

**‘MOBUTU’S GHOST’:
MOBILIZING AGAINST FOREIGN RETAILERS IN CONTEMPORARY CONGO.
GLOBALIZATION, INDIGENIZATION, AND DOMESTIC POLITICS**

Aurelia Segatti

ABSTRACT

Since 2009, several unions of Congolese retailers have demanded the implementation of a 1973 law forbidding foreigners from operating small businesses and limiting their access to retail. Seemingly similar mobilizations have been observed elsewhere in Africa (Ghana, Kenya, Nigeria, South Africa), but the Congolese situation remains undocumented to date. The current discursive patterns and social practices that have emerged from this mobilization call for a socio-political enquiry, interrogating their xenophobic undertones but also envisaging them in relation with the distribution of power and emerging political subjectivities of post-Mobutist urban contexts. Based on extensive fieldwork combining ethnographic research with interviews with key informants, conducted in Kinshasa between 2010 and 2012, this study focuses on mobilization techniques, the web of representations they give rise to, and political actors involved in or resisting the movement. It reveals a complex type of nationalistic discourse that draws on historical and contemporary global sources, while also being influenced by Congo’s ambivalent relationship to national identity in the post-Mobutist period. The non-distinct xenophobic undertones of the discourse, while mostly intended for Asians and Lebanese, also result in the systematic targeting of West African business operators. Yet, despite often xenophobic and virulent rhetoric, interactions between Congolese and foreign traders have mostly remained characterized by ‘peaceful coexistence’ (Grafmeyer 1999). Those Congolese and foreigners who have chosen to resist injunctions to exclude the latter from economic spaces thus directly question national citizenship as the main basis for political and economic membership in the city of Kinshasa.

BIOGRAPHICAL DATA

Aurelia Segatti is an Associate Professor at the African Centre for Migration & Society, Faculty of Humanities, University of the Witwatersrand (Johannesburg). She holds a PhD in Political Science and an MA in African Studies majoring (political science) from the Centre of African Studies (CEAN – Bordeaux) and is the former director of the French Institute of South Africa (Research). She has coordinated several international research programmes. Her research interests are in migration policy, xenophobic mobilisation, economic indigenisation, and public administration. aurelia.segatti@wits.ac.za

INTRODUCTION

Deriving from early independence attempts at indigenizing the economies, calls for protectionist measures and reserved access to retail for nationals have become a recurrent pattern of post-colonial African societies, particularly in times of crisis (Beveridge 1974, 1991; Peil 1971; Rood 1976). While countries as diverse as Kenya, Nigeria, Ghana, Tanzania, Uganda, Zaire, and Zambia all developed such policies in the early days of their independence, a more recent wave of protectionism over retail has affected Côte-d’Ivoire

(Brédeloup 2003), Ghana, South Africa, Kenya, and the Democratic Republic of Congo (DRC), among others.

In some instances, these mobilizations have led to threats, physical abuse, looting, and at times, individual or collective killings. The situations of Somali traders and the mobilization of the Greater Gauteng Business Forum, an openly xenophobic local business owners' association, in South Africa are a case in point (Gastrow & Amit 2013; Segatti 2011). Another one is the recent use of the Ghana Investment Promotion Commission (GIPC) Act of 1994 by the Ghanaian government to remove Nigerian and Chinese retailers after a period of grace which expired in October 2012 (Owusu 2012). In the DRC, while foreigners' exclusion from retail and petty trade dates back to 1973 with Mobutu's 'Zaireanization' policy, legislation had largely become obsolete, particularly in the troubled period of the 1990s and early 2000s. This was until a new wave of mobilization among unions of Congolese traders led to its reactivation and to negotiations related to its implementation in 2011.

However, there are several substantive differences compared to the early independence era. The circulation of goods and people globally and regionally has sharply increased. Even if often toothless, regional economic communities (RECs) are now offering some regulatory frameworks in addition to those of the World Trade Organization (WTO). Historical communities of West African foreign traders have been joined by other trade diasporas from the Middle-East and Asia. And finally, while states remain central in implementing those protectionist policies, private sector groups of actors are now at the forefront of those mobilizations.

The recent Congolese mobilization lends itself well to a socio-political enquiry into the contemporary avatars of the indigenization discourse, the nature of its xenophobic undertones, and the social practices it gives rise to. But, mobilization needs to be seen in Marx's and Tilly's (1978) terms as guided by 'interests', and therefore analyzed in terms of the dynamics of power redistribution that guide it. In particular, one underlying question is to understand whether this mobilization should be seen as yet another expression of dehistoricized anteriority (Bayart & Geschiere 2001) in a moment of identity and economic crisis, or on the contrary, points to a repoliticization of economic spaces and to emerging political subjectivities in post-Mobutist urban contexts. Based on extensive fieldwork combining ethnographic research and interviews with key informants, conducted in Kinshasa between 2010 and 2012, this study focuses on mobilization techniques, the web of representations they give rise to, and political actors involved in or resisting the movement. It combines a socio-anthropology of places of coexistence based on participant observation in various markets (Central Market, Ziguída, Ngaba, Kato and its extension, and Marché de la Liberté), and in-depth thematic interviews in different languages with leaders of associations, migrant and local traders, union activists, as well as targeted interviews with state actors and decision-makers. The extended period of time over which the research could be extended (36 months in all) allowed for reiteration of visits to the same informants and a close monitoring of developments in mobilization patterns.

The paper first discusses the theoretical implications of focusing on mobilizations at the intersection of autochthony and economic indigenization. It then proceeds with an analysis of the complex type of nationalistic discourse mobilized in the Congolese case study and

shows how it draws on both historical and contemporary global sources while also being influenced by Congo's ambivalent relationship to national identity and autochthony in the post-Mobutist period. The non-distinct xenophobic undertones of the discourse, while mostly intended for Asians and Lebanese, also result in the systematic targeting of business operators of West African descent, some of whose families have been settled in Congo for generations. The paper then interrogates the class dynamics at stake and provides a different reading of the mobilization in terms of (re)politicization of an emerging class of small entrepreneurs. In the last section, the paper then shows the multiple ways in which communities of foreign traders have organized and resisted restrictions on their business operations. In the context of continued negotiations since mid-2011, Kinshasa's tense, dense, and heterogeneous markets continue to be places of 'composition' (Grafmeyer 1999) that is shared spaces, allowing for the relatively peaceful co-presence of nationals and foreigners in the context of the economy of reciprocity described by Trefon (2004). The implications of these findings are discussed in the conclusion.

