

Labour Market in Peril: Interference of Influential Individuals in the Integration of Congolese Workers into the Labour Market

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Abstract

The encroachment of certain influential individuals who employ cronyism, patronage, and networking into the recruitment and hiring processes of employees in the Democratic Republic of the Congo is a widely discussed issue in media and public discourse. However, it remains an underexplored subject within scholarly research. This paper seeks to address this gap by providing a comprehensive overview of this phenomenon over time. Drawing upon Jamie Peck's concepts of labour incorporation and labour allocation, while also examining the prevalence of illegality and informality, this study argues that these 'influential individuals' or 'well-connected actors' have assumed the roles and responsibilities traditionally held by labour market actors and institutions. Consequently, this has exacerbated long-standing malpractices within the Congolese labour market. The interference of these 'influential individuals' disrupts the normal functioning of the Congolese labour market, even as proponents of these practices offer justifications for their actions. Employing qualitative interviews and documentary research, this study traces the historical origins of such interference, dating back to the colonial era.

Keywords

Influential individuals, interference in labour market insertion, labour incorporation, labour allocation, Congolese labour market, Democratic Republic of the Congo

Introduction

During the last decade, Congolese at home and in the diaspora have flooded the Internet and social media platforms with discussions about the politics of the Democratic Republic of the Congo (DRC) and with rants and diatribes against its excesses ([Pype, 2020](#)). The Congolese digital world has been captivated by a scandal involving President Félix Tshisekedi, his wife, Denise Nyakeru, and his ‘mistress’, Gisèle Mpela. On 21 September 2021, the brutal expulsion of Gisèle Mpela and her two young daughters (fathered by Tshisekedi) from the DRC, and their flight to Belgium, garnered more the attention than the concurrent speech by Tshisekedi to the 76th session of the United Nations General Assembly in New York. Video-recorded and posted on social media, the expulsion provoked wide-ranging debates among Congolese. Mpela’s supporters accused Nyakeru of using state infrastructure to get rid of her rival ([Kusuanika, 2021](#)). They cited the new Congolese migration regulations to argue that a Congolese cannot be expelled from their home country, even if they had also obtained citizenship in another country. And, finally, they argued that it is normal for a Bantu man to have several wives. Supporters of Nyakeru, in turn, asserted that Tshisekedi’s polygyny is legally prohibited in the DRC (see, for example, [Kapinga, 2021](#)). They considered Mpela’s expulsion as warranted as she had used her position as mistress to the president for influence peddling, thus interfering in the recruitment, hiring or appointment procedures of employees. Job seekers from the diaspora paid her bribes in return for jobs. These accusations were inadvertently substantiated on social media by her brother, Alain Mpela, a famous Congolese singer of popular music. Expressing his displeasure at the mistreatment his sister experienced by the Congolese migration and intelligence services, he complained that everyone for whom his sister had found jobs had been dismissed by Nyakeru. However, an official communiqué by Bruno Miteyo, head of the president’s Civil House, seemed to imply that the issue was one of two ‘co-wives’ when it called on Congolese to refrain from using social media to discuss what was purely a family matter, which according to African culture should be discussed under the palaver tree ([Vondi, 2021](#)). The scandal illustrates how influential individuals who are not actors in the labour market can interfere in the recruitment, hiring or dismissal of employees in the DRC.

The media often deplores these practices, which leads to public speculation about unfair labour market practices and fuels resentment among job seekers.

Some Congolese studies have analysed how Congolese politicians and senior state officials, with their cronies, unlawfully find jobs for relatives, acquaintances, clients and friends (Kodi, 2008; Lumbu, 2004; Ndaywel è Nziem, 1998). However, these studies have not analysed the phenomenon in any detail. They have paid little attention to the historical dynamics of this phenomenon, the meanings these influential individuals attribute to their practices and the impact of these practices on the Congolese labour market. This article addresses this lacuna and provides a detailed account of this phenomenon.

Drawing on Peck's (1996) notions of labour market incorporation and labour allocation, and on notions of illegality and informality, the paper argues that the history of the Congolese labour market has a direct bearing on the encroachment by influential individuals on recruitment and hiring processes of Congolese employees, with both continuities from and ruptures with the past. Drawing on qualitative research, this study reveals that the encroachment by influential individuals on processes of labour incorporation and labour allocation in the DRC emerged during the colonial era (1885–1960) but that colonial authorities did not challenge it because it was fundamental for the mobilisation of cheap labour by colonialists. The data also show that although the postcolonial state prohibits the involvement of influential individuals in the labour market, their practices have proliferated because of the weakening of existing employment services. The data further indicate that regardless of the reasons that these influential individuals advance to legitimise their actions, their conduct has deliterious effects on the Congolese labour market.

