached in various ways. Informal groups can mobilize themselves through various forms of collective action, such as protest or riots, which Goodfellow (2013) calls the ‘politics of noise’, and which has been documented in a variety of contexts (Philipps and Kagoro, 2016). Equally, other work has looked at the ways in which organize themselves through various kinds of networks, in the situation of economic and political pressure and vulnerability (Lourenco-Lindell, 2002; Meagher, 2010)

Second, related with the above are the ways in which these forms of collective ac-

tion link up with the state and political elites: national-level politicians increasingly engage in the politics and planning of cities, and in particular in the informal economy. This largely happens for political reasons: capitals are mostly opposition strongholds, and by directly interfering, national-level actors want to both sabotage the opposition, and build political capital – more particularly by building up clientelist networks. In doing so, politicians sustain and protect actors within the informal economy, such as informal market traders: they make sure informal markets are not abolished, that they are protected from intrusive taxation or regulations, and so on (Goodfellow & Titeca, 2012; Titeca, 2014; Goodfellow, 2015; Fourchard, 2010). The reason is straightforward: actors within the informal economy are seen as ‘vote banks’, useful to mobilize votes in wider society and give direct votes. In other words, the mobilization and protection of actors within the urban informal economy plays important functions for politicians (Goodfellow, 2013, 2015; Titeca, 2006, 2012), who ‘instrumentalise disorder’ for political benefit (Chabal and Daloz, 1999). Yet, the impact for urban informal actors is not necessarily positive. Judith Tandler (2002) calls this the ‘Devil’s Deal’: although urban informal actors are offered protection in the short run, it negatively affects their interests in the long run, by undermining formal institutions of urban governance (such as labour rights). This has for example been shown extensively for Kampala in Uganda, where political interference “includes a dramatic manipulation of local political institutions and interference in contracts for local development projects” (Lambright, 2012: 49; Goodfellow and Titeca, 2012).

Particularly important for this paper is the literature on the African state: this literature highlights how the state and political elites do not only intervene for political reasons, but also for economic reasons (which in itself are closely tied to the political ones). From the late 70s and 80s onwards, the state has been disintegrating: states were no longer able to pay for the salaries of civil servants, and public services in general deteriorated (Bierschenk, 2010: 7-8; Bierschenk and Olivier de Sardan, 1997, 2003; Bates, 2008; Van de Walle, 2001). A key element in this is for example the strong decline in working resources for civil servants. As the state is no longer able to provide these, the civil servants look for them themselves – a process which Blundo (2006: 805) describes as the ‘informal privatization’ of the state. Pierre Englebert (2009) calls this process the capacity of legal command, in which civil servants use the legal-administrative powers associated with their state position to extract revenue from citizens – which are called ‘bribes’, ‘corruption’, or ‘informal taxation’ (Prudhomme, 1992). These dynamics do not only occur at a micro-level, but also on a meso-, and macro-level: on the one hand, various state actors compete for attractive positions in various levels of the state hierarchy, and use a variety of linkages to access these (ethnic, political, and so on). Of course, the more access to informal revenue a position gives, the more attractive this position becomes. On the other hand, in these circumstances, gatekeeper positions become a financial resource: access to attractive positions often involve payment to a superior, who acts as a gatekeeper (Malukisa, 2017; Baaz et Olsson, 2011).

These dynamics strongly manifest themselves in DR Congo. In his speech of 20 May 1976, President Mobutu famously encouraged his civil servants to ‘steal cleverly’: “If you want to steal, steal a little cleverly, in a nice way. Only if you steal so much as to become rich overnight, you will be caught.” (Gould, 1980: xiii). In doing so, public services became de-facto privatized in which all civil servants became part of a system in which not much choice is left but engaging in these practices. More generally, the state administration profoundly changed, and a struggle for revenue became a central defining characteristic of the functioning of the civil service: administrations were transformed into ‘parcels of power’, in which ‘each position in the administration

providing not only a wage, but also an opportunity for appropriation' (De Herdt, Marivoet & Muhirigwa, 2015: 49; De Herdt and Titeca 2017; Titeca and De Herdt 2011). For example, within the police hierarchy, it particularly are positions associated with the traffic police which are attractive, as they give access to a wealth of informal revenue (Baaz and Olsson, 2011; Malukisa, 2017). This also translates itself in the relations within the administration: civil servants often have to pay their superior for access to a particular position. In sum, bureaucratic and political clientelism came to characterize the policy-making process in which these exchanges have priority over basic development tasks. Corruption should be seen as part of this patron-client process, in which local-level corruption is tolerated, and encouraged in return for sharing with the patron (Gould, 1980: 105; Malukisa, 2017).

In this paper, we built further on the above insights, by looking at markets in Kinshasa. Markets are important sources of revenue for the state. Yet, as we will describe below, they are principally governed along informal lines, and a range of actors try to control their informal revenue streams.

Concretely, this paper aims to set out the various ways in which markets are controlled: it aims to analyse the various rent-seeking and patronage relations sustaining them, a practice which is called '*branchement*', referring to the informal connections which individuals seek with various high-level authorities. As we will see, these markets are governed by delicate equilibria of a range of social relations and patronage relations.

In the next sections, we will look in detail into these dynamics, by focussing on a number of markets, and the social and patronage relations underpinning them.

4. THE STRUGGLE FOR CONTROL OVER URBAN MARKETS: THE PRESIDENTIALISATION OF THE MARKETS?

Since the regime of President Mobutu, urban markets in Kinshasa are under the jurisdiction of the city: the governor of Kinshasa is formally recognized as the urban authority to not only appoint the administrators of urban markets, but also regulate their organization and functioning. Instead of concentrating power in the hands of the sole governor, the current decentralization process that began in 2007 has brought an institutional change: today, urban markets have become a matter of provincial government¹ led by a Governor who is no longer appointed by the head of state, but rather elected by a provincial assembly. In the governance of the markets, the decrees signed by the governor must be enforced by provincial ministers of finance, small and medium enterprises, decentralization, population and security.

In addition to the provincial government, the provincial assembly is another institutional actor that plays a significant role in this process: as the control mechanism of the provincial government, all members of provincial assembly must also ensure the good governance of urban markets which are legally considered as services generating revenue for the city².

In other words, on paper, urban markets are an exclusive matter of the city and its political institutions (provincial government and provincial assembly). Yet, the reality on the ground is different: urban markets present a major source of informal revenue for a variety of actors, which intervene in what in theory are strictly the city's affairs. Concretely and particularly, actors of the central government – and particularly the Presidency – intervene in the governance

[1] Arrêté n° SC/198/BGV/PSD/FINECO & IPMEA/PLS/2011 du 23 juillet 2011 portant organisation et fonctionnement des marchés urbains.

[2] Agence Congolaise de Presse. (2016). Des recommandations de l'Assemblée provinciale de Kinshasa pour rentabiliser les marchés urbains. Published on 06/01/2016 and accessed on 04/12/2017. <http://acpcongo.com/acp/des-recommandations-de-lassemblee-provinciale-de-kinshasa-pour-rentabiliser-les-marches-urbains/>

of these markets, to push through their own interests. In the next sections, we look at the two biggest markets in Kinshasa: the *Marché Central* and the *Marché de Liberté*.

