

18 | Institutional *bricolage* in peri-urban Kinshasa: private schools and public actors

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Whilst in general in the Democratic Republic of the Congo primary education is provided through public schools (official and conventionized schools), in Kinshasa we see an over-representation of private schools. In Kimbanseke, the peri-urban area of study, we observe that private schools are created both by commercial agents and – remarkably – by public agents working in the public education sector. Through processes of institutional *bricolage* a private sector emerges, which influences the characteristics of today’s educational landscape, including the role of the state. The state as an “apparatus” tries to execute some limited control over private schools, whilst at the same time many individual state agents are involved in their creation and everyday management. The study of governance of private schools in peri-urban Kinshasa gives us quite some insights in how institutional change occurs and how the Congolese State is in practice being constructed – or should we say deconstructed?

Le bricolage institutionnel dans une zone périurbaine de Kinshasa : écoles privées et acteurs publics

Bien qu’en République Démocratique du Congo l’organisation de l’éducation primaire se situe principalement dans le secteur public (des écoles officielles et des écoles conventionnées), à Kinshasa il y a une surreprésentation des écoles privées. À Kimbanseke, la zone périurbaine de cette étude, les écoles privées sont créées soit par des agents commerciaux soit – remarquablement – par des agents publics de l’éducation publique. À travers un processus de bricolage institutionnel, un secteur privé se développe, qui exerce une influence sur l’actuel champ éducationnel, et plus globalement sur le rôle de l’État. L’État en tant que « apparatus » exerce un contrôle limité sur les écoles privées, bien qu’en même temps les agents publics individuels sont impliqués dans leur création et leur gestion quotidienne. L’étude de la gouvernance des écoles privées dans une zone périurbaine de Kinshasa contribue à la compréhension de la manière dont le changement institutionnel se déroule et comment l’État congolais se construit – ou faut-il dire se déconstruit ?

18.1. INSTITUTIONAL BRICOLAGE

In today’s context of the Democratic Republic of the Congo, studying the negotiated governance of public services can teach us a lot about how governance and the state function (*e.g.* amongst others Raeymaekers et al., 2008; De Herdt, 2011; Titeca & De Herdt, 2011; Englebert & Tull, 2013; Wagemakers, 2014). In fact, in a context where continuous negotiation (and contestation) is the basis for everyday governance, and where every aspect of organization of service delivery is being negotiated, the organization of public services becomes a patchwork of (temporary) rules, agreements, modes of governance, actors, institutions, etc.

The term “*bricolage*” describes this patching together of governance, and eventually institutions (Cleaver, 2012). Indeed, institutional change is not necessarily the result of well-considered policy plans. This is also what happens in Kinshasa’s education sector. There, quite a significant private sector for primary education has emerged over the last two decades, which

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introduced a new way of governing primary education and which impacts upon the education sector as a whole. In this chapter we analyze this other way of governing primary education.

According to Cleaver (2012) “Institutions are formed in the necessary improvisation of daily practice. People piece together institutional arrangements to address their everyday challenges and to respond to changes in their social milieu”. In this sense, Cleaver (2012) links institutional change to community-based action or actions emerging in the community, which is also applicable to our case of private schooling in Kinshasa. Because of a lack of public service delivery, people create services themselves – in this case schools – in order to provide education for the community’s children.

Cleaver (2012) defines institutional *bricolage* “ (...) as a process in which people consciously and non-consciously draw on existing social formulae (styles of thinking, models of cause and effect, social norms and sanctioned social roles and relationships) – to ‘patch’ or ‘piece together’ institutions in response to changing situations. These institutions are neither completely new, nor completely traditional but rather a dynamic hybrid combining elements of ‘modern’, ‘traditional’ and the ‘formal’ and ‘informal’.” (Cleaver, 2012).

We will thus approach private schools as a patchwork of existing ideas, norms, ways of organizing, relations etc. in order to overcome changing circumstances (*e.g.* highly populated urban areas without many public schools).

18.2. RESEARCH LOCATION & METHODOLOGY

The research site is Kimbanseke, one of Kinshasa’s peri-urban municipalities. This paper is partly based upon field research conducted in 2008-2010 and partly based on research conducted in February-March 2012. The 2008-2010 research took place within the framework of a larger research project on the reconstruction of the state in the Democratic Republic of the Congo, funded by the Belgian Science Policy (BELSPO). This research was conducted by the authors of this article, as members of a research team working on education for the BELSPO research project. In 2012, we conducted a follow-up research to gather more data specifically on private schools in Kimbanseke. We conducted additional interviews with school founders, school directors, prefects in eight private schools, and we conducted interviews with agents of several state services and an association of private schools in Kinshasa. The methods used throughout the whole research were qualitative open interviews, analysis of existing quantitative data (mainly of state services), and content analysis of official documents. We only studied primary schools.