This paper is structured as follows. It begins with an explanation of the conceptual, theoretical and methodological tools used in this study. It then provides an overview of how influential individuals have historically interfered in processes of labour incorporation and labour allocation in the DRC. Finally, the paper examines the meanings that influential individuals attribute to their practices and demonstrates how this harm the Congolese labour market.

Conceptual, theoretical and methodological underpinnings

To explain how influential individuals interfere with the recruitment and hiring of job candidates, this section begins by differentiating influential individuals and labour market actors. It then argues for the usefulness of Peck's notions of labour incorporation and labour

allocation, and notions of illegality and informality in Africa, as theoretical tools for this study. Finally, it presents the study's research methods.

Conceptual and theoretical tools

In the DRC, influential individuals are actors who are not recognised by law as employers or labour brokers. Accepted labour market actors are members of the National Labour Council (CNT). According to the Congolese Labour Code, the CNT is made up of three types of members: the state, workers and companies, respectively represented by the government, trade unions and employer organisations (République démocratique du Congo, 2002). The Congolese labour legislation also stipulates that only the National Employment Office (ONEM), outsourcers, and the Civil Service Department may oversee recruitment and hiring processes of job seekers in the country (République démocratique du Congo, 2016b).

This definition is too oriented towards a state-centric view as it focuses solely on legally recognised Congolese labour market actors, even though it is challenging to delineate clear boundaries between legality and illegality in the Congolese labour market. Although some previous studies have highlighted that illegal and legal practices overlap when influential individuals engage in the unauthorised hiring of workers in Congo (Inaka, 2020; Kodi, 2008; Lumbu, 2004; Ndaywel è Nziem, 1998), only Lwamba (1985) has attempted to conceptualise them. According to Lwamba, influential individuals or well-connected actors in the Congolese labour market are individuals who assist jobseekers in circumventing official regulations related to recruitment, hiring, or appointment processes. Therefore, I will use his concept throughout this article.

I draw on Peck's (1996) notions of labour incorporation and labour allocation to provide the theoretical basis for this study. Labour incorporation refers to 'the processes by which individuals become wage earners or self-employed in the labour market' (Peck, 1996: 26). Labour incorporation determines the choices of individuals in the labour market and their potential to do certain jobs. For Peck, the flow of workers into the market is not simply a function of the number of jobs available. Rather, it depends on the intersection of various social, demographic, educational and economic factors, on institutional labour legislation and on 'autonomous social forces such as state policies, ideological norms, and family structures' (Peck, 1996: 27). These social realities point to the fact that 'labour supply is not simply regulated by market forces' (Peck, 1996: 27). Influential individuals and/or factors form part

of these additional aspects that affect state regulation of labour incorporation. Thus, this notion of Peck is helpful to explain how Congolese influential individuals shape the integration of Congolese workers into the labour market through their involvements in unprocedural hiring processes.

Peck's notion of labour allocation refers to the process of linking up the demand and supply sides of the labour market by matching workers and jobs. An individual's achieved and/or ascribed status, as well as the social ties held, play a significant role in the person's allocation in the labour market. The achieved status refers to the manner in which someone's human capital (qualification, work experience and skill) determines how they may be slotted into the labour market. The allocation of labour is often influenced by ascribed characteristics such as ethnicity, race, sexual orientation, gender and citizenship. In addition, 'the complex intermeshing of employers' recruitment networks and worker supply networks' plays a role in labour allocation. Peck (1996: 30, 33–34), therefore, insists that labour allocation is based more on relations of trust than on human capital. Overall, Peck's notions touch on conceptual elements that this study can use as lenses for understanding worker integration into the labour market.

Yet, Peck's notions provide only a partial frame for this paper due to the fact that Peck's discussion of the labour market is abstract and grounded in Western labour markets. Although Peck points to the possibility of influential individuals affecting state regulation of the incorporation of labour, he does not theorise these actors' illegal involvement in processes of labour incorporation and labour allocation. It is, thus, quite possible that his notions may not be fully relevant in the specific historical, sociocultural, economic and political contexts of an African country like the DRC. It is thus worth combining Peck's notions with notions of illegality and informality in Africa.