AUTOCHTHONY, POST-COLONIAL CITIZENSHIP AND THE INDIGENIZATION OF THE ECONOMY

While studies in the 1970s devoted attention to the rationales, the method, and the impact of indigenization policies in different parts of the African continent (see Peil on expulsions of aliens in West Africa, 1971; Beveridge on the Zambian nationalization of the economy, 1974; Rood on nationalization and indigenization in Africa, 1976; and Adedeji, 1981), scholars then honed in on economic policies of indigenization in the 1990s (Beveridge 1991). A broad literature emerged on the South African version of indigenization, black economic empowerment (BEE), in the 1990s and 2000s (Southall 2007 among others), as well as on the Zimbabwean experiment, with a specific emphasis on land restitution. Yet, few of these works, except perhaps Alden and Anseeuw (2009) and Southall's recent volume (2013), really explore in much depth the linkages between economic indigenization and the shaping of post-liberation citizenship. Geschiere and Nyamnjoh's account of capitalism and autochthony remains confined to Cameroon (2000). Barchiesi (2011) in the South African context proposes a particularly stimulating reading of post-liberation citizenship as an exclusive new social contract between the state and the citizenry based on the combination of autochthony, race, and access to waged labour. However, his analysis only marginally explores the systematic exclusion of foreigners from the new pact (something both Di Paola and Monson undertake further in this issue).

While the literature on autochthony reviewed in the introduction to this issue has explored the role of economic inequalities in polarising identities, it has mostly done so through the lens of land ownership and access to state services and benefits. Very seldom have studies of autochthony paid in-depth attention to the historical making of economic inequalities and their overlap with racial, ethnic and religious boundaries. This is perhaps because doing so concurrently requires to think about autochthony as the assertion of a 'natural' right to make claims over a specific 'territory' and its 'resources', as Cutolo (2008) encourages us to do, mobilising Foucauldian conceptual tools. This reading of autochthony as a form of 'governmentality' and 'biopolitics' offers the possibility to read it beyond the realm of belonging and territory or space it is often confined to, and to examine its intersection with economic activity and wealth appropriation.

As pointed out in the introduction to this special issue, too little is known about how differentiation on the basis of insider/outsider boundaries triggers new (or renewed) mobilization patterns and political subjectivities, as well as exacerbates class dynamics in post-colonial contexts of neoliberal governmentality. Following Cutolo & Geschiere (2008: 17), this paper works at the intersection of these dimensions to understand the specificities and historicity of local and national arrangements. In particular, the paper draws on its empirical findings to document instances when autochthony continues to naturalize and dehistoricize power relations and instances when, on the contrary, it repoliticizes local forms of governmentality.

The Congolese case study

Current mobilization patterns calling for foreigners' exclusion from retail in Congo, the discourses they give rise to, and the kind of political subjectivity they express are multi-dimensional. They are only one development in a long history of Congolese mobilizations (Nzongolo-Ntalaja 2002). While mobilizations on similar grounds have sparked much violence in other settings (South Africa, Ghana, Nigeria), the Congolese movement has so far been met with circumspection and passive and active resistance by both target populations and locals. While Congolese 'hospitality' and 'friendliness' as well as Kinshasa's 'cosmopolitanism' are often romanticized (Trefon 2004), little is known of the actual mechanisms behind the dominant 'peaceful coexistence' that prevails across markets.

As 'places of composition' (Grafmeyer 1999) governed by their own rules, Congolese markets have thus far offered structural resistance to the autochthony discourse: Calls for strike have been met with resistance; foreign traders continue to operate openly; multiple waivers have been granted allowing them to do so legally for many products. Instances of racketeering and harassment have been reported but have remained fairly localized and are hard to distinguish from everyday *tracasseries*, the routine harassment of all (Congolese and foreign) traders by state representatives in search of easy cash. Kinshasa's markets are more than mere fresh produce markets. They reflect a long history of contradicted planning by colonial and post-colonial authorities and claiming back of the urban space by a range of social actors (Beeckmans 2009). Increasingly vital to the urban economy of a capital city almost entirely devoid of employment in industries and with limited 'modern' retail structures, markets are also a source of direct income for state authorities through taxation. Even though officially accountable to the municipality, markets are in fact under the 'protection' of different state structures, from the Presidency, as in the case of the Marché de la Liberté, a 'gift' from Laurent-Désiré Kabila to Masina's inhabitants in recognition of their loyalty to his regime in 1998, to the city's governor, district mayors (*bourgmestres*), and at times district military officials. As fragile institutions as markets may be, understanding the structural mechanisms they offer in terms of mobilization and resistance is fundamental to grasp the nature and potential of the autochthony discourse in Congo, but also the class interests and dynamics which underpin these mobilizations (Péraldi 2001). This study is therefore an attempt to respond to the following questions:

- Who are the main actors in these mobilizations? What is their political and socio-economic profile?

- How have they managed to mobilize? On what scale and through which networks? What are the discursive patterns on which they rely?
- What sort of political subjects emerge from these mobilizations, both within and in opposition to them? Whose key interests do they protect, consciously and unconsciously?

THE CURRENT MOBILIZATION AS A CONTINUATION OF MOBUTIST INDIGENIZATION RHETORIC

The first striking element in discourses proffered by unionists and state officials was the filiation, legal and symbolic, established with the indigenization rhetoric of the Mobutu era. While present in actors' narratives, this legacy was also constantly transformed and reinterpreted so that a full understanding of the arguments made requires to be historically informed.