18.3. EDUCATION SYSTEM AND PRIVATE SCHOOLS IN KINSHASA

In the Democratic Republic of the Congo, two types of public schools exist: the official state or “non-conventionized” public schools and the “conventionized” public schools that are managed by religious congregations (Catholic, Protestant, Kimbanguist, etc.). Official, non-conventionized public schools are managed completely by the state. Public conventionized schools are controlled in their daily management by the respective religious networks, but fall under the “organizational power” of the state. Teachers of public schools receive a (modest) state salary.

Private schools are founded by individuals and are managed completely autonomously. Private schools do not receive any state subsidy. They are also free to set the level of school fees and teachers' salaries¹. Private schools only appeared in the 1980s. Since then the number of private schools has grown rapidly, especially in Kinshasa. Whilst other provinces have generally small percentages of private schools (between 0.6 and 14%), in Kinshasa a staggering 63% of all schools are private schools.

Despite the city's exponential growth, and consequently a higher demand for education, relatively few public schools (and almost no official schools) were created in Kinshasa. The creation of private schools was thus a simple necessity. Private schools are now – to a greater or lesser extent – present in all areas of the city, with percentages of private schools ranging from 13% to 87% in different municipalities. However, there are great differences between private schools. Private schools in the old city centre – especially in the richer areas – are in general older schools that are well-established and have a high reputation for quality. They are schools for the elite, since they are usually very expensive. Private schools in poorer and more recent (peri-)urban areas are generally newer schools, of a much smaller scale, with few resources, lower school fees and attracting a lower or middle class population. In our research we wanted to focus on the more recent schools in the poorer areas of the city, as these are the schools popping up everywhere nowadays, which are seriously changing the educational landscape.

In the peri-urban areas, private schools are of high importance for education delivery to the local population. In Kimbanseke, as in many other communes, private schools are a booming business as demand for education is very high whilst public schools are scarce. Private schools are, at 64.23% of all schools, by far the most present providers of primary education in Kimbanseke.

Table 18.1. The number of primary schools in Kimbanseke and the number of pupils per network (school year 2011-2012). Source: Author's compilation on the basis of data of the *sous-division* (district administrative office for education) in Kimbanseke.

School	Number of schools	% schools	Number of class groups	Number of pupils	% pupils
Official non-conventionized schools	14	4.9	200	9,022	7.4
Conventionized catholic schools	31	10.8	523	17,620	14.5
Conventionized islamic schools	8	2.8	88	4,464	3.7
Conventionized kimbanguist schools	9	3.1	135	4,722	3.9
Conventionized protestant schools	41	14.2	621	23,447	19.2
Recognized private schools	185	64.2	1,557	62,624	51.4
Total	288	100.0	3,124	121,899	100.0

It is in the peri-urban areas that people, by lack of established facilities, created proper solutions to their needs, such as the need for education. Kinshasa's peri-urban areas are hybrid social spaces in which different types of authorities meet and construct everyday reality (Trefon, 2011). In this context hybrid forms of governance of primary education emerge. And, as we will further see in this chapter, eventually these new forms of local governance will not

¹ Except for the "*frais de fonctionnement*" or "functioning costs" that are determined by the state for both public and private schools.

just remain peri-urban artefacts but also interact with larger urban (educational) governance structures in Kinshasa.

In the next section we will take a look at the way private schools in the peri-urban area emerge, function, and are governed, within the broader context of Kinshasa's education sector.

18.4. INSTITUTIONAL *BRICOLAGE* IN AND AROUND KIMBANSEKE'S PRIVATE SCHOOLS

18.4.1. Creation of private schools: adaptation of existing rules

Formal regulation around the creation and official recognition of private schools has been adapted, bent and/or ignored throughout the years. According to the law, every person has the right to create a private school, but before opening the school one has to obtain the official approval (*agrément* or accreditation) of the state, and every private school founder has to fulfill some political, legal, financial, material, moral and pedagogical prerequisites. The founder should make a written application to the Ministry of Education for permission to open the private school. A viability investigation then has to be conducted in the school (by an inspector), in order to be recognized (or not) as a private school and to be allowed to function. During the investigation all the prerequisites have to be checked.