Literature touching on unprocedural hiring processes of workers shows that nepotism, cronyism, clientelism and poor governance shape how influential individuals interfere with the hiring of workers in Africa (Gyimah-Boadi, 2000; Kirya, 2020: 3; Tchouassi, 2019: 158). Nepotism happens when job seekers use godfathers, thus influential individuals with whom they have family, clan, tribal or ethnic affinities, to find jobs without following legal practices of hiring. Cronyism occurs when influential individuals help job seekers with whom they have professional, mutual aid, religious or friendship ties. Clientelism, in turn, refers to the exchange of favours on the basis of political links or relations. Interestingly, the literature indicates that there are strong correlations between the existence of these hiring processes with

illegality and informality. Therefore, this study draws on notions of illegality and informality in Africa to examine the role of influential individuals in the unprocedural hiring of workers in the DRC.

The concept of illegality is subject to diverse interpretations on formal/legal or informal/illegal actions of social actors (Hübschle, 2017: 178). Titeca and Flynn (2014: 73) argue that what African states formally define as illegal, their populations informally consider as legitimate. Hübschle (2017) uses the concept of contested legality to explain the participation in illegal activities that may, however, be regarded as socially accepted or perceived as legitimate. She adds that the fault lines between formal and legal legitimacy, on one hand, and informal and social legitimacy, on the other hand, facilitate the rise of legitimate illegality. For instance, some Congolese actors contest laws and regulations of hiring workers and bypass them (Gould, 1977; Inaka, 2020; Schatzberg, 1982). Hence, Van Schendel and Abraham (2005: 4–6) and Titeca and Flynn (2014: 72–74) recommend that studies should differentiate what states delineate as legitimate ('legal') from what people consider to be legitimate ('licit') in order to avoid falling into a state-centric view that condemns activities that happen outside of the state's regulatory framework.

The notion of illegality is, thus, related to the concept of informality. Since Hart coined the concept of the informal economy in 1973 to refer to economic activities that take place outside the framework of official institutions, there has been a rise in studies that throw doubt on the existence of a clear boundary between the formal and the informal economy (Titeca and de Herdt, 2010; Titeca and Flynn, 2014). This literature argues, instead, that the two economies relate to one another. In the DRC, some analysts even argue that there is no longer a clearly identifiable boundary between formal and informal practices (see, for example, Iyenda, 2006). It is necessary to note, as Hart (1985) highlights, that informality can involve both illegitimate and legitimate activities. It may involve the poor and the powerful. In this context, Mbembe (2000) uses the concept of *discharge* to explain how private actors, for their own interests, perform functions that are legally supposed to be public. This *discharge* occurs in the context of what Mbembe terms the indirect private government. This is a regime of power that operates to the advantage of strong individuals who compete mercilessly for the concentration of power and the hoarding of public assets.

Olivier de Sardan, in a number of single- and co-authored pieces (Bierschenk and Olivier de Sardan, 2014; De Herdt and Olivier de Sardan, 2015; Olivier de Sardan, 2010),

assumes that informality not only exists outside the state but is produced within the state apparatus itself. He, thus, suggests studying the latter and examining the gaps between public policies and their implementation, or between official rules and practical norms. Indeed, this notion of informality allows us to show how practices of unprocedural hirings of workers are rooted in the Congolese state. Besides, the notion of practical norms helps us to understand difference between the Congolese labour legislation of integration and how they are contradicted, ignored, or applied by influential individuals in the Congolese context.

Overall, these theoretical tools are relevant conceptual points of reference for understanding the practices by influential individuals on the labour market of a country such as the DRC, which since independence in 1960 has been marred by a complex history of war, violence, tyranny, looting, informality, corruption, unlawfulness and kleptocracy (Inaka, 2020).

Research methods

This study emerged from research conducted in Kinshasa from 2016 to 2019 on the reconstruction of the labour market that took place after the 1998–2002 Congolese war. Although I had not initially planned to look at persons who interfere in hiring processes, the research identified them as a significant factor in the labour market, driving me to look at their actions, intentions and reasoning in greater detail. A preparatory scanning of the literature on the DRC and conversations with executives of labour market institutions and Congolese employees led to in-depth qualitative interviews with four categories of informants. Using a multi-actor approach, I interviewed a total of 109 respondents across these categories. The first category of informants consisted of CNT members: senior executives of the Department of Employment, the National Agency for the Promotion of Investments (ANAPI), the National Employment Office (ONEM), the National Institute of Vocational Training and the National Social Security Fund. It also included senior trade unionists and members of the Congolese Business Federation. These executives reflected on how their institutions experienced the interference by extra-market actors. Their selection was based on their positions within their institutions and their experiences with extra-market actors. I conducted in-depth, semi-structured interviews with 17 key informants from these institutions. Although I received diverse information from this set of informants, a common thread was the observation that influential individuals were among the main causes of the disruption of the Congolese labour market.