The 1973 'Zaireanization' reform: Returning economic assets to the 'sons of the country'

In the 1960s, the Mobutu regime started to consider changes to the ownership structure of key economic assets in order to limit its dependency on the former colonial power, Belgium, whose interests had remained largely dominant across sectors. In 1966, the Bakajika Act (7 June 1966) imposed companies to be registered in Zaire. This resulted in the nationalization of land and minerals rights. The vote of the Act gave rise to a political debate which intensified as Zaire embarked on 'authenticity' more firmly as from 1971 (Ndaywel è Nziem 1997: 717). On 30 November 1973, 'Zaireanization' was imposed by decree (Ibid). As Braeckman showed, this policy was intended to create a national bourgeoisie, a "middle class", to use Mobutu's own words, that would lift the whole country out of poverty and underdevelopment (1991: 157). Zaireanization was also part of Mobutu's *rapprochement* strategy vis-à-vis the Eastern bloc (China, North Korea) and among non-aligned countries in the Third World (Ndaywel è Nziem 1997: 693). In addition to the nationalization of land, which implied that all businesses such as plantations, cattle and poultry farms, fisheries, and quarries became state properties, it was decided that petty trade could only be carried out by nationals. However, the unpreparedness of the reform and the predatory appetite of the new political leadership soon drove down the newly nationalized firms. Dispossessed economic operators sometimes resorted to scorched land tactics. Instead of abandoning the reform, it was in fact aggravated in 1974 with 'radicalization', which consisted in the appointment of state directors as chairmen of the nationalized businesses. The systematic plundering of finances resulted in numerous bankruptcies. This was then followed by the dismantling and destruction of productive capacities. Investors became more and more suspicious, and massive capital flight also resulted from the policy. In particular, small trade operators, from Portugal, Pakistan, and Greece, were affected and decided to withdraw *en masse* from the rural areas, thus depriving Congolese populations of basic products (Ndaywel è Nziem 1997: 719). As Young and Turner (1985) noted, 'what transpired was a tumultuous, disorderly and profoundly demeaning scramble for the loot'.

In spite of the economic disaster Zaireanization fostered, which Mobutu himself acknowledged and tried to mitigate with the creation of a stabilization committee in 1975,

the 1973 reform continued to inform the Congolese economic landscape for many more decades. First, it formalized legally the relationship between colonial theft and the justification for repossession. Second, it rooted the legitimacy of repossession in the notion of autochthony, through concepts such as 'sons of the land' or 'return to the land'. Third, it conditioned, even if only symbolically, the country's access to modernity to the expulsion of foreign interests and the emergence of a Congolese 'middle class'. And yet (fourth), ironically, in focusing on colonial and foreign interests, it managed to distract attention from the profound clash of class interests between the predatory political leadership and the impoverished rural and urban masses which Zaireanization was in fact based on. Precisely because it served the sole interests of Mobutists (and large foreign corporate interests who were soon back in business) (Ndaywel è Nziem 1997: 719), and for that matter did not rely on any long-term economic strategy, it precluded the emergence of the said 'middle class'. In particular, the incorporation of petty trade in the Zaireanization reform served as a smoke screen concealing the strong class interests that underpinned the bulk of the reform. These key structural aspects and the memory of the failed reform would continue to shape mobilizations informing the indigenization of trade until the present day.

The collapse of state regulatory power in the 1990s and the protracted war situation from 1997 onward concurred to a situation of inconsistent regulation of petty trade across the country. It became mostly administered at the discretion of the most powerful authorities of the moment and a source of micro-local rent. With the gradual reopening of the country, the change in alliances following the demise of the Mobutist regime, and the subsequent installation of the Kabilas, new migrant trade networks settled in the country from across the world, specializing in specific products or value chains (Segatti forthcoming). Alongside older generation West African, Lebanese, and Indian operators who settled in Congo decades ago, Kinshasa is now home to a great diversity of business people. These come from China, Bangladesh, Pakistan, Turkey, Nigeria, South Africa, and other Lebanese communities (who are now mostly Muslim, as opposed to former Christian Lebanese migrants). With the almost complete collapse of domestic agricultural and industrial production, import became a monopoly game between a few large foreign operators organised along sectors and products. De facto, monopolies over the import of specific products created monopolies over the entire retail chain across the country. Despite harsh and highly uncertain conditions, prospects of high returns on investments led to the settlement of numerous smaller operators (Vircoulon 2007). Those smaller operators are most of the time directly linked to the larger import operators through family or ethnic ties. This is the context in which discontent among Congolese petty traders began to grow and resulted in the emergence of coordinated protest actions.

Even though some actors make reference to some form of mobilization in 2001, it is only in 2011 that attempts at organizing retailers around indigenization materialized. On 26 July 2011, a march was organized at the call of several unions of retailers under the leadership of the Syndicat National des Vendeurs du Congo (SNVC – National Union of Congolese Retailers). Their main demand was the implementation of the restriction guaranteed under the 1973 Act. This led to the signature of a decree in October 2011 (Décret 011/37/11 Oct/2011) by the national minister of the Economy. There was, however, no sign of implementation by the end of 2011, so the unions called for a second march to be held on 10 January 2012. A long negotiation process ensued during which unions, associations of

foreign retailers, larger federations of employers and governments negotiated product by product and reached a final agreement by the end of 2012. Officially, retail and petty trade are reserved to nationals. However, the waivers included in the final declaration and the attached nomenclature practically ensure that foreign operators retain specific rights, through waivers, per sub-sectors of retail. The specifics of the nomenclature are also such that, practically, it will be extremely complex for government to enforce the decree.

Notwithstanding these various aspects, the discourses which were crafted throughout the mobilization and negotiation processes provide a fertile lens through which to envisage this attempt at re-indigenizing the economy from below.

Patterns of contemporary indigenization discourses in the Congo

'[...] Chinese and Indian suppliers are chasing us in the Democratic Congo to unfairly compete with us in the exercise of petty trade selling wholesale, semi-wholesale, or retail goods, under the label of investors, while they unduly take advantage of the Congolese code of investment. This is something we can no longer tolerate, enough is enough. [...]

They are of course the producers. But it is the African mamas who make use of the fabrics. Their wives don't wear them. [...] Far from us the idea of standing against our Chinese and Indian partner friends whose know how and technicity in the framework of the '5 chantiers' and the revolution of modernityⁱ are no longer to demonstrate. However, they could be more useful elsewhere. [...]

To the President of the Republic, our thanks for his patriotism and commitment to safeguarding the supreme interest of the Congolese people in its territorial integrity, in order to trigger the birth of the middle class of Congolese entrepreneurs.'

(Translated from the French by the author) Association des Femmes Commerçantes et Navigantes (AFCONA) [Association of Business and Navigating Women], 2012

The excerpt above is taken from a memo addressed by one of the unions to the Minister of the Economy at the height of the negotiation. It encapsulates a number of the key discursive patterns, understood as a range of themes and metaphors providing certain representations of social reality, identified in the mobilization. The paper now delves into an analysis of the combination of tropes encountered in these enunciations as an initial layer of reading.