4.1. **The *Marché Central*: the challenges of Build-Operate-Transfer (BOT)**

When people talk about urban markets in Kinshasa, all eyes are on the *marché central* (central market) that has been the pride of the Congolese capital for several decades. This market has existed since 1943, but it is from 1970 that it has experienced a remarkable boom following the work of its modernization launched in 1968 by President Mobutu (Ayimpam, 2014).

Located in the city center of Kinshasa, the central market remains at the center of large commercial exchanges that do not only benefit the Kinshais, but also populations and traders from other provinces of the DRC (Kongo central, Kwango, Kwili, Equateur, Kasai, Kasai central, Kasai-oriental, Lomami, Sankuru, etc.). It is particularly known for the abundance of manufactured goods and larger stores. According to the administration and the vendor's trade unions, there are between 13,000 and 15,000 vendors currently operating at the central market.

Under the effect of the deep socio-economic crisis, the infrastructure of the central market have deteriorated considerably since the 1990s. In a context where the state and the cities do not have substantial means to build or rehabilitate public infrastructures, the partnership with the private sector was seen as a way to overcome these constraints. That is why, in June 2005, then-governor of Kinshasa Jean Kimbunda signed an agreement with Mr Hassan, the general director of Safricom Sprl, a Congolese-based company, in order to rehabilitate the market following the model "Build-Operate Transfer"³ (BOT).

As observed in many developed and developing countries, the BOT "involves the investment of private risk capital to design, finance, construct, operate and maintain a project for public use for a specific term during which a private investment consortium is able to collect revenue from the users of the facility. When the consortium's limited term of ownership expires, title to the project reverts to the government at no cost. By then, the consortium should have collected enough revenue to recapture its investment and turn a profit on investment" (Levy, 1996: 1). Sometimes, instead of a consortium, a single company that has enough capital can do it too.

In the case of the central market, the BOT agreement between Safricom and the city of Kinshasa allocated USD 8,975, 674. 66 to the construction of stores, and approximately USD. 1, 572, 209. 50⁴ to the renovation of the entire market. Thereby, the central market should return to the city after 25 years of management by SAFRICOM which has the right to recover the capital invested. An amendment was issued on 04/10/2005 to reduce this deadline to 20 years.

Indeed, the nature of the investment, and particularly the amount of money involved, attracted significant interests from the presidency. In this context, key is that all large-scale projects must be carried out under the high patronage of the Head of State. The latter not only hopes to find financial interest, but also to gain some popularity on this occasion: by associating himself with large-scale infrastructure works, he hopes to increase his popularity. In addition, for some investors, having the support of an actor or state actors at the highest level of power is an insurance against the predation of other lower level state actors – who equally try to find financial gain in these practices. Concretely, this means that it are actors from the President's network who find themselves (formally or informally) at the center of major projects,

[3] This convention was signed on 13/06/2005.

[4] Article 3 of the Convention of 13/06/2005.

and actors which are not part of this network are pushed out. It is in this perspective that the then governor Jean Kimbunda, who was not popular or very influential, and not tapped into these networks, immediately lost his office after the signing of the aforementioned BOT agreement.

In December 2005, President Kabila appointed his principal advisor for infrastructure Kimbembe Mazunga (who clearly was more influential and more tapped into the Presidential networks) as Kinshasa's new governor. This appointment was clearly perceived as a strategic move by the Presidency – for political and financial reasons, it is necessary to place at the head of Kinshasa a person who would be entirely responsive and directly dependent on the network of the presidency: on the eve of the elections, the head of state needs to better control the city and it is important to have at the head of Kinshasa a person of trust. In addition, as a high-level official of the City Hall (*Hotel de Ville*) noted: “at the time we were aware that the presidency wanted to control Mr. Hassan's capital, the owner of Safricom”⁵. While the renovations proceeded under the new governor, they soon were brought to a standstill because of a one of the main pavilions – pavilion 1 - which became the theater of intense power struggle between the local (city) administration, the presidency, and Safricom.

In fact, during the Mobutu regime (1965-1997), the pavilion 1 was primarily used to sell agricultural produce (meat, chickens, eggs, etc.) from the presidential agro-industrial park called *Domaine Agro-Industriel Présidentiel de la N'sele* (DAIPN), a unit under the exclusive control of the presidency which had gone bankrupt since the 1980s. Following the fall of the Mobutu regime in 1997, the new president Laurent Kabila attempted to revive the activities of the DAIPN by placing it under the direction of a new presidential service called *Reserve Stratégique Générale*⁶ (RSG). The Manager of the RSG has deeply entrenched family ties to vice President Yerodia Abdoulaye Ndombasi⁷, who is very close to President Kabila and the presidential family.

Efforts to revive the agricultural production of DAIPN however proved unsuccessful, due to a lack of funding and a (consequent) lack of agricultural production. As the pavilion therefore remained unproductive, the administration of the *Marché Central* decided to put it at the use of various vendors and thus collect the needed revenues. RSG – the company managing DAIPN and hence responsible for its activities – however refused to abandon the pavilion. Instead, it launched its own activities on the pavilion under a parallel governance structure entirely independent from the established market administration. This was however detrimental to the activities of Safricom: as far as Safricom was concerned, these overlapping forms of governance were counter-productive to their investment. Safricom's investment was guaranteed as long as it was able to control the revenues flows from the entire market, including the pavilion 1: this situation partly explains Safricom's delay in recovering its invested capital. Moreover and importantly, within a general political system characterized by patron-client networks, the investment was ensured as long as it maintained strong and unencumbered relations with the centers of power, mainly the presidency. However, RSG's monopoly on Pavilion 1 posed a serious challenge to this: RSG's manager had much better and closer relations with the president - not least because she enjoyed the backing of her uncle, the vice-president Yerodia Abdoulaye Ndombasi.

[5] Interview of 23/05/2017.

[6] The mission of this presidential service is to stockpile strategic products through production and / or purchase in order to enable the State to cope with crisis situations, shortages and natural disasters.

[7] During the political transition that led to the 2006 elections, Yerodia was one of four vice presidents of the Democratic Republic of Congo.

This led to a situation in which the various actors pulled various formal and informal strings to claim their rights and revenue. For example, the RSG manager presented a registration certificate attesting that pavilion 1 formally belongs to the presidential service. Although this document was clearly in violation of the law – which states that urban markets are a provincial matter – it was a formal tool used by the RSG to claim the Pavilion. As stated in a report by the head of the division for infrastructures and public works: “the RSG rejected the renovation of the pavilion 1”⁸, and made this point clear in a letter addressed to the governor that bluntly stated that: “*the pavilion is our (RSG) property...*”⁹. Moreover, the governor Kibembe was unable to intervene to restore the city in its rights: being close to both vice President Yerodia as well as to RSG’s managing director, he was unable to reclaim the pavilion. At the end of his mandate in October 2006, on the eve of national and provincial elections, governor Kimbembe Mazunga was reappointed as principal advisor for infrastructure within the office of the presidency, leaving the issue of the pavilion 1 renovation unresolved.