The second category involved Congolese employees from private sector companies. I interviewed a total of 57 informants, 15 in construction, 17 in retail, and 25 in

telecommunications. These employees provided data on their own experiences with extra-market actors. While a few focused on the help that influential individuals provide for job seekers to bypass barriers to labour market integration, the majority considered these actors a source of unfair labour practice in the DRC.

The third category of informants comprised people who, based on their experience and knowledge, were able to analyse and reflect on the impact of the interference of influential individuals on the Congolese labour market. This category included historians, lawyers, economists and sociologists who studied the Congolese labour market. In total, 14 informants were interviewed. All these scholars thought influential individuals were responsible for disrupting the labour market and enabling a kakistocracy in the DRC. Sociologists, in particular, pointed out some of the political, economic and sociocultural root causes underpinning the practices by extra-market actors.

Finally, it was crucial to collect information from influential individuals themselves as previous studies did not give them the opportunity to explain the meanings they attach to their actions. They formed the key sociological unit of this study. They were included in the fourth category of informants that comprised religious and traditional leaders, politicians, human right activists, army officers and journalists. Overall, 21 influential individuals were interviewed, all known for their ability to find jobs for their protégées.

Data collected from these four categories of informants was supported by secondary sources such as official government publications, newspapers, online news media sources, academic publications and archives. These sources provided information on labour legislation, the current state of the Congolese labour market and the interference of influential individuals on the labour market. Although these documents were not focused on influential individuals specifically or exclusively, they allowed for the construction of a diachronic overview of these actors' practices, to which I now turn.

Congolese influential individuals

This section traces the participation of influential individuals across the history of the DRC. It provides a synoptical view of the Congolese labour market during the colonial period (1885–1960) and then during the post-independence period.

Influential individuals during the colonial period

The colonisation of Congo occurred in two distinct phases. During the first, which stretched from 1885 to 1908, the DRC experienced the horrors of a forced labour regime introduced and

regulated by Belgian King Leopold II (Hochschild, 1998). At that time, colonial authorities used the army to recruit Congolese workers. Soldiers used extreme violence in this process, burning villages, raping women and killing people (Nzongola-Ntalaja, 2002). The mutilation and killing that defined Leopold II's labour regime triggered the first global human rights campaign in the 20th century, which explicitly drew on the language of crimes against humanity. English-speaking activists and organisations, such as Roger Casement, Edmund Morel or the Congolese Reform Association, exerted pressure on the British and American governments to intervene. Leopold II succumbed to the pressure and, in 1908, ceded ownership of what had been his private possession, the Congo Free State, to the Belgian government. The Congo Free State thus became Belgian Congo and remained a Belgian colony until 1960 (Weisbord, 2003).

In place of Leopold's forced labour regime, the Belgian colonial power established a dual labour market regime which was characterised by an unequal, racialised and gendered labour division between privileged white and underprivileged Congolese workers. The dual labour market was regulated by institutions and actors like the Indigenous Affairs and Labour Office, private companies, Catholic and public schools, traditional chiefs, labour brokers and workers' organisations. The Indigenous Affairs and Labour Office managed the supply and demand in the labour market during the Belgian period. Catholic and public schools controlled the Congolese educational system and, in that way, supplied native workers to the state and private companies (Reybrouck, 2014). Other labour suppliers were traditional leaders and labour brokers. The colonial government appointed 'traditional chiefs' who were loyal towards the government to supply able-bodied men to the workforce (Young and Turner, 1985).

Besides these official labour market actors, there were also influential individuals such as informal labour brokers, namely white adventurers who used nefarious methods to illegally recruit people (Reybrouck, 2014). They lured young men to work on the mines, bribed traditional leaders with European luxury goods to supply workers, or used a forceful method called *kipalu* against people. Some villagers were exiled to neighbouring countries (especially Zambia and Uganda) in this way (Lwamba, 1985). Although these actors operated illegally, colonial authorities turned a blind eye to their practices, for two closely related reasons (Inaka, 2020, 2022; Inaka et al., 2023). First, these practices had no negative effect on the interests of the colonial state nor on those of the colonial labour market but rather helped the colonial state in making cheap labour available. Second, within the context of a racialised labour market,

the colonial state could not repress the illegal actions of influential individuals since their interests coincided at that time. Overall, influential individuals' illegal practices were well-rooted in the processes of labour incorporation and labour allocation in Congo from the colonial period onwards.