The baseline of most discussions and statements on the 2011 mobilization systematically drew on the legal rooting of the claims in the 1973 and 1979 Acts (see previous section). Most actors interviewed were thus well aware of the laws, often able to cite their references by heart, even if most did not seem to have a full understanding of legal matters. The anteriority of the law on the current situation, in spite of the abysmal failure of Zaireanization, which was most of the time acknowledged and denounced, stood as a strong

element of legitimacy. Its obsolescence over the years was ignored and the need to revise it on the basis of the current context was largely seen as the result of foreigners' pressure on government: For many, imbued in a deeply-rooted positivist legal culture that dominates the understanding of the law in Congo, the simple stringent implementation of the legal Acts could have been enough.

Linked to legal legitimacy, but this time more openly rooted in the history of the country, is the indigenization of the economy. The rationale here is ambivalent in many respects. Firstly, while it claims some filiation with the Mobutu era it also understates its overall economic failure and legacy, particularly in terms of their class implications. Secondly, because it keeps referring to a heterogeneous mix of pseudo-Marxist, developmental rhetoric around the need for the protection of infant industries while being disconnected from actual global debates. Therefore, while there are connections between the indigenization of retail discourse and anti-liberalization/pro-industry global developmental discourses, their shaping in Congo draws on an eclectic mix of 1960s and current global glimpses mostly relayed by media sources. In addition, there is a clear surrender of industrial policy to foreign expertise (AFCONA 2012 cited above). Prompted to explain this rather resigned position regarding the industrial sector and wholesale trade, informants often recounted the systematic destruction of production capacities and discouragement of Congolese industrial entrepreneurship over the past three decades, as well as the creation of cartels and monopolies on basic staples (rice, batteries, bread, etc) among large foreign groups in cahoots with Congolese authorities (Mutombo, 11/09/2012).

Thirdly, excluding foreigners from trade encapsulates a strong sense of territorial Reconquista within the urban space. With little attention paid to the historicity of street trade in Kinshasa, union leaders insisted on the importance of spatial occupation of the streets. 'All expatriates must leave the streets, they must sell in warehouses. Places and spaces are at stake. If our government acted responsibly, they [expatriates] should have been cleared of these spaces', summarized one trade unionist (Tshimanga-Lutumba 11/09/2012).

Fourthly, and notwithstanding recurrent generalizations on foreigners ('expatriates') (see below), there was vigorous condemnation of xenophobia and racism across interviewees. Without being prompted, most interviewees insisted on distinguishing the current Congolese mobilization from other continental outbursts of xenophobic violence. For those representing Congolese traders' interests, their struggle is very distinct, precisely because of the legal and economic rationales. Gilbert Lokofu, the General Secretary of the SNVC, insisted:

'We are hospitable and peaceful but people who've been welcomed by us take advantage of our good faith. We're not here to beat them up. Let them respect our laws. It is unfair that they have privileges.' (Lokofu-Longanga 14/09/2012)

Other less avowable means to exert pressure on foreign traders, such as intimidation, racketeering, and violence, are concealed and denied by actors interviewed; a major difference, for instance, with the South African situation where taking the law into one's own hands, or what analysts have termed 'insurgent citizenship', is considered legitimate,

both historically and in the current context (see Monson in Landau 2012; and Monson in this issue).

Paradoxically, in spite of this vigorous condemnation of xenophobic violence and racism, Congolese discourses on the indigenization of retail are replete with xenophobic undertones giving shape to a specific type of autochthonous discourse. Claims almost classically relied on ahistorical reconstructions of the 'Congolese people' as the 'sons of the land'. The rallying cries of one of the main unions, for instance, made explicit reference to the 'sons of the country' (*Bana mboka*) and the re-possession of the land (*Congo na biso: our Congo*) (SNVC at a rally on 17/11/2012). Notions of unity, territory, and filiation were regularly mobilized, all geared towards emphasizing the legitimacy of autochthonous populations. This being said, closer examination of the dynamics of the mobilization revealed extreme ethnic and political tensions among trade unionists (see next section). Yet, this was not what was brought forward in statements: Congolese identity was uncritically presented as a unified whole.

The second feature of these xenophobic undertones was the invariable construction of Congolese people and, particularly, small entrepreneurs as victims: Of colonization, Zaireanization, wicked expatriates, and the complicity of past and current authorities. Trade was also very much seen as emblematic of Congolese men's masculinity in their ability to put bread on the tables of their families. Notions of betrayal, humiliation, and relegation to a rank of secondary citizen were commonly raised, often taking on implicit sexual connotations: *'The liberty we give them, they turn it into libertinage.'* (Diemo, CCK, 11/09/2012). Guylain Lokofu, from SNVC commented:

'They have lots of money with which they manipulate our government. Damso is a Belgian subject in the fish import business. Well, the government kneels before him.' (Lokofu-Longanga, SNVC, 14/09/2012)

Last but not least is how those discourses are reshaping the figure of the foreigner in relation to Congolese history and current dynamics around citizenship. Particularly striking is the use of homogeneous terms such as 'expatriates' or 'foreigners', not only lumping together populations of diverse national origins and with distinct histories of migration to Congo, but also blurring class divides and positions in economic processes. While expatriates used to designate Western employees, particularly of donors, who would move to Congo on fixed-term positions of a few years, it has now come to designate all foreigners, including self-employed West Africans or Lebanese. It is in the interstices of interviews and conversations that xenophobic prejudice and a propensity to generalize surfaced more openly:

'[...]Today, many stalls are run by Lebanese, Indians, Chinese and certain Asian races. Well, you can't distinguish them.' (Kabesa, Provincial Ministry, 13/11/2012)

'In the memo, we asked for the law to be implemented, for retail to be returned to us. Because we were invaded by the Chinese, the West-Africans, the Indians.' (Kisangani-Siapata, Female traders' representative, 13/09/2012)

It is, of course, essential to envisage these generalizations in relation with the various frustrations explored previously to render them in their complexity and depth. Interviews thus reflected a constant tension. While the legitimacy of the Congolese's sense of deprivation was built on historical legacies going back to the colonial period, concurrently, the historicity of migration to Congo was deliberately ignored, in spite of sophisticated or even intimate knowledge of communities of 'expatriates' among Congolese mobilizers.

This opposition between 'us' and 'them' in the trade sector was my initial entry point in understanding the mobilization. However, a second reading of it slowly imposed itself to me. As my interviewees and I were becoming more acquainted, and with more time spent in the depths of the markets, it became apparent that entwined with the indigenization rhetoric lay an expression of political resistance and emerging class subjectivity.