In other words: although contested, important revenue streams of the central market (the ‘pavillion 1’) remain out of the hands of the Kinshasa provincial government, Safricom and are instead controlled by presidential networks, who naturally have more political leverage.

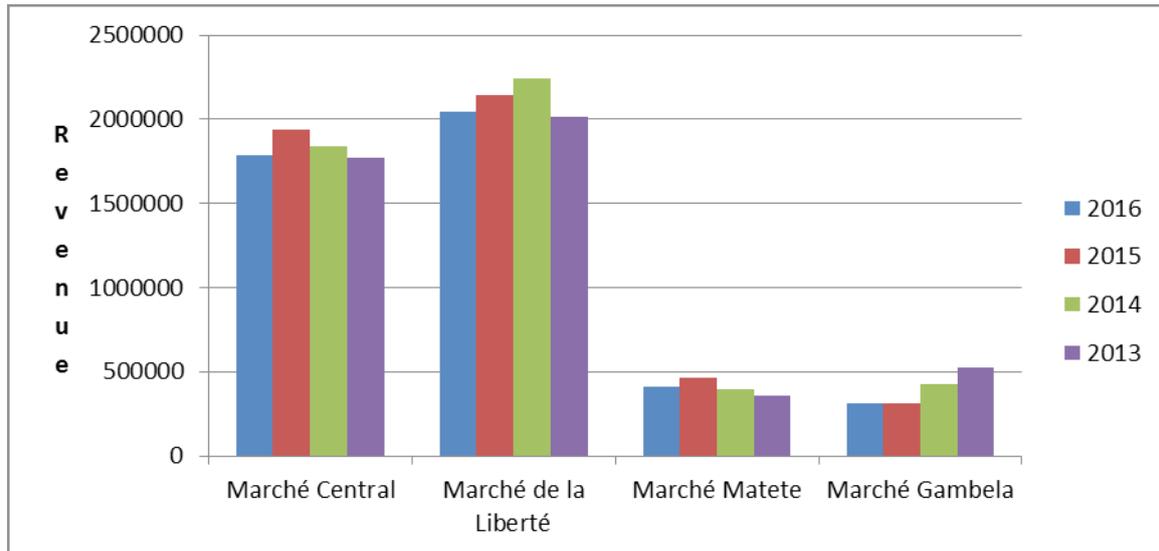
4.2. The ‘Marché de Liberté’: nothing for the city of Kinshasa

Before 2012, there are only two urban markets which the city can tax, against more than 400 formal and informal markets managed by the municipalities (Kiangebeni, 2012). In other words: the provincial government does not have much choice to increase its budget with the revenue from the markets. As a result, after failing to find much revenue in the “Marché Central” (first urban market), urban authorities became interested in the “Marché de la Liberté” (the second urban market). As shown in the figure below, it is the most profitable market in Kinshasa.

[8] Rapport du 03/03/2011 du chef de division urbain des ITP adressé au ministre provincial du plan, budget, des travaux publics et infrastructures, p 2.

[9] Idem

Figure 1. Annual revenue from urban markets in Kinshasa in US dollars¹⁰ from 2013 to 2016



Source : Provincial Ministry of finance, Kinshasa accountability reports (rapports de reddition des comptes) from 2013 to 2016.

The Marché de la Liberté has high symbolic value for many Kinois: it was created in 1999 by President Laurent Kabila as a token of gratitude to the inhabitants of the communes of Kimbanseke, Masina and N'djili in the district of Tshangu, who had fought against the invasion of Rwandan forces and the Rassemblement Congolais pour la Démocratie (RCD).¹¹ Following the assassination of Laurent Kabila in 2001, President Joseph Kabila continued the construction works of the market which he inaugurated on 25 April 2003. According to the vendor's trade unions, there would be between 10,000 and 13,000 sellers in this market.

Despite the fact that it is legally considered as a market of the city of Kinshasa, it turns out that since the beginning of its operations, the governance of the Marché de la Liberté has remained out of control of the city of Kinshasa. Also here, this is related with the power of the Presidential networks. This happens in various ways: first, there is the 'Laurent Désiré Kabila Foundation' to whom the market administrator reports instead of the city that is legally recognized as the owner of the market. The Foundation, named after the former president Laurent Désiré Kabila, is controlled by Jaynet Kabila, who is the twin sister of the current president Joseph Kabila, member of the national parliament since 2006 and overall a particularly influential person in the DRC politics. Second, there is the power of the market administrator, which has been appointed by the presidential family in 2003, and is in power to today. Under the patronage of Kabila family, the market administrator wields significant power, allowing her to contest and bypass decisions from urban authorities. In other words, the Marché de la Liberté has effectively been captured by the presidential family and other networks close to it. Let us give a few examples.

First, it should be noted that the organization and functioning of urban markets is

[10] The amounts in these reports are in Congolese francs, they have been converted into US dollars at the exchange rate indicated in the same reports.

[11] Le Potentiel (2013), Congo-Kinshasa : Commune de Masina – Le marché de la liberté fête ses dix ans d'existence. Published on 30/04/2013 and accessed on 01/11/2017. <http://fr.allafrica.com/stories/201304300740.html>

regulated by a 2011 decree of the provincial government (signed by the governor and two provincial ministers who represent the supervisory authority of these markets)¹². Despite this decree and other legal instruments¹³, the market administrator continues to govern the market by ignoring these legal structures; instead relying on other sources of legal-formal power. For example, she has retained her title as “chargé des missions” (head of mission), used in the previous decree in 2003, instead of administrator, as stipulated by the current decree. Indeed, the term “Chargé de mission” is generally used in Congolese public institutions to designate a person who has received a specific mission from the Head of State or a Minister. In doing so, the term reflects a power intimately linked to a high-level public authority, which is why the Marché de la Liberté administrator prefers to maintain this title of “chargée de mission”: it implies her superior power compared to the other administrators of urban markets or urban authorities.

This also manifests itself in the management of the market: state agents, such as the head of the urban administration, who have the mandate to control various aspects of the governance of markets in Kinshasa are kept at arm’s length, including in the collection of taxes. As the head of urban administration noted: “state agents are very simply considered as *persona non grata*” within the premises of the Marché de la Liberté. The same goes for trade unions. As the President of the market vendor’s trade union (SNVC), explained: “over there, it’s madame ‘chargée de mission’ who makes the law”¹⁴. Fearing arbitrary arrests, many trade unions do not operate inside the market. An advisor at the provincial government in Kinshasa noted that: “the marché de liberté can be compared with the Vatican, which means a state within the state”¹⁵.