Influential individuals since 1960

In its first 5 years of independence, Congo's labour market experienced fragmentation due to three secessions between 1960 and 1963 and two rebellions in 1964. The dual labour market inherited from the colonial period was one of the main factors that influenced the crises related to fragmentation. Just 5 days after achieving independence on 30 June 1960, the first crisis erupted when Congolese soldiers mutinied because of a labour dispute around racial discrimination in the army. It was triggered when soldiers realised that independence would not lead to changes in the structures of and positions in the army when General Janssen, the army's Belgian commander-in-chief, refused to give up leadership and (allegedly) spoke bluntly racist words. The soldiers demonstrated violently and targeted Belgians, some of whom were forced to leave the Congo. In response, the Belgian government illegally deployed its paratroopers to the Congo to protect its citizens ([Haskin, 2005](#)).

Six days later, governor Moise Tshombe proclaimed Katanga Province an independent nation. Until 1963, Katanga organised its labour market based on regionalist principles by which only Katangese people could participate ([Kodi, 2008](#)). To regulate labour incorporation, the Grand Council – comprising 20 traditional chiefs ([Larmer and Kennes, 2014](#)), Katangese elders, and some public servants – recruited and appointed only employees from Katanga into the public sector ([Trapido, 2015](#)). Similarly, South Kasai, which also seceded in 1960, under the leadership of Albert Kalonji introduced a mono-ethnically based labour market regime in which only Luba people from South Kasai had the right to work and traditional chiefs supplied labour ([Nzongola-Ntalaja, 2002](#)).

In 1961, the former Oriental Province seceded to form the Free Republic of the Congo under Antoine Gizenga. Gizenga left all administrative functions in the hands of the former provincial government, but his interference in the hiring and firing of public servants led to growing tensions between his government and senior executives of the public administration, until the end of his secession in 1962. In 1964, a quasi-communist rebellion, the Front for the National Liberation of Congo, led by Christophe Gbenya, Gaston Soumialot and Laurent Désiré Kabila, invaded almost half the country. In south-western Congo, their ally Pierre Mulele controlled

an important area in Kwilu province. These rebels' militaristic governance displayed total anarchy and ferocity against public servants and civilians (Young, 1965), which proved to be a significant disruptor of the Congolese labour market.

It is possible to argue that during the Congo crisis years (1960–1965), provinces recruited civil servants on a massive scale due to the collapse of the central authority in many parts of the country (Mpinga and Gould, 1975). The rebellions and secessions disrupted the labour market since institutions were unable to function as they previously had. There were four 'governments' and four labour markets; and the state showed significant levels of discrimination. This led to a proliferation of influential individuals such as politicians, military officers and traditional leaders who interfered in the processes of labour incorporation and labour allocation. These actions weakened existing employment services and enabled the politicisation and militarisation of this market.

The encroachment of influential individuals on the labour market continued into the subsequent Mobutu era (1965–1997). When Mobutu seized the power, he centralised all employment services under the control of the Popular Movement of the Revolution. With this he attempted to establish order in the fragmented labour market. Although labour policy reforms led to some positive changes in the labour market between 1965 and 1974, they did not lead to the removal of extra-market actors; instead, Mobutu's patrimonialism led to a proliferation of their involvement.

Mobutu's first reform in the private sector was the promulgation of the Congolese Labour Code on 9 August 1967 and the creation of the National Employment Service (SENEM) on 29 October 1967. The aim was precisely to end interference by influential individuals in the labour market (Ilofo, 1973). However, SENEEM was stillborn as recruitment continued without resort to this institution (Inaka, 2020). The second reform was the promulgation of Ordinance-Law No. 73/023 of 4 July 1973 on the status of public servants that subordinated the public sector to the one-party state, stipulating among others that job candidates for positions in the public sector were required to pass entrance exams and to express their militancy in the ruling party (République du Zaïre, 1973). This reform aimed to eradicate cronyism and clientelism in the hiring processes of Congolese workers as these processes happened to be centralised. With the 1973 reform, hiring processes were decentralised, giving autonomy in the hiring process to line ministries (Gould, 1977; Mpinga and Gould, 1975). Although reforms promised equality between all candidates and appointment by merit, the Ordinance-Law was not respected or applied in any strict manner; instead, state structures continued to hire on the basis

of patronage, nepotism, ethnicity, or corruption (Gould, 1977: 356–358). Consequently, job seekers reverted to the assistance of influential individuals, called *des parrains* (godfathers), to access these jobs. Among the *parrains* were high-ranked army officers, politicians, professors (Ndaywel è Nziem, 1998: 695), Mobutu’s siblings, traditional chiefs (Lumbu, 2004: 147) and religious leaders (Monaville, 2013: 409).