URBAN MOBILIZATION OF TRADERS AS AN EXPRESSION OF POLITICAL RESISTANCE AND EMERGING CLASS SUBJECTIVITY

The market, it's us, it's us! The economy, it's us, it's us! Liberation, it's us, it's us! (Provincial president of the SNVC, rally at Marché de la Liberté, 17/11/2012)

These are words chanted by members of the SNVC at a rally organized in November 2012 at the Marché de la Liberté — one of the largest markets in the eastern part of Kinshasa, in the district of Masina. This powerful assertion of the union's role in the economy and politics ("*liberation*") of the city encourages one to re-think the indigenization discourse and mobilization in relation to two specific dimensions that I have left aside until now: The organization of the mobilization itself and what made it possible in the constrained Congolese context; the underlying politics and class dynamics at play.

The revival of Congolese Small and Medium Enterprises (SMEs)

In spite of Nzongolo-Ntalaja's people's history of the Congo (2002), the history of Congolese unions is one that remains to be written. While some already existed in the years before independence, or were created immediately afterwards, most Congolese unions emerged as organized associations promoting the interests of specific categories of workers and students. While some were directly influenced by socialist and Marxist ideas, such as the Union Générale des Etudiants Congolais (UGEC) or the Fédération Générale des Travailleurs Kongolais (FGTK), others were rather influenced by Christian democratic ideas from Belgium, such as the Union des Travailleurs Congolais, the largest union at independence. The rise of the one-party system under Mobutu's Mouvement Populaire de la Révolution (MPR) led to the incorporation of these different unions into single organizations under the MPR. In 1967, workers' unions merged into the Union Nationale des Travailleurs Congolais, which later became the Union Nationale des Travailleurs Zaïrois. UGEC was merged into the Jeunesses du MPR in 1972. As far as employers' organizations were concerned, they only emerged in the 1970s, thanks to Mobutist support. In 1972, on the basis of existing professional organizations and chambers of commerce, the regime established the Association des entreprises du Zaïre (ANEZA) with national and regional offices, sector-

based clusters, and committees (Ndaywel è Nziem, 1997: 720). Female traders, often close to government through their husbands, or themselves active politicians within the MPR, organized into various associations, the most powerful of which was the Association des femmes commerçantes du Zaïre (AFECOZA) (Ndaywel è Nziem 1997: 737; Kisangani-Siapata 13/09/2012).

In the 1990s, other organizations were created targeting more specifically small and medium enterprises (SMEs). The Confédération des Petites et Moyennes Entreprises du Congo (COPMECO) was thus created in 1991 to federate Congolese SMEs, on Mobutu's recommendation (Muyenga Muna 19/11/2012). Other organizations already existed, such as the Union Nationale des PME, the Fédération Nationale des Petites Entreprises Congolaises or FENAPEC (that still operates), and the FEC PME, an off-spring of the powerful Fédération des Entreprises du Congo (FEC) (which represents the interests of large companies, and thus mostly foreign interests) but targeting SMEs (Muyenga Muna 19/11/2012). However, its current lack of funding and proximity with the FEC positioned it at odds with the more recently created 'unions', defending the interests of SMEs and the range of informal occupations related to trade.

Interestingly, the initiative of the 2011 mobilization stemmed from an alliance between a small group of new organizations created between the late 1990s and the late 2000s outside of the framework described previously. These organizations like to be seen as 'unions' (*syndicats*) in opposition to the *fédération* and *confédération* of the FEC and COPMECO, seen by them as representing the powerful multi-national companies and larger SMEs and not their constituencies. The lead organization, SNVC, was created in October 1997. With 20,000 card-holding members in 2012, according to its national president, Guylain Lokofo-Longanga (14/09/2012), it organizes the 'informal sector', bars, taverns, small shops, market stands, pharmacies, small hotels, as well as 'the most underprivileged', such as shoe polishers, cobblers, stone breakers (*op. cit.*). While it is present across five provinces (Kinshasa, Lower-Congo, Western Kasai, Katanga, and North Kivu), its stronghold is Kinshasa, where it is active in 123 markets, 17 car parks, and 4 ports. More recent unions that took part in the mobilization are the Union pour le Développement des Commerçants Congolais (UDCC), born in 2008 and strong of about 4,800 members in 2012 (Mutunda-Ntita 18/09/2012) and the Rassemblement National pour l'Epanouissement des Entreprises Congolaises (RANEECO), created in 2009 and strong of about the same membership as UDCC (Tshimanga-Lutumba 11/09/2012).

Distinct from these 'unions' due to its filiation with AFECOZA, but associated with the 2011 mobilization and the negotiations which ensued, is AFCONA, created in 2003 as a business and navigating women's organization. Representing the interests of a historically, rather wealthy, albeit recently impoverished, class of female operators in alliance with smaller cloth traders, it is currently headed by Elise Kisangani-Siapata, former secretary of AFECOZA for the Kinshasa branch in the 1980s (Kisangani-Siapata 13/09/2012). Finally, there are also a myriad smaller, more localized or sector specific organizations, closely associated with the 2011 mobilization. While their exhaustive list cannot be established, two of the more powerful ones in terms of mobilization were the CCR KE (the Kato market association, mentioned previously) and the Association nationale des vendeurs d'oignons et de condiments (ANAVOC).

The 2011 mobilization reflects a rather unique moment of unity and solidarity between these three main organizations (SNVC, UDCC, RANEECO), some of their affiliates (CCR CKE, ANAVOC), and AFCONA as reflected in the march and various memos sent to Prime Minister Ponyo and Minister of the Economy Nemoyatu (CCR CKE, 2011; UDCC 2012; AFCONA, 2012; Lokofonganga 14/09/2012). Existing differences in constituencies, class, ethnic, and political composition of the organizations resurfaced at a later stage (discussed further in the paper) in the mobilization. However, during the 2011 strikes, the march, and over the different rounds of negotiation that followed until the end of 2012, these various organizations continued to exert pressure on government in a fairly coordinated manner. This is notable enough in a country where sustained social mobilization has been almost systematically stifled and particularly where class, ethnic, and political alliances have almost always failed to persist over time (Nzongolo-Ntalaja 2002).