In the 1980s, this procedure was applied quite strictly. Since the 1990s, however, the interpretation of rules became increasingly flexible. Today anyone who wants to create a private school can ask for the state's approval without fulfilling any of the prerequisites. People can already obtain approval before a site or building for the school has been identified. They have, as people say it, "a school in their pocket".

In fact, private schools have become a commercial activity. People create private schools not only to educate children, but also to earn a living. Below we give a concrete example of a private school that has recently been founded in Kimbanseke.

Official recognition and opening of private school A²

School A is a private school and is part of the adventist church. In 2005 already, the spiritual leader of the church obtained the official state decree that approves the opening of the school. The school only opened its doors in 2008. When the spiritual leader obtained the state decree there were no teachers or pupils yet for the school. Only after obtaining the decree, the spiritual leader did appoint a church member as school director, who then had to attract teachers and pupils.

Nor did the school have any infrastructure either, no classrooms or desks. This is still the case today, even though the school is still open. A former house with three rooms serves both as a church and a school building. On Sundays, the building is a church, on weekdays it is a school. Classes are separated by wooden planks. There is no playground or any space for children to play in. Nevertheless, the church leader did not have any difficulties obtaining official recognition (the state decree) as a private school. He says he just had to pay 100 dollars to encourage the people at the ministry who were in charge of his file.

² We opted to make all schools anonymous and gave them letters instead of their original names.

18.4.2. Private schools and their founders

In Kimbanseke we can roughly distinguish two types of private school founders: those with (extensive) pedagogical skills who have often worked in public education before (or who are still working there), and those with no pedagogical skills and who could be seen rather as commercial agents. Both categories have different assets and constraints.

Remarkably, in Kinshasa many private schools are created by people from the public education sector. Many private schools are run by school directors, prefects, teachers, even inspectors and senior officials from the public education sector. Some keep their job in the public sector, whereas some leave. It is not uncommon and is widely accepted that state actors from the public sector create private schools, as they have the connections and the knowledge to do so. And for state actors it is a very lucrative business to have their own private school. As such, private and public structures become very much related to one another.

Profile of the school founder of private school B

Private school B is a school in full transformation. The school, created as a private school in 1996, is currently in the process of becoming a public school (accepted as an official school already but still waiting for its teachers' accreditation and related payment of teachers' salaries). Starting from its creation until its request in 2010 to become an official state school, the creator of the school combined two functions: he was the founder of his private school B and he was a prefect in a public school. Now he no longer has any official responsibility in the former private school B as he is the director of the public school where he worked as a prefect before. His wife, who was a teacher at school B previously, is now the director of the private school that became public.

Public agents of all kinds of ranks and functions are involved in the private education sector. Some are or were teachers, directors or prefects in a public school. But also people working in the administration services of the public education sector, inspectors, senior functions at the ministry etc. have set up their own private schools. For this category of school founders, it is relatively easy to obtain the necessary documents (accreditation) to create their schools. Moreover, it is also accepted in the public sector that those people have their own private school. For this category, the challenge is not to obtain documents or to find people to work with, but to have the means or the place to effectively create the school.

Profile of the school founder of private school C

The creator of private school C had worked for 12 years as a teacher and for 8 years as a prefect already, both in public conventionized and private schools, before he created his own private school in 2011. While working in the education sector he established relationships with many senior figures in the Kinshasa-Est administrative sector, to which Kimbanseke belongs. Thanks to the ties with senior figures at the sub-division, local inspection, provincial division and provincial inspectorate, he could easily obtain official recognition for his private school. However, he still needed the financial means and so he borrowed some money in order to comply with the infrastructural needs for his school.

The other category of people creating private schools in Kimbanseke are the commercial agents who do not have any teaching experience or training but who bring in the financial capital. Of course both commercial and state actors have both commercial and pedagogical/

social incentives. But it is remarkable that a large number of the private school founders in Kimbanseke, especially of recent schools, are very commercially oriented. Several respondents told us that education has become a real business in Kimbanseke. However, for those who create a school without any teaching experience we see it is very important to collaborate closely with someone who knows the sector, often someone who works in a private or public school already or who is active in the public education sector. Very often these collaborations occur amongst family members.

The founder of private school D and his paternal uncle

The creator of private school D used to work for the presidency (Kabila I) in the network of *cantines populaires*, a social food project in Kinshasa. When he left the canteens he went to Angola for commercial (trade) activities. Currently he is a businessman, involved in all kinds of trading activities. When he returned from Angola he bought the land parcel where his private school is now located. For him, the school is part of his business activities, although it is less profitable than other activities he is involved in. Concerning daily school management, he has very little experience and he is not very much involved. He deals more with the financial issues. Pedagogical issues are taken care of by the school prefect, who coordinates everything in the school. The prefect has a lot of responsibilities in the school and happens to be the paternal uncle of the school founder. Trust was one of the main reasons he was given this function.

