

## **Making investment in education part of the peace dividend in the DRC**

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## Abstract

Increased aid in the education sector is presumed to deliver a ‘peace dividend for poor people’ in the Democratic Republic of Congo (DRC). Firstly, the population has high expectations from public education: it is shown how it is one of the most important factors guaranteeing employment outside of agriculture. Secondly, state representatives do not enter into a void, but in a space that is already institutionalized by other forces and which is a reflection of local power configurations. The education sector is one of the most important ‘faces’ of the state at the local level, showing the benefits of the state in peacetime. In doing so, education can play an important role in re-constructing the social contract between the population and the state and is therefore at the heart of state reconstruction efforts. However, this is particularly difficult, as the state has largely retreated from the education sector since the eighties, and is instead being organized in a public-private partnership together with religious networks. Moreover, schools have been turned into tax units, in order to respond to the retreat of the state and declining wages of school administrators. This had a clear effect on donor interventions: instead of changing the current system, it became part of these existing configurations and led to an extension of the current system. Although this led to a greater reconnection of the state with the people – for example by financing more teachers and schools – this did not lead to a better performing public service.

## Introduction

The official marker of peace in the DRC is the agreement of Sun City, signed in 2002 by the governments as well as by different rebel groups involved in the armed conflict. At the Congolese side, the agreement is also followed by a substantial increase in aid flows. Partly, these flows finance multilateral organizations’ peacekeeping efforts and humanitarian actions, partly they reflect the cancellation of public debt –and an ensuing commitment by the Congolese government to transform its debt service into pro-poor expenses, partly they also reflect ‘new’ aid commitments by multilateral organizations. All in all, this external inflow of money does more or less double the public budget. Especially since 2006, after the organization of the first elections since independence, an increasing part of it is channeled through the ordinary state administration (De Herdt & Poncelet 2010).

The *rationale* for the international (donor) community to massively sustain the public sector in such a way was formulated most explicitly in DfIDs “Country Plan 2008-2010” in the objective to “helping the Government to **deliver a peace dividend for poor people**”:

“The people of the DRC need to see and feel benefits from the electoral process and peace. This will be critical to maintaining confidence and willingness to participate in the new democratic system.” (DfID 2008: 9)

DfID’s idea of aid to be used as a peace dividend fits within a wider approach that positions state reconstruction in processes of interaction and negotiation that found

state structures in societal processes (Englebert & Tull, 2001, CPRC 2008, OECD 2008, 2010). In other words, conflict is the manifestation of the absence or breakdown of the social contract sustaining peace: there is a failure in the interaction between state and society, because of which the state becomes 'disembedded' from society. At the heart of post-conflict reconstruction is therefore the reconstitution of this social contract through which the state acquires its legitimacy (Mansoob-Murshed 2002). Accordingly, the OECD defines state fragility as

“primarily a function of disequilibrium between state functions and capacity on the one hand and social expectations on the other... The resilience of the social contract is founded on the ability of a society to negotiate the changes that characterize the reality of continual conflict over limited resources.” (OECD 2008: 22).

On the basis of this literature, one can in fact distinguish between three important perspectives on such a social contract. DfID itself is pointing to the very micro-level of the relationship between individual citizens' expectations and the state's capacity to fulfill them. The supposition is here that to the extent the state does indeed perform well in terms of the delivery of public services to the people, it will 'buy' loyalty and support of “the electoral process and peace”.

A second perspective focuses on the capability of a state to respond to citizens' demands. This capability is to be understood as a “specific, effectively resourced capacity which [states] can deploy in actual circumstances...” (O'Neill 2001: 189). Beyond the state budget and the recourse to open violence, this capability is crucially anchored in the daily practices of state representatives drawing on the consent – or absence of open protest – of the people they are interacting with. Indeed, state representatives find themselves more often than not in a space that is already institutionalized by others, they “have to get along in a network of already established forces and representations” (de Certeau, 1994: 18). It will be shown how at the heart of the DRC's education sector is a historical, and complex, public-private partnership between the state and religious networks. These non-state actors are strictly necessary for the education sector to function; and have a profound impact on the way in which the sector is regulated. In this situation, the relation between the state and these non-state actors can be cooperative, as well as competing at the same time (Arnaut and Hojberg 2008: 20).