Markets and the political economy of Kinshasa

Understanding the dynamics of this specific mobilization also requires a closer look into the political economy of the city-province of Kinshasa and the role played by markets within it. A 2009-2010 study of local governance in the city (Segatti and Tshibwabwa-Kuditshini, unpublished, 2012) in which 19 of the 25 districts were studied revealed how markets had become part of a complex web of localized rents irrigating the Congolese political class at different levels. While some of the markets are the *chasse gardée* of either the Presidency (Marché de la Liberté) or the Governorate (Marché Central), smaller markets fall under the 'protection' of local politicians, police, or military officials. The division of profits among the various stakeholders was confirmed by several interviewees.

While tax collected in the markets may not be very substantive compared to other rents (mining, customs), they are a regular (daily in fact) source of flexible cash for the political elites and petty civil servants, and one that is easily unaccounted for. As most transactions continue to be handled in cash only and without any computerization, market rents can be highly sought after. Administrators' positions are thus politically motivated and the exclusivity of market management can become a source of violent conflict. Such a conflict opposed, for instance, the Bourgmestre of Matete, Thierry Gaibene, and a local high-ranking police official in 2009 (11/08/2009).

Control over the markets and the level of rent they generate thus represents leverage in the negotiation with the political elite, whether at local or national level. In addition to the source of social unrest that market closures can cause in economies extremely reliant on the daily consumption of basic staples, closures are also a direct loss on rent in-flows, and thus have the potential to irritate its usual beneficiaries and at least draw their immediate attention. Commenting this bargaining power, the president of the SNVC, reflected '*We can paralyse the city.[...] Government did not really think we could paralyse the city.*' (Lokofonganga 14/09/2012)

More than a general protest against taxes and *tracasseries*, the indigenization agenda, because it cuts across existing divides and tensions among and between the organizations,

represented a powerful way to test the actual leverage they could have over the political elites at the local and national levels.

The mobilizing power of the indigenization agenda should also be seen in relation with the class dynamics it has been able to harness among these organizations. Common to the sociology of these unions is the bitterness of a class of ageing Congolese entrepreneurs, once managing flourishing businesses in the 1980s and systematically impoverished by the country's various crises. Many of the organizers would, for instance, quantify their losses, comparing the number of shops they owned in the early 1990s to what they have now, some having gone entirely bankrupt. While acknowledging the disastrous policies of the Mobutu era, most would also express particular anger at the current alliance between the new political elites, from the eastern part of the country, and foreign interests, particularly Indian and Chinese — an alliance concluded at their expense through their exclusion of the urban rent-generating networks. Although particularly careful in how they would phrase it, they would also relate more or less explicitly their current hardships to the influx of 'foreigners' triggered by the '5 chantiers' policy of President Kabila.

However, the resentment of members of UDCC, RANEECO, and AFCONA should not be entirely confused with the discontent of the SNVC and smaller affiliates. While the former are feeling excluded from access to a larger share of economic profit, the latter are fighting for survival. This is at least what SNVC claims to be doing. In asserting their ability to lead the pack and 'paralyse' the economy, SNVC was in fact sending a message to both government and the other unions and claiming access to a larger share of the rents. The mobilization should therefore be seen as an alliance between two distinct classes of traders: Former beneficiaries of the Mobutist era impoverished over the past decade and incapable of withstanding the competition of foreign operators, and the '*petit peuple*' of street vendors, barely surviving on a few Congolese Francs a day in a jobless economy, but who, more than the other organizations, have the power to bring Kinshasa's markets to a standstill.

The apparent unity of purpose displayed by the organizations during mobilization and negotiations also concealed profound ethno-regional and political divides in addition to the class dynamics that were just described. As interviews were conducted, it became apparent that tensions existed between SNVC on the one hand, and RENAACO, CCR CKE, and to a lesser extent UDCC on the other. These tensions were related to the fact that RENAACO, CCR CKE, and UDCC are dominated by the Luba-Kasai ethnic group, known for its prominence in business. Certain markets, or sections of the huge Marché Central and of the Kato market, are indeed dominated by business operators from that ethno-regional origin; other sections by the Banande, a group originally from the territories of Beni and Lubero in North Kivu; and yet other sections by West Africans (Gaye 17/09/2012). The RENAACO leader, Tshimanga Lutumba, a Kasaian, openly admitted to these ethnic tensions and indicated that entering into an alliance with SNVC, whose leader Guylain Lokofu is not a Kasaian, was part of a calculation to expand the basis of RENAACO and other affiliates beyond their Kasaian profile and historical political camp, that of the Union pour la Démocratie et le Progrès Social (UDPS), the main opposition party led by Tshisekedi Wa Mulumba, himself a Kasaian.

At the organizational level, what emerges is a complex web of trade unions and associations fighting a broader struggle — the assertion of political and economic space to be claimed back from the large multi-nationals and their main patron, the Congolese national and municipal political leadership and its rapacious rent-seeking systems. Because of its historical and legal origins, as well as in reaction to recent substantive and visible inflows of new migrants into Congo, the indigenization discourse offered unprecedented leverage to already existing organizations. The latter point distinguishes the Congolese case from situations where the indigenization agenda triggers the creation of organizations. More than other demands, indigenization has had the ability to federate organizations across their specificities and divides and to strike a temporary alliance between two sub-classes of business operators which had never united historically. Above all, because of the tactical understanding of its leaders regarding the role played by market rents in the political economy of the capital city-province, the mobilization managed to bring authorities to the negotiating table. However, this did not go without counter-mobilization and resistance from the different associations of foreign traders present in Congo, both in the form of an active lobbying of the political sphere and in passive and quiet resistance to the closing of businesses within markets. These and the outcome of the negotiations and resulting *modus vivendi* are now examined.

MARKETS AS 'PLACES OF COMPOSITION' AND RESILIENCE

After about three years of negotiations between the unions and government, what the coalition of Congolese traders' unions has achieved is unclear. On one hand, they have succeeded in opening negotiations inclusive of all major stakeholders. On the other, associations of foreign traders as well as the powerful FEC fought tooth and nail to defend their interests. They managed to secure waivers on about every product of interest to them. Implementation of the 2011 decree and the classification (*nomenclature*) remain ineffective to date. Major challenges stand in the way of systematic implementation: Intergovernmental coordination, the absence of an implementation budget, and the multiple tactics adopted by groups of foreign traders to circumvent the decree. In late 2013, on most markets across Kinshasa, Congolese and foreign operators continued to operate side by side. Part of the explanation is that foreign operators organized in multiple ways to resist the unions' attempt at excluding them from retail and petty trade using a range of resources to claim political and economic space.