In this situation, the Marché de la Liberté is not governed as a state public entity, but as a private company solely controlled by agents who are financially and politically accountable to the presidential family: revenues are collected privately and beyond public scrutiny; the staff do not hail from the public administration but from presidential networks; the chef de division is not associated in the recruitment of personnel; taxes are not collected by the mandated public servants but by individuals outside the public administration. In short: through her presidential ties, the administrator has effectively repurposed the market as a vehicle for rent generation. An advisor to the provincial minister lamented that: « until today, there is a management committee in the market which is directed by Madame ‘chargée de mission’, although this function does not exist in the governor’s decree. It all goes above our heads. In any case, this market has loose electrons and does not function as the other urban markets”. As a result, the provincial government quickly realized they were unable to collect any tax revenue. In the words of a provincial advisor: “Urban authorities realize that they could not go any further”¹⁶.

These dynamics are indicative of the importance of ties with the presidential family, which supersede any established urban authorities and existing legal frameworks: the balance of power is tilted in favor of the administrator (and the presidency) at the expense of urban authorities. The president of the SNVC trade union for example noted that provincial ministers, whose office normally take precedence over the administrator, do not have any power over her. He recounted that: “ We once attempted to reproach Madame Chargée des Mission’s unlawful sale of table renewal forms prohibited by the governor, but she refused to comply. Running out of

[12] Arrêté n° SC/198/BGV/PSD/FINECO & IPMEA/PLS/2011 du 23 juillet 2011 portant organisation et fonctionnement des marchés urbains.

[13] Such as the taxes decree or instructions from supervisory authority.

[14] Interview of 11/08/2017.

[15] A further indication of these power dynamics is for example that the market administrator does not attend any of the regular mandatory administrators’ meetings convened by the provincial ministers.

[16] Interview of 17/08/2017 with a provincial government advisor.

options, the Minister told her that he would wash his hands of the entire affair as she constantly refused to be submitted to established authorities. In other words, even a provincial Minister who is legally and politically superior to the administrator has no power over the administrator.

4.3. Markets, presidential control and revenue collection

The above analysis shows how presidential actors are actively seeking to control rents generated by urban markets, in violation of established legal frameworks, by relying on a variety of allies. In doing so, the presidential networks are more powerful than the provincial government, which is unable to tax a significant amount of its territory: the provincial government does not succeed in collecting in two main sources of revenues, i.e. the *Marché de la Liberté* and *Marché Central* (more particularly pavilion 1).

Yet, it equally is important to highlight how these power networks are fragile. Even those with close links to the presidency are not sure of their position: also within these networks, there is competition for power and revenue. This became further clear in the continued conflict around the pavilion 1: in January 2008, a conflict emerged between the RSG manager and a number of presidential advisors, who themselves wanted to take control over the pavilion. Given the high income out of the pavilion, a range of actors wanted to control the pavilion – including presidential advisors. Moreover, the political support network around the RSG manager had changed: her main source of political support, Yerodia Abdulaye Ndombasi, no longer was vice-president (instead serving as senator). Moreover, the new chief of staff to the president, Adolphe Lumanu, sided with advisors who were aiming to control the pavilion 1. As a result, the special advisor to the president for Agriculture, Fishery and Livestock managed to seize control of the pavilion 1. From then on, the governance of the pavilion was within the responsibility of the special advisor to the president for agriculture, fishery and livestock; and no longer the domain of the former manager. In sum, rather than being a homogenous entity, also the presidency is characterized by competing networks¹⁷: also these networks are characterized by internal power struggles and fragmentation.

5. FROM MUNICIPAL MARKETS TO URBAN MARKETS: THE GAMBELA AND MATETE MARKETS

In an effort to increase their revenue out of markets, the governor of Kinshasa decided in 2012 to amend the status of two municipal markets - Gambela market and Matete market - turning them into urban markets: as they had difficulties in accessing their existing urban markets, the provincial government created new ones. In this section, we will explore how the provincial government aimed to extract (formal) revenue out of these markets.

Gambela market (created in 1952) and Matete market (created in 1968) are respectively located in the Communes of Kasavubu and Matete. These last two are considered as the 3rd and 4th markets of Kinshasa in terms of revenue (see Figure 1). In essence, the May 2012 decrees stipulated that both markets would be within the jurisdiction of the urban authorities (i.e. Kinshasa) instead of municipal ones (i.e. Kasavubu and Matete). This decision had numerous implications. For the mayors of Kasavubu and Matete, this meant that their sources of revenue would be reduced: prior to the amendment, the municipality collected 60 percent of revenues from display fees (*taxe d'étalage*) and 40 percent from the management of markets. However, with the new amendment, they could only collect 30 percent of display fees, losing out half of

[17] Other factors are different family networks, the Katangan network, the network of former advisors to Laurent Désiré Kabila, the networks of new advisors to the president etc.

their revenues. Adding to this was also the fact that the municipalities were already facing serious financial constraints because of the failure of the provincial government to retrocede tax income to the municipalities (the *retrocession*).¹⁸ How did the markets react to this?

5.1. **Gambela Market.**

First, let us look in detail what happened in Gambela market where between 3,500 vendors and 6,000 vendors operate, according to respectively the market administration and vendors' trade union. To begin with, relations between the administrator of the Gambela market and the mayor of the commune Kasavubu were already tense before the introduction of the decree: the former was appointed by her son-in law, the governor of Kinshasa, who is at the same time president of the provincial committee of the presidential party in Kinshasa (PPRD). The latter is a defector from the opposition political party Mouvement de Libération du Congo (MLC) – in other words, the mayor had less political clout than the market administrator. This situation allowed the administrator of the Gambela market, commonly known as 'Mama Landlord' ("*maman lopango*") to keep the mayor at arm's length in the management of the market; a situation which was further strengthened through the new measures.

Since the commune (through the new measures) had lost a substantial part its revenues from the market, the mayor encouraged his services to exploit the informal markets around the Gambela market: these markets are commonly called 'pirate markets' ("*marchés pirates*"), as they are formally not supposed to be there. However, from the early morning until the evening, the agents of the commune collect (informal) taxes in these pirate markets. These informal taxes bring substantial revenue for the commune, more than the retrocession which the commune receives from the administrator of Gambela (and its formal taxes).

In other words, the new administrative status of Gambele market, with its changed revenue structure, led to an intensified struggle for revenue between the commune and the market administration. In its quest for (informal) revenue, the services of the municipality encouraged some vendors to leave Gambele market, and instead to sell their goods in the pirate markets. For example, every Saturday morning (up to 10 hours) is devoted to the operation commonly known as "Salongo", which consists of cleaning markets and evacuating rubbish. Meanwhile, the market is closed and no vendor is allowed to work. However, in the pirate markets around Gambela, the municipality does the opposite: when the official market is closed, small informal markets are open, and many vendors are on the street selling their products. This practice partly explains the significant decline of the Gambela market revenue every Saturday.

5.2. **Matete market**

Let us now shift to Matete market where between 3200 and 5000 vendors work, according to respectively the market administration and the vendors' trade union. What was the political-social equilibrium in this market, and how did the new decree affect this political ecosystem? Here, the administrator is the wife of the Mayor of Matete, who is generally considered to be in good terms with the provincial government: he (the mayor) was often referred to as "*pire mutu ya gouv*" (the governor's trusted man). These various dynamics set the scene for the ensuing power struggle that unfolded over time.