Given the limitations of the 1973 reforms, the Congolese government implemented another public administration reform in 1981 (République du Zaïre, 1981), shaped by Mobutu’s bureaucracy and based on the centralisation of power and control of public administration (Tshombe, 2017: 35–39). Although one of the objectives of the 1981 reform was to recentralise recruitment in the civil service department, the interventions of influential individuals actors persisted in Zaire (Inaka, 2020: 174–175; Inaka et al., 2023).

These structures developed under the Mobutu regime continued into that of his successor, President Laurent D. Kabila who also ran an autocratic state and failed to transform it into a democratic state (Reyntjens, 2009: 155–157). Kabila appointed Congolese and Rwandan Tutsis, some Congolese businessmen, intellectuals from the diaspora, a few Mobutu-era politicians and several figures from Katanga, his home province, to key positions in state institutions (Stearns, 2012). These appointees, in turn, hired their tribesmen and cronies into lucrative administrative positions (Reyntjens, 2009: 159–160). As during Mobutu’s era, finding a job took place through unofficial networks. In this situation, the supremacy of influential individuals continued without embarrassment, even though in the long run they weakened employment services.

After the Congolese war of 1998 to 2002, renewed labour market reforms allowed a glimmer of hope that the practices of influential individuals would be curtailed. Yet to date these actors appear to be invulnerable (Inaka, 2020). Research over the last two decades demonstrates that the reforms, which aimed to improve the employment services, have been poorly implemented (Van Impe, 2012). For instance, according to the Labour Code, ONEM is the official intermediary between private employers and job seekers (République démocratique du Congo, 2016a). It also stipulates that private employers must declare vacancies to ONEM, which has 30 days to find the right candidates, before the companies may publicly advertise the positions. However, employers tend not to follow this procedure as ONEM is unable to satisfy both employers and job seekers (Inaka, 2020). Indeed, data from

the Congolese National Institute of Statistics indicates that 79.9% of jobs are obtained through family networks (mainly through family members and their political links) and 24.4% by other networks (especially friends and acquaintances); only 0.7% run through ONEM (INS, 2018). In the public sector, the new Act No. 16/013 of 15 July 2016 on the Status of Civil Servants replaced the former Act No. 81/003 of 17 July 1981. But despite the fact that the new act stipulates that the civil service department is the sole competent authority to recruit public servants, research and official publications show that influential individuals participated in the irregular hiring of public servants throughout Joseph Kabila's regime, which lasted from the end of the war in 2001–2018 (Inaka, 2020; Ministère de la Fonction Publique, 2014). For instance, in October 2017, a commission of inquiry discovered that 256 of 4000 magistrates did not have the required law degree (Jeune Afrique, 2018). The minister of justice at the time, Alexis Thambwe Mwamba, declared that certain Congolese politicians and informal labour brokers (influential individuals) had been involved in the irregular appointment of these fake magistrates.

President Tshisekedi's regime has changed almost nothing since coming into power in January 2019. The faces and names of the influential individuals are new, but their practices are the same. The scandal involving Tshisekedi's 'co-wives' in the hiring and firing of state employees, as in the vignette that opened this paper, speaks volume. Moreover, the June 2020 trial of Tshisekedi's former chief of cabinet, Vital Kamerhe, accused of corruption reveals how public tenders and job positions are accessed through influential individuals.

In a last step, this account of the encroachment of influential individuals on labour incorporation and allocation processes shows up contradictions and tensions between labour legislation and influential individuals. First, the more the state legislated labour market actors over the last century, the more influential individuals increased in number. This paradoxical situation supports Olivier de Sardan's (1999) assumption on African bureaucracy, which suggests that there are gaps between official rules and practical norms. Thus, I argue that unprocedural hirings persist in the DRC because they have been usual procedures historically rooted in the Congolese labour incorporation and allocation processes.

Thus, I argue that unprocedural hirings persist in the DRC because they have been usual procedures historically rooted in the Congolese labour incorporation and allocation processes. Although the Congolese state and its partners attempt to implement labour reforms or enforce formal rules, this will not eradicate practices of influential individuals in the unprocedural hirings of workers because the structural conditions that make them persist. Drawing on Olivier

de Sardana, I maintain that reforms can only come from a proper understanding of practical norms, with their attendant Congolese social logics.