18.4.3. Private schools and the state: an ambiguous affair

In Kinshasa, it is especially remarkable how the already existing institutional landscape (in this case the public education sector) not only accepts but also opportunistically makes use of new institutions (in this case private schools). The existing institutional landscape co-produces and reinforces the creation of new institutions. The relationship between private education and the state, including individual state actors, is particularly interesting. The state and state actors make use of private schools in many different ways.

Firstly, the state asks private schools to pay taxes, to help to pay for the bureaucratic services of the public educational sector. In the Democratic Republic of the Congo, these services function through monetary contributions they receive from schools. The contributions are fixed at a certain amount per pupil. So every pupil in every school should pay a certain amount for the functioning of the state's educational services. These sums are included in the pupils' school fees. Private schools are also obliged to pay these contributions. State officials come and ask for "their" share and often ask to be reimbursed themselves as well (for their transport costs). In general, private schools do not endorse the levying of taxes for the functioning of the state bureaucratic offices because they say they do not receive anything in return whereas, in their view, they are helping the state in providing education to the Congolese children.

For one specific set of taxes (for public utilities) the major private schools' association tried to obtain an exemption for private schools, and they were successful. However, the utility services have still not accepted this and state officials continue to charge those taxes in private schools. So the struggle continues (see box below).

Private schools and public utility taxes

Private schools pay taxes for the *Direction Générale des Impôts* (DGI) and they pay their water and electricity bills to REGIDESCO and SNEL, national companies for water and electricity respectively. Private schools found this unfair since public schools do not have to pay the DGI or public utilities, and in their view private schools contribute as much as public schools to Congolese children's education. After some action and lobbying by private school associations, the Minister of Education agreed to an exemption for private schools. Although this exemption is written in a decree, on the ground state officials of the respective services continue to charge the taxes for utility services in private schools. Some private schools pay, but others do not. Schools who refuse to pay are in a continuous struggle with agents of REGIDESCO and SNEL, who threaten to cut off their water and electricity supply. Whether schools pay or not is now an individual power game between school directors and state actors, which reflects very much how official decrees do not determine reality or real power relations. It also illustrates the dubious and tense relations between private schools and different state actors, services and levels.

There is also a very high tolerance level with regard to low-quality or non-viable private schools. A representative of the largest association of private schools criticized this but called this the minister's responsibility and not theirs. Private schools without accreditation can even function without any state inspection because officially they are not yet seen as schools.

The fact is that the demand for education is high and there are not enough public schools, especially in the rapidly growing areas of the city. Private schools are mostly created in residential parcels or in existing buildings that were built for other purposes, because space is indeed scarce. Consequently, schools are often in very bad infrastructural conditions.

For the handing out of accreditations to non-existent or non-viable schools and the lack of quality control, state services tend to pass responsibility to one another. Neither are all services or state actors equally involved or equally powerful. Lower-level state officials complained about "political accreditations" suddenly appearing on their desks for schools they do not know or that do not even exist yet. However, as this comes from higher levels, who by-pass all the other administrative levels, they don't obstruct. As the *sous-proved*³ phrased it: "When you feel everywhere, you will touch the snake"⁴.

18.4.4. Hybrid structures emerge

Within relations between private schools and the state not only mutual opportunism and power struggles can be observed, but also very hybrid emerging educational structures. An illustration of this hybridity is what happens when a private school wants to become a public school. Almost no viable private school would choose to do so as it is more lucrative for the founder to keep his private school as a business. But founders who do not manage to pay their teachers can request to turn the school into a public school (because then the state will have to pay the teachers). The fact that mainly non-viable schools ask to become public schools is quite problematic though, as very often the state accepts them without renovating or improving them. If the school continues to function, some difficulties and hybrid organizational solutions emerge which make the line between public and private extremely blurred.

³ *Sous-proved* is the local term for the responsible of educational district administration.

⁴ «*Si tu touches partout, tu touches au serpent*».