In line with this thinking, the state is conceived primarily as the outcome of a process of negotiation with and between a multiplicity of public authorities (Menkhaus 2006, Raeymaekers, et al. 2008, Hagmann & Péclard, in press), who are weighting the costs and benefits of participation in such a negotiation process – versus the costs and benefits of opting out and, consequently, joining the ranks of the “entrepreneurs of insecurity” (Perrot 1999, Reyntjens 2009). From this perspective, the question becomes whether the peace dividend to which DfID and others have contributed, also in the education sector, has indeed increased, or rather decreased the possibilities of negotiated statehood. In other words, also external actors such as donors enter a space which is institutionalized by others, and become part of this negotiated statehood.

Finally, a third perspective focuses on the macro-level of national state structures: did the peace dividend strengthen “democracy and peace” at this level? At this point, it must be granted that the spectacular increase in aid flows to the DRC since 2003 was

quickly followed also by a similarly spectacular increase in *internal* financial resources, which were tripled between 2001 and 2006. Thus, at least in budgetary terms, the political regime of Kinshasa *has* been strengthened. Further, irrespective of the way in which the aid has impacted on lower-level structures and popular expectations, the strengthening of the regime was a good thing from the perspective of short-term pacification – or at least stabilization – of the region, an objective that must be considered in light of the risk of implosion of the Central-African region. While the current regime in Kinshasa has indeed been criticized by many observers for being corrupt and inefficient, most of them do agree that the geo-political situation has significantly improved as compared to the turn of the century (Reyntjens 2009). Some would also argue that the electoral process that has taken place in 2006 is itself a sufficient guarantee for the re-establishment of the social contract between citizens and the state, as it allows citizens to impact on national-level decision-making. Others would however contest this, and point in fact to the paradox that, at least in the short run, the winner of democratic elections “recognizes the opportunity to be vindictive with impunity” (Collier 2008).

We think it is important to recognize the value of each of these perspectives on state reconstruction, and to recognize possible trade-offs here. In fact, we will claim here that donors’ focus on the third perspective should not make them forget about the two other sides of the puzzle of state-building. Although the state has withdrawn from the education sector since the early eighties, people continue to have high expectations regarding public education. However, there is no quick fix solution to the state’s incapacity to meet them, a problem that originated long before the onset of the conflict. Further, our analysis demonstrates that there is no easy way around these problems for donors either.

We draw on the results of a research project we recently finished on the sector of primary schools in the DRC (De Herdt & Poncelet 2010). The research was based on a qualitative study of the functioning of schools in seven provinces of the DRC, carried out in cooperation by a number of Belgian universities in cooperation with Congolese partners. These findings were then complemented with secondary sources, national-level surveys and macro-data. We first describe the dynamics at work concerning the match between people’s expectations about education and the state’s response to them, and the state’s negotiated capability to act in the education sector.

## 1. The state withdraws from education, but people’s demand for access to public schools increases.

Though the DRC is currently categorized as “post-conflict”, the roots of the current crisis in Congo go much deeper. From the perspective of education, an important turning point was 1983, when the state’s education budget almost evaporated. Through the structural adjustment program implemented in 1982-1987, the budget for education had decreased from 25% to 7% of national state expenditure. Simultaneously, teachers’ salaries decreased from 68\$ to 27\$ per month between 1982 and 1987. The period of “political transition”, ensuing plundering and the economic crisis of the nineties, and later-on the war years, added to the further dissipation of yearly state budget to only 4\$ per pupil. In 2002, a teacher’s salary decreased to only 13\$ per month.