Second, this paradoxical situation demonstrates how Congo's entrenched culture of corruption prevents the implementation of labour reforms. Just as corruption exists across many political regimes in Africa (Olivier de Sardan, 1999), the temporality and spatiality of corruption in the DRC are marked (Kodi, 2008; Matti, 2010). Given the generalisation and banalisation of corruption in Africa (Olivier de Sardan, 1999), corruption in the DR Congo affects not only the public administration and labour market reforms (Gould, 1977; Mpinga and Gould, 1975; Schatzberg, 1982) but also plays a key role in the hiring of Congolese citizens, from the top to the bottom (Gould, 1980; Kodi, 2008). It facilitates ipso facto the expansion of influential individuals who operate illegally with impunity and perpetrate what Mbembe (2000) terms discharge, by usurping the prerogatives of Congolese employment services.

Finally, this paradoxical situation needs to be understood in relations to the history of capitalism in the DRC and its disastrous labour market in since the 1970s. In the 1970s, the 'Zairianisation' policy led to the expropriation of almost 2000 foreign-owned companies and their transfer into the hands of members of the Congolese elite. Most of these companies went bankrupt within half a year, leading to salary arrears, deductions or even grossly unfair summary dismissals. Hundreds of thousands of workers lost their jobs in the process (Young and Turner, 1985). In the 1980s, the International Monetary Funds pushed the Mobutu regime to implement a structural adjustment programme. The resulting privatisation of many public companies resulted in downsizing and further massive dismissals (Bossekota and Sabiti, 2001). In the early 1990s, the Congo was seriously damaged when looting in many cities destroyed the few companies that remained, leading to even further, unexpected job losses (Trapido, 2016). In the late 1990s and early 2000s, the war deepened the decline of a labour market already disrupted by three decades of economic regress and poor governance (Inaka, 2022).

The labour market did not improve in the post-war period. The labour market is still marked by a high rate of unemployment (over 80%), informal employment (88.6%), underemployment (72%) and underpayment (85%; INS, 2018). As this labour market continues to lose its capacity of absorption, job seekers carry on resorting to influential individuals (Inaka,

2020, 2022). We now turn to examine how these actors think about their actions and the impact these have on the labour market.

Impact of the practices of influential individuals

Influential individuals legitimise their actions in the labour market with a wide range of reasons that range from *jus soli* (native rights to land) to professional duty, labour discrimination, social justice and the high rate of unemployment in the Congo. In this section, I draw on interviews with influential individuals to illustrate their reasoning.

A traditional leader referred to the *jus soli* argument by stating that natives of Kinshasa should be prioritised on the Kinshasa labour market because of their right to the land:

My son, do you know that all Kinshasa, in the centre where you stay, was our land? The state or other foreigners have taken it. We lost our villages. . . . It is a matter of the owners of the land. It's not normal to see people from other places working here whilst Batéké children are jobless. They must be the first to work here.¹

A member of parliament, in turn, saw it as part of his professional duty to help people find jobs:

I am a member of parliament. My voters, my comrades, my neighbours, even my family rely on me. Why not find something for them? It is my duty to find jobs for them.²

A human rights activist spoke from a gender equality perspective to argue that labour market discrimination against women justified her actions:

Women are victims of sexual harassment. . . . Look at all the governments that have been around since 2006: there were never 30% of women. This is the case everywhere. . . . We fight against sexism.³

A journalist was driven by altruism to try bring her influence to bear on the labour market:

As I told you, finding a job is a nightmare in the Congo. Everyone knows that. You see, . . . we are all supposed to help people who are unemployed when we have the means to do so.⁴

Similarly, a professor remarked,

It's difficult to become even a simple cleaner in the Congo. People are suffering to find work. Exactly, I feel pity for the unemployed. I have to help them as much as I can.⁵

Religious motivation can push religious leaders to assist their members. One Pentecostal pastor railed against cultist employers who hired only their own members:

In our country, especially in Kinshasa, there are many obstacles to access jobs. . . . To find a job, one must be or become a member of a sect like the Freemasons, the Rose Cross, the Maikari, the Lyons Club, etc. . . . All that pushes me to help my beloved ones.⁶

My informants had one thing in common, their sense of assisting others. Whether they were fighting for the traditional rights of people, for gender equality in the labour market, or for voters, they all wanted to help a certain group of Congolese to find jobs or to be promoted. In some way, their actions could be regarded as honourable because they address the exclusionary nature of the Congolese labour market. Assisting people who are socially disadvantaged by unemployment can be wise, and through their efforts, these actors might contribute to improving the labour market.