Private school A turning into a public school

Earlier in this chapter we discussed the case of private school A and its creation and official recognition process. In the end, school A turned out not to be viable. As mentioned above, its infrastructure was extremely weak to nonexistent, and the school had great difficulties in paying its teaching staff. The school, belonging to the adventist church, obtained its official accreditation through the pastor of the church (already before the school existed) and functioned as a private school for three years, between 2008 and 2011. In 2011 the school applied to become an official public school (not conventionized, so a real state school). The pastor of the church agreed to turn the private school into an official public school, but the school building (also used as a church building) was supposed to remain the property of the church. It was agreed that the state did not have to buy or rent the building, but the church should receive 10% of all school fees paid by the pupils. Even the teachers, as soon as they received their salaries from the state were to give 10% to the church. So we see that in an official public school parents and teachers contribute directly to the adventist church, because the school has no building or classrooms of its own. The school will continue to function in the inappropriate church building. Up to now no renovations or improvements of the classrooms are planned (or demanded by the state).

18.4.5. Implications for (e)quality

The state's acceptance and/or neglect of non-viable or very low-quality private schools (and even some of them becoming public schools) lowers the already low quality of Congolese primary education. Norms for viability have changed very much over time, up to the point that now even *écoles-maisons* as they are called in Kimbanseke are accepted; schools in houses without a playground and too many children in a class under the supervision of teachers with unclear qualifications or poor motivation because they barely receive a salary. Although these schools are often criticized, they do exist and they do have pupils.

In this sense, there is in Kinshasa's educational landscape a reproduction and even entrenchment of inequality. The differences between so-called quality or elite schools in Kinshasa's old city centre and the newly created private schools in peripheral Kinshasa are huge. Of course, in Kimbanseke there are also large differences between schools, also between the many private schools. In general, inspection in private schools is weak, because of a lack of means and capacities to visit all schools and to make inspected schools comply with set standards. As a senior state official of the department for the control of private schools, of the Ministry of Education, testified: "If we did the inspection, but there is no inspection, then half of the private schools should be closed down"⁵. Private schools would rather see more tax officials than inspection officers checking their viability.

Normally, at least the final grade exams (tenafep⁶) should be tests of the schools' quality and performance (for both public and private schools). In reality, however, final grade exams are not a quality test as the results are not at all reliable and the test is of a very poor standard (De Herdt et al., 2010).

⁵ «*Si on faisait le suivi, mais il n'y a pas de suivi, on devrait fermer la moitié des écoles privées*».

⁶ Tenafep : test national de fin d'études primaires.

18.5. CONCLUSIONS

We have seen how in the private education sector in peri-urban Kinshasa, and more specifically in our area of study Kimbanseke, institutions are formed and reformed through everyday interactions between people in a process of *bricolage*: a patchwork of new and existing ideas, actors, relationships, possibilities and constraints. Notable in the institutional *bricolage* of private primary education in Kimbanseke is the specific role of the state.

Possibly linked to the Democratic Republic of the Congo's tradition of state-church collaboration for the provision of public education, in the system of "conventionized" schools, it seems to be quite easy and evident for state actors to be involved in private schools. Many public agents such as teachers and headmasters of public schools try to work in or create a private school. They might switch from the public to the private sector or they might combine functions in both sectors. There are also officials from the state administration (inspection, district coordination of education, ministry, etc.) who create their own private schools outside their functions as state officials. The state as an apparatus also receives resources from the private schools through the taxes they pay, even for services that are irrelevant for them. The state is clearly present in the private education sector, though in an atypical and especially very fragmented way. In addition, the existing official regulatory framework is not respected, but practical norms are formed through pragmatic negotiations between many actors (see also Titeca & De Herdt (2011), for similar observations in the Democratic Republic of the Congo's public education).

In fact we see that in large areas of Kinshasa, primary education is becoming an increasingly private matter, which needs not be a problem in itself, but which is not being currently supervised. The state comes in to charge taxes rather than to support schools or check their viability. The state – or rather separate state actors and services – as it functions now is rather parasitical of the new institutional reality of expanding private primary education instead of providing control or guidance over it.

In the education sector the very individualized and fragmented actions of state actors creating private schools are a remarkable change for education governance in Kinshasa. Through private schools, education is now organized much more on an individual basis. Whereas education used to be mainly organized by powerful networks, strongly coordinated and functioning in a hierarchical manner, with the catholic network in the forefront, in Kinshasa the sector of private schools is increasingly important, which implies individualized action without an overarching network. Are the traditional networks in Kinshasa's education sector gradually being replaced by *ad hoc* alliances between individual actors running private schools? In any case it becomes clear that the growing private sector in primary education has already changed and will continue to co-determine the institutional landscape of primary education in Kinshasa.

This is an illustration of how local communities, or more specifically their members, can set up their own (peri-urban) governance arrangements that will finally influence wider governance configurations. As such, local-level decision making is clearly linked to (influenced by and influencing) wider urban and even national governance processes. So far, however, the result is one of hybridity and uncertainty.

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