Concretely, the fact that the market administrator was the mayor's wife, made that

[18] Le Congolais (2013), Kinshasa – Des communes réclament des moyens pour leur assainissement. Published on 22/11/2013 and accessed on 02/11/2013. <http://www.lecongolais.cd/kinshasa-des-communes-reclament-des-moyens-pour-leur-assainissement/>

the mayor of Matete often interfered in the management of municipal markets. This led to a conflict within the managing committee of the Matete market: on one side the market administrator and her husband the mayor, and on the other side the managing administrator in charge of finance (ADAF) and the technical and environmental managing administrator (ADT). The ADT and ADAF first denounced the excessive centralization of power and unilateral management of the market by the administrator and her husband. They further highlighted numerous examples of mismanagement and unlawful practices taken by the administrator, including: “Failure to officially record and disclose all market revenue streams; misappropriation of transport allowance by unauthorized third parties; non-payment of bonuses; blatant and unlawful recruitment of market agents without prior consultation with management committee; embezzlement of funds”. For example, only 8 percent of revenues were allocated to the market sanitation, instead of 50 percent as required by the provincial government. Another example was the “unlawful dismissal of career agents sent by the Kinshasa City Hall, who were illegally replaced by recruits coming from the municipality¹⁹”.

This enduring conflict led to the involvement of other actors: between 2013 and 2016, the provincial government, the provincial parliament and the National Intelligence Agency (*Agence Nationale de Renseignement*, ANR) investigated these matters without arriving at a definite solution. Equally unsuccessful were efforts undertaken by a number of urban authorities (such as the head of the urban division and police commanders), who tried to mediate.

The power struggle intensified in late 2016. On 28 October 2016, for example, the ADT alleged that the couple (mayor and administrator) had made kidnapping attempts, arbitrary arrests, verbal and physical aggressions against him, and manipulated the police and the Matete’s public prosecutors to settle political scores.²⁰ The mayor and his wife, however, adamantly rejected all these allegations, and instead considered themselves victims. In order to find a solution to the mounting tension, the provincial government decided to get involved in the matter. The provincial Minister for Population, Security and Decentralization asked the Attorney General of Matete to carry out investigations in order to be appraised of the ongoing situation.

Initially (and surprisingly), the provincial minister ordered disciplinary action against the ADT for several offences. Ultimately, the provincial government decided to rotate the market administrators instead of laying them off. (As we will show below, this planted the seeds for future power struggles.) As the *Marché de la Liberté* and the *Marché Central* were out of the reach of local authorities for reasons we have already mentioned (they are controlled by the presidential networks or the actors benefiting from the protection of this network), the rotation of administrators could only be done between the Gambela market and the Matete market, because of which the Gambela market administrator was appointed with the Matete market, and vice-versa.

[19] Rapport du 20/07/2013 présenté à madame l’administrateur par l’ADF et l’ADT, p 1.

[20] The ADT explained that the couple had resorted to using criminals, and in particular the administrator’s brother, Edingwe Moto na Ngenge: a wrestler who is known in Kinshasa for his use of witchcraft. The latter allegedly performed secret ceremonies in the administrative building of the market on 27 October 2016 to “neutralize” his sister’s enemies, and the following day, the ADAF “fainted and was urgently taken to the OMECO Hospital of Matete, as a victim of various diabolical ceremonies performed the previous day...”. The ADT further denounced numerous incidents of abuse of power in a series of correspondences to various local and provincial authorities. For example, the ADT denounced attempts by the mayor and the administrator to stir up ethnic tensions in the management committee. The ADT explained that: “In a private appointment convened by the mayor and his wife, they asked the ADF to distance himself from the ADT because he came from a different province (he is Swahili). The ADT rejected such a deliberate attempt to sow discord within the management committee by politicizing ethnicity” Lettre du 21/11/2016 de l’ADT adressée au ministre provincial de la population, sécurité et décentralisation.

5-3- **Power networks in Kinshasa’s urban governance: the power of ‘connections’ (branchement)**

What does the above tell us about the governance practices in Kinshasa’s markets?

First, the political relations between the markets and the surrounding actors (municipalities, province, and so on) are a complex political eco-system, relying on fragile equilibriums and deals between various actors: the underlying thread in these relations is that various actors try to control the managing committee of the market, in order to control the revenues coming out the market. Changing rules, such as the one introduced above (changing the status to urban markets), have a major effect on this equilibrium.

Second, a key element is how all individuals build up their power through the various political connections they wield: state actors derive their bargaining power through various forms of relations, which provide them with a competitive advantage for access to lucrative positions – a practice which is widely called ‘*Branchement*’ - connections. In the next subsections, we develop the various linkages which constitute these connections.

a. Family, tribal and regional ties/links

Our research shows how family links play an important role in these connections: Public authorities see themselves as accountable to their family (whether extended or restricted family). This is even more so when they have directly or indirectly benefited from material support from their family, which forms the basis for future reciprocity. When they acquire positions of power, in particular the ‘power of appointment’, they often designate their family members in important positions. This also became clear in the above case-studies: the governor appointed his mother-in-law as market administrator in Gambela Market; President Kabila’s twin sister is managing the Laurent Kabila Foundation, the governing body of Marché de Liberté; Matete market is managed by the mayor’s wife, and so on.

Another option is to directly provide financial assistance to family, tribal or regional members who can secure their access to rents. For example, it is not uncommon for market administrators to give a sum of money to provincial ministers, such as a periodic share of income out of the market. On the basis of this, public authorities who have family, tribal or regional links with local actors are seen as their “protector” or “guarantor. As a consequence, abuses by family members are rarely punished as they would directly or indirectly go against the nature of their relations. This is also the case for tribal and regional linkages, which rely on similar mechanisms.

b. Partisan lines

Political parties are seen as vehicles for political appointments. As president of the PPRD in the city of Kinshasa, the governor is also accountable to members of the PPRD, in particular those without any office or positions in public companies. In some cases, some members are directly recommended to him by the highest authority of the party (i.e. the general secretariat). Those who are appointed are also expected to financially contribute to the political party. Failing to do so might lead to their dismissal or their replacement with other party members. An administrator of the market stated that: “you also have to think from time to time of an influential party member which can protect you, by sending him for example goods or phone credit²¹”.

There may also be conflict of interests between partisan lines, family ties and tribal and regional ties. This was for example the case for the Marché de la Liberté were key positions

[21] Interview of 17/09/2017.

were offered to party members from eastern Congo (in particular Katanga and Maniema), who often wield much better relations with the presidency. Less dominant party members from other regions (e.g. Bandundu and Kongo Central) are often placed in other markets.