Yet, there is a substantial difference between helping one's peers and observing the principles prescribed by labour legislation for recruitment and hiring, which aim to establish equal and fair conditions for all by requiring an entrance examination. Indeed, most employees of private companies considered influential individuals to be among those who negatively contribute to the escalation and perpetuation of mediocrity, unemployment and labour discrimination. They pointed out that these influential individuals often give preferential treatment to less skilled or even mediocre job candidates; and that these actions discourage job seekers who may be properly qualified but lack support to find a job, and that this contributes to unemployment. Influential individuals may even crook and swindle, promising to help but disappointing their job seeking clients. Four research participants indicated that they lost money due to false promises from extra-market actors.

Private investors and employers tend to consider the practices by influential individuals as harassment. Some feel that their business concerns would be at risk if they were to draw on the services of influential individuals, while others are even reluctant to enter the DRC market because of it. The actions of such influential individuals have repercussions on the management of human resources and on industrial relations. Other companies, in turn, refuse to draw on the services of the legally imposed institutions because they have strong support from influential individuals.

Finally, senior executives from employment services state that influential individuals interfere with the performance of their administrative duties as set by the decrees governing the labour market institution for which they work. These intrusions suffocate the normal functioning of these institutions in all their aspects. For that reason, their services contribute little to recruitment procedures even though they are legally mandated to carry out these functions. Influential individuals have in fact usurped their responsibilities. In turn, some Congolese state authorities who set up these very institutions to resolve irregularities in the hiring process bypass them. This sees the perpetuation of labour market practices from the past into the present.

Overall, this account of the interference by influential individuals in the recruitment and hiring of workers in the DRC highlights the complexities and tensions between Congolese labour legislation and practices on the ground. According to Peck's notion of labour integration, the labour legislation advocates meritocracy and equal opportunity to define the access to jobs. However, job seekers tend to turn to influential individuals for help to access the labour market in an irregular way.

Here, notions of illegality and informality in Africa give us more scope to capture the quintessence of these Congolese irregularities related to labour market insertion. Indeed, notions of contested legality and social legitimacy of illegality allow us to perceive the extent to which the Mobutu and L.D. Kabila regimes were fertile terrains that supported the growth of influential individuals' unfair labour market practices. These authoritarian regimes facilitated influential individuals to undermine the official, legally sanctioned labour market institutions, and to violate the standing labour laws. In addition, it should be highlighted that the generalisation and banalisation of corruption in the successive Congolese political regimes facilitated influential individuals to persevere with their unlawful practices, which have affected both workers' hiring procedures and labour market reforms. Also, it is appropriate to use Hart's notion of linkages between informality and formality, and Mbembe's concept of the discharge, to highlight that influential individuals grab opportunities that lie in the political and administrative disorder of the Congolese state to operate, proliferate and perpetuate freely by arrogating official functions of employment services.

Conclusion

This paper explores the history of the encroachment by influential individuals on recruitment and hiring processes from the colonial period to the present. It shows that throughout this history, the economic, political and sociocultural context of Congo has favoured the perpetuation of the illegal practices of influential individuals. It also demonstrates the meanings that these individuals attach to their interference in these state institutions and shows how their actions are harmful to the Congolese labour market.

Although the phenomenon of influential individuals began during the colonial period, it has been more stringent in its effect on the labour market during the postcolonial period. Paradoxically, the increase in efforts to reform the country's labour legislation to end this irregular insertion into the labour market has seen the exacerbation and perpetuation of the efforts of exactly these actors. Thus, despite efforts by influential individuals to legitimise their

actions, they have a significant negative impact by furthering narrow and parochial interests against fairness and equity as basis for employment in the Congolese labour market.

Peck's notions of labour incorporation and labour allocation help us understand Congolese workers' integration in the labour market from a legal perspective. Although they are also useful to understand how job seekers use social networks or ties for finding jobs, they do not explain the illegal nature of influential individuals. Here notions of illegality and informality in Africa are critical in capturing the illegal nature of this engagement. The paper thus formulates two arguments. First, the history of the Congolese labour market has a direct bearing on the present-day encroachment by influential individuals on recruitment and hiring processes, with both continuities with and ruptures from the past. Second, despite the self-legitimation efforts by influential individuals, their practices significantly contribute to the perpetuation and aggravation of these unfair labour market practices into the present.

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Notes

1. Traditional leader, interview with author, Kinshasa, April 2017.
2. Member of parliament, interview with author, Kinshasa, July 2017.
3. Human rights activist, interview with author, Kinshasa, February 2017.
4. Journalist, interview with author, Kinshasa, March 2017.
5. Professor, interview with author, Kinshasa, April 2017.
6. Religious leader, interview with author, Kinshasa, March 2017.

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