Organizing the resistance

West African migration to the DRC goes back to the early 20th century with the import of labour for the construction of the Matadi railway (Marega 08/12/2012; Segatti forthcoming). Essentially composed of Malians and Guineans, who for some remained and settled permanently in Congo, these pioneers were joined by Senegalese diamond traders, a phenomenon well documented by Brédeloup (1994). While few of them seem to have stayed on, except in the '*nganda ntaba*' business (goat meat taverns), a new wave of West African immigration, primarily from Nigeria, and to a lesser extent, Liberia and Sierra Leone, started growing from the 1990s onward. While Sarakolé Malians and Guineans continued to arrive, or for some, to move around Central Africa through kinship networks, tossed around

the region as conflicts erupted (in Congo Brazzaville, Central African Republic and Eastern DRC), specialization in import chains, products, and trade sectors deepened, particularly visible in the city of Kinshasa (Haïdara 20/11/2012; Hamza 08/12/2012ⁱⁱ; Marega 08/12/2012; Thiam 08/12/2012). Malians and Guineans now specialize in African fabrics, jewellery, and small food and beverage businesses, locating them in markets (across the city but particularly in Marché Central and Kato) and entertainment areas (such as Mbandalungwa and Barumbu); Nigerians occupy the electronics, music, and auto spare parts sectors. Their specialization proved particularly strategic, and offered leverage during the negotiations, in a city entirely reliant on second-hand cars in need of constant repairs (Emeka 14/09/2012; Obiechina 11/09/2012).

While there are no official statistics regarding each of these groups of West African nationals, a rough estimate of their presence in Kinshasa points to a few thousands per community. Interestingly, in spite of the limited support they receive from their countries of origin (except for Nigeria perhaps), these groups are organized into national associations coalescing into a single organization created in 1986 representing the interests of nationals from the Economic Community of West African States (ECOWAS) (Gaye 17/09/2012). It claimed a membership of about 30 to 35,000 members in 2012. Its representative, Roger Gaye, a Liberian national, who sat through all rounds of negotiations, ensured that each category of products critical for the organization's various constituents got waived in the final classification of products reserved to Congolese nationals in the 2011 decree (Draft Arrêté ministériel 2012; Gaye 17/09/2012).

While organized, West Africans remained subject to harassment at the hands of the state and other groups of traders. Several interviewees pointed to the 'ethnic' fragmentation of markets between Baluba, Banande, and West Africans (Gaye, op. cit.; Obiechina 11/09/2012; Sako & Jereme, op. cit.). In the words of Roger Gaye:

'The market (Central & Kato) is dominated by the Baluba and they are in competition with West Africans. They think they can get rid of us. You see it's the union leaders, it's the market administrators. But some of us have been around for 30-40 years. For some Malians, it's their home.' (Op. cit.)

In general, representatives of associations and more established traders showed strong confidence in the continuation of their business operations and, more broadly, of their settlement in Congo. Mr Thiam, introduced to me as the descendant of an aristocrat family from Mali and a prominent businessman, owner of several shops and buildings, thus introduced himself:

'I am Congolese. I was born in Kisangani in 1957, of a Malian father and a Congolese mother. My father was a trader and my paternal uncles too. My entire family is here in Congo, and it's here that I'll spend the rest of my life.' (Thiam 08/12/2012)

The evasive Congolese state

The position of state authorities was characterized by a clear divide between the national and provincial levels on one hand, and the local one on the other, more easily understood along political, ethnic, and economic lines. It was clear from interviews with market administrators and information collected about them from Congolese and foreign leaders that market administrators were by and large favourable to the mobilization. In one interview with the administrator of Marché Ngaba, the latter openly indicated that the SNVC worked 'in partnership' with the administrators and that he fully supported the City's implementation of a programme consisting in expelling hawkers operating in main arteries as streets were 'flooded with our expatriate brothers who occupy many tables [...it was necessary to] give a chance to our Congolese brothers.' (Masamba 12/09/2012). This may have been paradoxical, given that administrators had everything to lose in terms of cash inflow and negative publicity on their ability to preserve social order within the markets. This nuances Englebert's study of the Congolese state's capacity to reproduce locally merely through fiscal rents (Englebert 2012). Symbolic ones, through ethnic ties and straddling between administrative positions and trade, explained as much their sympathy for the mobilization. While at national and provincial levels, unrest and exclusion of foreign operators were seen as potentially very damaging in terms of partnerships with foreign investors and frustration of the executive, at the local level, there was support for the SNVC in particular.

Beyond these marked differences of appreciation, what was particularly visible was government's incapacity to take any action over time. Neither market administrators, nor provincial authorities in the Department of Economic affairs, nor the national ministry of the economy and trade, let alone immigration authorities, had any sense of the level of intergovernmental cooperation required at the end of 2012 to actually implement the Decree. No budget had been allocated and no implementation plan discussed. Rather, market operators have redefined new rules and arrangements, and reorganized accordingly, giving little purchase to the SNVC mobilization.

'Economy of reciprocity' and 'right to the city': Redefining the contours of being Kinois

Trefon (2004), following De Villers (2002), characterized the nature of mutual help in Kinshasa as an 'economy of reciprocity' rather than solidarity among the poor. One of the questions left hanging in existing analyses of Congolese urban transformation, however, is that of the mechanisms governing the historical condition of strangers (Simmel 1908). While Trefon shows convincingly overlapping and multiple identities are mobilized systematically to counter the negative effects of political oppression and state bureaucratic deficiency in social protection and how being 'Kinois' has become a manner to broaden one's opportunities (Trefon 2004), little is said about the way in which this applies to non-nationals. The relatively limited literature on migration to Congo (Kivilu Sabakinu 2004) does not really allow one to answer this question. The protracted tensions with Rwanda and Uganda in the eastern part of the country do not seem to have altered the nature of the 'Kinois' way of life towards an essentialization of positions on ethnic and national belonging. Chauvinistic assertions of Congolese nationalism against the Rwandan 'enemy' are regularly heard. Yet, unlike other countries facing comparable situations of extreme fragmentation and state withdrawal degenerating into civil conflict, Congo has thus far resisted a

generalized ethnic strife. While Kinshasa has gone through unprecedented demographic change over the past two decades as a result of internal displacement, migration, and international inflows, it has also been mostly devoid of major violence, except for the 1998 Tutsi-hunt, specific to a context of war and siege.