In the case of the Matete market, tribal and regional affiliation were partly at the root of conflicts in the management committee, especially regarding the distribution of revenues. In a letter to the supervisory authorities, the ADT (originally from Kivu) noted that: “In order to divide and rule, the mayor and his wife advised the ADF to distance himself from the ADT because he came from a different province: the assumption being that because the ADT was Swahili he could not possibly cooperate and collaborate with people from a different province...”. After being dismissed, the ADT relied on his tribal networks to secure a position in the cabinet of the current governor or South Kivu.

c. Financial and material interests: patronage and kickbacks

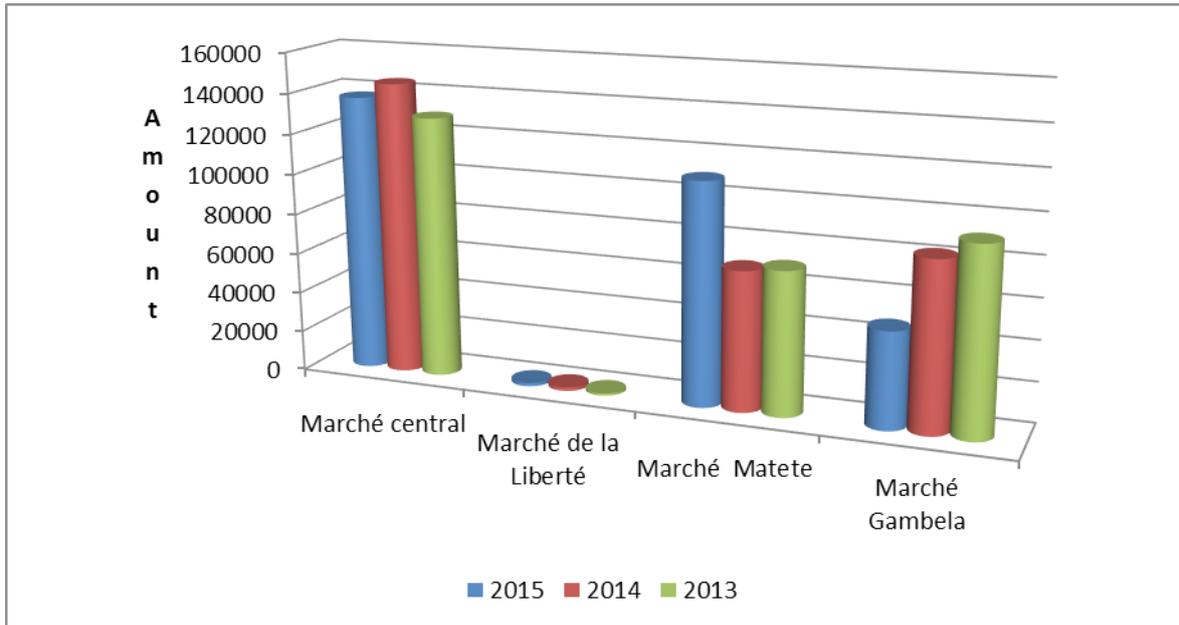
An important mechanism underlying these ‘connections’ (*branchement*) are direct financial and material inputs. In a typical patron-client relation, public authorities and their advisors offer protection in the event of power struggle to various actors within urban markets. Informal kickbacks play an important role in this: clients (actors at the local markets) have to “grease the wheel” in order to remain within the protection and favour of their patron by providing various forms of kickbacks, including money or food products. Failing to do so renders their position vulnerable. Although family, regional, and political affiliations play an important role in securing positions, they all are firmly embedded in this logic. This also makes that actors can create these linkages, and link up with protectors: various public authorities receive rents from market administrators, while at the same time some advisors have access to vending stalls in markets that their spouses, children or family members can freely use to sell their products. The same applies to several advisors to the governor.

5.4. The effects of connections ‘branchement’

Two other effects of these ‘connections’ are worth exploring: first, how they materialise on a larger (meso-) scale; and secondly, how these connections creates a situation rife with conflicts.

First, while these connections are located on an individual level, they clearly produce effects on a larger-scale. This becomes clear when we look at the relations between urban markets, communes and the provincial government. In theory, (and as indicated above), urban markets and communes are entitled to a retrocession regulated by the provincial government. In reality, however, this is not always been the case. Crucially, what determines access to these funds are (again) not the formal rules in place, but instead the relative power of the market administrator and the mayor or urban authorities: how well are each of these actors connected to the centers of power at the national or provincial level? The graph below shows the situation for the four urban markets between 2013 and 2015.

Figure 2. Retrocessions in USD paid between 2013 and 2015 by the four urban markets on behalf of neighboring municipalities



Source : Provincial Ministry of finance, Kinshasa accountability reports (rapports de reddition des comptes) from 2013 to 2015.

As shown on the chart above, the *Marché de la Liberté* stand out from all the other markets. Between 2013 and 2015, only USD 1116 and 1775 were retroceded by the *Marché de la Liberté* towards the municipalities of Masina, Kimbanseke and N’djili which are formally recognized as beneficiaries, while the retrocession in other markets varied between USD 47,506 and 144,925. The differences are even striking considering that the *Marché de la libéré* generates the highest revenue (see graph 1). How can this be explained?

Our research shows how this depends on the relative power of the mayor and the market administrators. Concretely, the *Marché Central*, the Gambela market and the Matete market have mayors affiliated with the presidential political parties. As such, they have a large margin of maneuver to negotiate their retrocessions by sometimes soliciting the intervention of the most influential members of the presidential party (PPRD) in their favor. In the words of an advisor at the provincial government: “wolves do not eat each other”. However, the *Marché de la Liberté* is within the jurisdiction of mayors from the political party PALU (parti Lumumbiste unifié), an ally of the PPRD. Although this party was an instrumental player for Kabila during the 2006 elections, they lost much of their influence after the 2011 elections: having no longer an influential person in the central government, the mayors did not have much bargaining power to claim and negotiate a fair share of their retrocessions.

Second, another major effect of the importance of ‘connections’ is a situation rife with conflicts: everyone is looking continuously to improve his or her connections, which in turn should allow for more income-generating opportunities. Particularly connections with the Presidency are sought after, and in second place with the provincial government or provincial assembly. Whatever connections one has, these often lead to a showdown, particularly when the leverage of these connections in themselves change: for example, when the higher-level actors change position and lose their power, or when the lower-level actor themselves move to a

new place, where the power of these connections are less useful, in an absolute or relative sense (e.g. when other actors in the new locality have more powerful connections). An example of this is the conflict on Matete market we mentioned above: the conflict between the ADAF & ADT on the one hand, and the mayor and his wife, the market administrator on the other. The latter had connections with the governor, provincial minister and an influential member of the provincial assembly. The former had connections with members in the Presidential party, which allowed them to resist attempts of the mayor and the administrators. However, when these members of the presidential party joined the opposition in 2015, their bargaining power had weakened considerably: they no longer had any influential backing. A former deputy secretary of the PPRD had also pointed out to the ADT that “we could not intervene earlier... It’s a pity because it’s difficult to intervene in the current stadium, but life moves on..” As a result, the ADT and ADAF were no longer able to protect their position, and lost their jobs at the market.²²

Conflicts also materialize when lower-level actors arrive in new contexts, where they potentially threaten the position of other actors. As argued above, the conflict in Matete market led to a rotation of the market administrations between Matete and Gambele markets in December 2016. What was the effect of these changes on the politico-social configurations in place? In this section, we will briefly show how the rotation of the market administrators led to a clash of the ‘connections’ in place, as well as the emergence of new forms of patronage networks and revenue maximization schemes.

First, in Matete market, the mayor no longer had his wife as the administrator of the market: the new administrator managed to curtail the influence of the mayor’s in the management committee. As a result, the mayor soon started looking for new ways of rent-generation: many agents of the market noticed that “There was a conflict of interest in the management of the market. While the mayor challenges the governor’s authority, taxes were being collected by agents of the commune instead of agents of the market, and this resulted in a complete mess”.²³ In particular, they complained that the mayor was abusing his authority: frustrated by the lack of access to the market, the mayor began to expand the informal markets (*marchés pirates*) - by even annexing part of the official market in order to collect much more taxes.

Second, the situation at the Gambela market was much more difficult: the newly appointed administrator sought to change the rules of the game in her favor – by trying to expand her possibilities for rent-seeking. Her first attempt was with the expansion of tax collection.²⁴ This decision was however swiftly rejected by the trade unions. In response, the administrator decided to no longer give the trade unions access to the retrocession to which they are entitled.

Her next attempt at rent-generation was by interfering in the missions of other public administrations operating in the market: many civil servants complained about these interferences and abuse of authority. As an office manager pointed out: “people began to regret the departure of the governor’s mother-in-law, who at the very least empathize with us”. He further added that “...she even tried to interfere in my responsibilities, luckily, I am well connected within the presidency. Eventually, she came to the realization that she could not play the same game here. However, she managed to seize control of the PMEAs, the organ responsible for

[22] The ADT is in the cabinet of the new governor of South Kivu while the ADAF remains unemployed

[23] Interview of 06/07/2017 with the new ADT of Matete market.

[24] More in particular with the “sanitation tax”: normally, the sanitation tax was collected three times per week under previous administrators. However, in an effort to maximize her revenue, the new administrator demanded that the sanitation tax be collected on a daily basis, as was formerly the case in Matete market.

identifying sellers or vendors”. Furthermore, she reduced the daily allowance of certain public services in the market, or prohibited the collection of certain informal taxes which herself seeks to control. More particularly, she tackled the informal revenue collection by the police, instead claiming these revenues herself. This in turn created a conflict with the police officers, who decided to take retaliatory measures, justifying that “Since we are not benefiting under her management, we will make her work difficult because she is still under the illusion that she has the same power here as she had at the Matete market. She must understand that there are things she cannot do here at the Gambela market ”.²⁵ They did so by prohibiting informal markets, which are a major source of revenue for the market administrator. In return, the administrator in turn also relied on her networks she appealed to the Military Police²⁶ to intervene, who descended at the Gambela market in order to “call to order” the police. These tensions have led to a series of continuous conflicts and negotiations, involving a variety of actors such as the trade unions, the governor, provincial ministers, and so on. Until today (January 2018), the market is still characterized by a climate of conflicts, in which various attempts at reconciliation have failed, and in which both sides use the connections and instrument at hand to push through their interest.

In sum, the above sections has showed how ‘connections’ produce different effects in space and time: when patrons lose their political power over time, this in turn has consequences for the lower-level actors, who equal lose power (and the consequent access to revenue). These connections also produce different effects in space: the relative power of particular connections might reduce on a different locality, where other actors have more powerful connections.

[25] Interview 02/07/2017 with a police commander in the Gambela market.

[26] A branch of the security services responsible for policing both the armed forces and the police

6. CONCLUSIONS

In this paper, we have looked in detail in how urban markets are governed in Kinshasa, and particularly how its revenue is governed.

Similar to what was described in the theoretical introduction, informality is used as an instrument of accumulation by a variety of actors, who all try to gain access to the revenue generated by markets. As the literature describes, this access – and consequent governance practices – is of negotiated nature, in which everyone tries to establish the right ‘connections’ – a term called ‘branchement’, and which is central to understanding the ways in which markets, and urban institutions in general, function. The ‘negotiated’ nature of these relations only shows part of the reality, much of these relations are characterized by conflict, largely evolving the (financial) resources generated by markets. While these conflicts manifest themselves in and around the markets, they are multi-levelled in nature, as the market actors rely on their connections with higher-level actors, which often are politicians: particularly actors situated around the Presidency control large revenue streams around markets, while also other actors (such as from the provincial government) try to do so. In this context, the urban informal economy is a site of ‘intense political competition’ (Lourceno-Lindell, 2002: 3) – not necessarily in the sense of electoral gain, but in the sense that political elites try to gain access to market revenue, by linking up with actors on these markets.

Overall, this paper has described how markets are complex ecosystems of power, characterized and guided by relations within and outside these markets. A guiding principle for these relations is extraction, in which various lower-level actors rely on relations with higher-level actors to extract as much as possible revenue. While these relations are pretty fixed, these equilibria are easily disturbed, through a range of micro-conflicts, often resulting in new appointments or arrangements. The actions of these various actors, particularly the ones operating on the markets, is reminiscent of De Certeau’s tactics: market actors operate on a terrain “imposed by the law of a foreign power” (De Certeau, 1984:35-37). This is different from strategies, which are associated with calculations of power relationships over which the subject has a degree of control. Tactics do not have the option of planning a general strategy but rather operate “in isolated actions, blow by blow. It takes advantage of ‘opportunities’ and depends on them.” (De Certeau, 1984: 37). In other words, the power of the market actors remains limited: even with the right connections, they remain dependent on these connections, and the relative power of these. When their patron loses power, or when actors appear with more powerful connections, they lose power and revenue. These connections are therefore fragile in time and space: patrons might lose their job, or while connections might work very well in one context, they do not in another. Also presidential networks are fragile: it has been shown how there are power differences and struggles within the presidential networks, also for control over market revenue. In other words, market actors are largely dependent on structural circumstances, which they navigate by continuously looking for better connections, but are vulnerable due to their dependence on these connections.²⁷ In doing so, this paper highlights the need and importance for looking at the informal vertical informal connections through which urban actors navigate their positions

[27] In this way, ‘branchement’, and the navigation associated with it, is reminiscent of Hansen and Verkaaik’s (2009: 20) concept of ‘urban infrapower’, and particularly how this is connected to brokerage: informality as a distinct mode of knowing the city which is not that are “neither fully visible to an outside gaze, nor officially codified, but also neither concealed nor secret (...)It is ‘brokerage’ in that it enables and facilitates economic flows through connections, obligations or friendships”. In doing so, it is an informal way of organising that ‘works with, through and against formal modes of knowing the city’ (McFarlin and Waibel 2012: 8).

and livelihoods. By looking at the most important markets in Kinshasa, we have highlighted the limited terrains of powers which actors operating in these markets have – administrators and traders – and how higher-level machinations have a profound impact on the way in which these markets and local-level urban governance function.