In addition, while the Congolese state has retained relatively strong coercive powers in the capital city, mostly as a result of the need to secure access to rent, donors, and political power, its socio-economic role, as seen in this paper and in the works of others, is limited. The analyst is therefore left with a conundrum: What explains the ability to maintain 'compromise' and 'peaceful coexistence' and to oppose attempts to exclude foreigners from even legitimate spaces, such as those defined by the legislator, in the absence of coercive state might?

Counter-intuitively, ethnicity, the villagization of Kinshasa (Delvisch 1996), representation and class differentiation, rather than playing out as exclusionary, mediated foreigners' ability to either assimilate into the Kinshasa social fabric or seek durable protection. This is not contradictory; in the presence of a mostly authoritarian and rent-extracting state, Kinshasans have been multiplying networks and identities in order to maximize their ability to resist oppression, extortion, and arbitrariness (Trefon 2004: 17). These (ethnicity, villagization, representation, class differentiation), along with others (religion, profession, etc.) are some of the key entry points into the city's social, political, and economic fabric, whether for *mbokatiers* (villagers from rural areas) or *bapaya* (étrangers), *baexpat* (expatriates), etc.

In our case study, the exclusionary logic of the SNVC, without passing judgement on the validity of its claims, was fought against through various means speaking to these dimensions. First, and foremost perhaps, some traders opted for passive resistance in the form of refusals to obey closing orders, strikes, etc.... knowing that market administrators would favour a soft approach ensuring social order rather than risk a more disruptive implementation through coercion and risk looting (Mombi 12/09/2012). These strategies of invisibilization were not possible for all foreign traders but only for those whose command of Lingala, the *lingua franca* in Kinshasa, was good enough, whose 'ethnic' origin may have been mixed, whose settlement in Congo went back decades, or who had become Congolese citizens (as Mr Marega 08/12/2012). Those who went for invisibility and ignored orders are mainly Malians, Guineans, and Senegalese whose perception by their Congolese counterparts on markets is akin to those 'ethnic groups from within' described by Sabakinu (2006) *à propos* Bazombo (Angolan migrants to Congo). Secondly, many foreign operators were also confident that they could rely on the multiple micro-arrangements or compromises (Grafmeyer 1999) governing their daily transactions with their Congolese counterparts to continue operating almost normally during days of strikes and secure their businesses locally; their 'embeddedness' in the micro-economy of a specific market or neighbourhood (or village, as Delvisch calls them), their knowledge of the 'systems' (trade networks, policing, taxation, racketeering, immigration), and 'faith' in their ability to manoeuvre were thus their best protection. Thirdly, the most prominent foreign operators sought legal protection of their long term business interests through representation by the various national associations, the UR CEDEAO and the FEC for the bigger companies. Class differentiation, for some leading to invisibilization, for others, on the contrary, to

representation and direct access to the state, thus played another very important part in asserting one's political and economic space and basic 'right to the city'.

While this is far from the original concept created by Lefebvre (1968) in terms of a claim for the radical transformation of urban social and spatial relations (Purcell 2002), it does point to some of the philosopher's key ideas on the right to the city. In a way, the multiple forms taken by the resilience and resistance of foreign operators to injunctions by the SNVC to exclude themselves from economic spaces directly question national citizenship as the main basis for political and economic membership of the city of Kinshasa. These are not broad based, highly publicized mobilizations, but mobilizations which nevertheless reshape the contours of what being a Kinshasais means.

CONCLUSION

The mobilization analyzed in this paper is emblematic of the complexities attached to notions of indigenization of economies in contemporary African contexts. A multi-dimensional reading of the mobilization, envisaging it from a historical, class, and political economy perspective, provides key insights into its understanding. Firstly, current Congolese discourses on autochthony aim to achieve something important historically. In legitimizing a nationalist governmentality of urban economic spaces in a country where citizens have been treated like second-class citizens and strangers by colonial and post-colonial masters, these discourses reassert a new post-colonial self, simultaneously independent from foreign hegemony and internal political domination.

This self-assertion from both external interests and internal domination can only be fully understood if looking at the mobilization also as symptomatic of the tensions related to class transformation. The sociological composition of unions' networks reveals a politicized, albeit ethnically fragmented, urban lower middle class of small business operators, increasingly resenting the hijacking of trade-related rents by the new political elites and their allies — large foreign investors. While acknowledged and denounced by all informants openly, the sector-based monopolies and cartels orchestrated by these historical and more recently settled foreign groups in cahoots with Congolese authorities are seen by the trade unionists as too deeply entrenched to be fought against directly. The urban economic space, however, is seen as a first step, a 'low-hanging fruit', in the process of re-indigenization of the Congolese economy.

While the discourses and claims made by these organizations re-politicize the urban space and claim some genealogy with historical attempts at protecting the emergence of local entrepreneurs, they, at the same time and in doing so, de-historicize the presence and legitimacy of a range of other actors, particularly West African traders whose families have for some settled in Congo for over a century. While denying it, the leaders of the mobilization contribute *de facto* to promote and reinforce an exclusive understanding of post-Mobutist citizenship by dehistoricizing the development of retail trade in Congo and conflating all foreigners into the 'illegitimate' strangers category — a class-less, face-less category. This is also symptomatic of the currently limited space for rethinking Congolese citizenship along inclusive, non-ethnic, non-nationalist lines in the Congolese political space (Dunn 2009).

Of particular interest are the multiple ways in which foreign operators have resisted their exclusion from the urban economic space. While collusion between Congolese authorities and large foreign groups has allowed the latter's position to remain unchanged, the ability of smaller operators to ring-fence their own economic space within the city is testimony to the consolidation of a 'right to the city', albeit precarious and at constant threat of being wiped away by looting and social disorder, but that is not citizenship based. This resistance from below reveals that the form of inclusiveness and conviviality of the Kinshasa way of life, largely based on transactional solidarity or reciprocity as described by De Villiers (2002) and Trefon (2004), offer one alternative to transcend nationalist models of Congolese belonging.

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ⁱ '5 chantiers' and the revolution of modernity are the successive developmental policies adopted by the Congolese government since 2006. While they consisted officially in developing water sanitation, electricity, basic health care, education, and infrastructure, only the latter has resulted in concrete improvements (roads).

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ⁱⁱⁱ Some names have been modified.