BIBLIOGRAPHY

- AlSayyad, N. (2004). 'Urban informality as a "new" way of life.' In A. Roy and N. Alsayyad (Ed.), *Urban informality: transnational perspectives from the Middle East, Latin America, and South Asia* (p. 7-26). Lanham, MD: Lexington books.
- Ayimpam, S. (2013). *Economie de la débrouille à Kinshasa. Informalité, commerce et réseaux sociaux*. Paris : Karthala.
- Baaz, M.E. & Ola O. (2011). Feeding the Horse: Unofficial Economic Activities within the Police Force in the Democratic Republic of the Congo, *African Security*, 4:4, 223-241
- Bates, R. H. (2008). *When Things Fell Apart. State failure in Late-Century Africa*. Cambridge: Cambridge University Press.
- Bierschenk, T. & Olivier de Sardan, J.-P. (2003). Powers in the village: rural Benin between democratization and decentralisation. *Africa*, 73 (2), 145 – 173.
- Bierschenk, T. & Olivier De Sardan, J.-P. (1997). Local Powers and a Distant State in Rural Central African Republic. *The Journal of Modern African Studies*, 35 (3), 441-48.
- Bierschenk, T. (2010). *States at Work in West Africa: Sedimentation, Fragmentation and Normative Double-Binds*. Mainz University, Department of Anthropology and African Studies (working paper nr 113).
- Blundo, G. (2006). Dealing with the Local State: The Informal Privatization of Street-Level Bureaucracies in Senegal, *Development and Change*, 37(4), 799–819.
- Chabal, P & Daloz, J.P. (1999). *Africa Works: disorder as a political Instrument*. Oxford: James Currey.
- Daniels, P.W. (2004) 'Urban challenges: the formal and informal economies in megacities.' *Cities*, 21(6), 501-11.
- De Certeau, M. (1984). *The Practice of Everyday Life*. Berkeley: University of California Press.
- De Herdt, T., Marivoet, W. & Muhigirwa, F. (2015). Vers la réalisation du droit à une éducation de qualité pour tous, UNICEF RDC.
- De Herdt, T., & Titeca, K. 'Governance with empty pockets: the education sector in the DRC', *Development and Change*, 47(3): 472-494.
- Englebert, P. (2009). *Africa: Unity, Sovereignty, and Sorrow*. Boulder: Lynne Rienner.
- Fourchard, L. (2010). Lagos Koolhaas and Partisan Politics in Nigeria, *International Journal of Urban and Regional Research*, 35(1), 40-56.
- Goodfellow, T. (2015) "Taming the 'Rogue' Sector: Studying State Effectiveness in Africa through Informal Transport Politics". *Comparative Politics* 47 (2), 127-147.
- Goodfellow, T. & Titeca, K. (2012). Presidential intervention and the changing 'politics of survival' in Kampala's informal economy, *Cities*, 29(4), 264-270.
- Goodfellow, T. (2013). The Institutionalisation of "Noise" and "Silence" in Urban Politics: Riots and Compliance in Uganda and Rwanda, *Oxford Development Studies*, 41(4), 436-454.
- Gould, D. (1980). *Bureaucratic corruption and underdevelopment in the Third World. The case of Zaire*. New York: Pergamon Press.
- Hansen, T. B. and Oskar, V. (2009). Introduction – Urban Charisma On Everyday Mythologies in the City, *Critique of Anthropology*, 29(1), 5-26.
- Kiangebeni, A. (2012). *Les négociations collectives des taxes dans les marchés de Kinshasa*, Ligue pour les Droits de la Femme Congolaise.
- Levy S. M. (1996). *Build Operate Transfer: Paving the Way for Tomorrow's Infrastructure*, New York: John Wiley & Sons.
- Lindell, I. (2010). *Africa's Informal Workers: Collective agency, Alliances and Transnational Organizing in Urban Africa*. New York: Nordic

Africa Institute.

Lourenço-Lindell, I. (2002). *Walking the Tight Rope: Informal Livelihoods and Social Networks in a West African City*, Stockholm Studies in Human Geography no. 9, Stockholm: Acta Universitatis Stockholmiensis.

Malukisa Nkuku, A. (2017). « Courtoisie routière » à Kinshasa et à Lubumbashi : un instrument politique pour le maintien de l'ordre public, *Revue internationale des études du développement*, 231 (3), 9-31.

McFarlane, C. and Michael, W. (2012). Introduction. The informal-formal divide in context (1-12). In McFarlane, Col. (Ed.), *Urban Informalities. Reflections on the formal and informal*. Oxon: Ashgate Publishing.

Meagher, K. (1995). Crisis, Informalization and the Urban Informal Sector in Sub-Saharan Africa. *Development and Change*, 26(2), 259–284.

Meagher, K. (2010). *Identity Economics: Social Networks and the Informal Economy in Nigeria*. Suffolk: James Currey.

Monteith, W. (2016). *Heart and struggle: life in Nakasero Market 1912-2015*. Unpublished PhD dissertation, School of International Development, University of East Anglia.

Philipps, J. & Kagoro, J. (2016). The Metastable City and the Politics of Crystallisation: Protest and Policing in Kampala, *Africa Spectrum*, 51 (3), 3–32.

Prud'homme, R. (1992). Informal local taxation in developing countries, *Environment and Planning C: Government and Policy*, 10, 1-17.

Rakodi, C. (1997). *The Urban Challenge in Africa*. Tokyo and New York: United Nations University Press.

Roy, A. (2009a). Strangely familiar: planning and the worlds of insurgence and informality, *Planning Theory*, 8(1), 7–11

Roy, A. (2009b). 'Why India cannot plan its cities: informality, insurgence and the idiom

of urbanization', *Planning Theory*, 8(1), 76-87.

Roy, A. (2009c). The 21st-century metropolis: new geographies of theory, *Regional Studies*, 43(6), 819-830.

Tendler, J. (2002). Small firms, the informal sector, and the devil's deal, *IDS Bulletin*, 33(3), 1–15.

Titeca, K. (2006). Les Opec boys en Ouganda, trafiquants de pétrole et acteurs politiques, *Politique Africaine*, 3/103, 143-159.

Titeca, K. (2014). The Commercialization of Uganda's 2011 Election in the Urban Informal Economy: Money, Boda-Bodas and Market Vendors (p.178-207). In *Elections in a hybrid regime. Revisiting the 2011 polls*, Perrot, S., Makara, S., Lafargue, J., Fouéré, M.A. (Eds.), Kampala: Fountain publishers.

Titeca, K. (2012). Tycoons and Contraband: Informal Cross-border Trade in North-Western Uganda, *Journal of Eastern African Studies*, 6, 47–63.

Titeca, K., De Herdt, T. (2011) Real governance beyond the "failed state in the Democratic Republic of Congo (DRC), *African Affairs*, 110(439):213-231.

Tostensen, A., Tvedted, I. & Vaa, M. (2001). *Associational Life in African Cities: Popular Responses to the Urban Crisis*. Uppsala: Nordic Africa Institute.

van de Walle, N. (2001). *African Economies and the Politics of Permanent Crisis, 1979 - 1999*. Cambridge: Cambridge University Press.



IOB

Institute of Development Policy
University of Antwerp