**Table 1: Evolution of the budget of the ministry of primary, secondary and professional education, 1982-2006** (in constant dollars of 2006)

	Budget Ministry of education		
	million \$US	\$/pupil	\$/head
<b>1982</b>	\$781	\$159,67	\$27,17
<b>1987</b>	\$97	\$23,44	\$2,88
<b>2002</b>	\$24	\$4,45	\$0,44
<b>2006</b>	\$112	\$6,82	\$0,93

*Source: state budget for primary, secondary and professional education: data of 1982, 1987 and 2002 from World Bank 2005; data on the budget of 2006 from World Bank 2007. Estimation of expenses per pupil (and per head) in primary schools were calculated by dividing the national educational budget in two, except for 1982 (where we have divided the national budget by the number of pupils in primary and secondary school).*

In fact, the reduction in the purchasing power of teachers’ wages is not restricted to teachers but concerns all state functionaries. Nor did this process start in the eighties, but rather one decade earlier. Indeed, in 1982 teachers’ wages did only represent only one fifth of their purchasing power in 1970 (Bézy et al. 1980): from the early seventies onwards, the state only commits itself to engage people, but it implicitly supposes -and even explicitly- that those who work for the state will also “steal prudently” (yiba moke)<sup>1</sup> to complement their salaries with side-activities –thereby gradually transforming the state bureaucracy into “a ‘market’ where office holders compete for the acquisition of material benefits” (Lemarchand 1988: 153). We will explain how this has worked for the education sector below.

Yet, between 1987 and 2007 the total number of pupils has largely doubled in the DRC. The total growth in the number of pupils is stronger than demographic growth, which suggests an improvement in participation. Between 2002 and 2007 the number of children going to school increased even 11% per year – largely compensating for the much lower growth during the nineties.

<sup>1</sup> Uttered by président Mobutu Sese Seko in a speech in 1977.

**Table 2: Evolution of the number of primary school pupils per managing network**

	Educational networks			Total	Annual growth	
	Official	Conventionized <sup>o</sup>	Private		86-01-07	86-07
<b>1986/7</b>	16,5%	79,7%	3,8%	4.156.032		
<b>2001/2</b>	15,2%	73,7%	11,1%	5.470.977	1,85%	
<b>2007/8</b>	16,2%	73,8%	10,0%	9.973.365	10,53%	4,06%

<sup>o</sup> Schools run by church networks and therefore recognized as public schools.

Source: on the basis of data of the World Bank (2005:50) and the Ministry of primary, secondary and professional education (EPSP, 2009).

If we compare the DRC with other African or less developed countries, the percentage of people who *have never been* to school is much lower in the DRC.

**Table 3: percentage of people who never went to school**

	between 6-16 year		between 17-27 year		between 23-27 year	
	boys	girls	boys	girls	boys	girls
Less developed Countries	22%	26%	20%	32%	24%	39%
Sub-Sahara Africa	24%	27%	21%	33%	25%	39%
DRC	16%	22%	6%	20%	7%	21%

Source: UNESCO, Deprivation and marginalisation in education, downloaded the 23th of February 2010, <http://www.unesco.org/en/efareport/dme/>

Indeed, according to these data, less than 17% of boys and less than 22% of girls would never have gone to school, percentages that are well below the Sub-Sahara African average (24% and 27% respectively) and well below the average of less developed countries (27% and 33% respectively). To be sure, the comparison with older generations suggests a significant worsening of the situation, especially for boys. Nevertheless, if the DRC is ranked among the lowest in each of these groups in terms of its economic performance, it certainly performs better than average in terms of this indicator of education.

So, although severely hit by the country's crisis of the last decennia (especially in terms of state investment) somehow the demand for education to be offered by public schools has persisted and still persists and continues to function and attract new pupils. How can we explain this resilience of the Congolese education sector? This question can be answered from different angles. We first look at alternative sources of finance. Then, we look at the demand for education; how does it fit within people's livelihoods perspectives?

### 1.1. Financing from below

In table 4 the amount of school fees is estimated on the basis of what public schools announce as such (data are for all provinces). One can observe a steep increase in parents' contributions to schools, from around 22 million \$ in real terms at the end of the eighties to around 114 million \$ in 2006-7. According to these estimations, parents' finance of public schools roughly equals state finance in 2006 (compare with table 2).

The details of schools' announced fees show that 'topping-ups' and 'functioning fees' are the heaviest burden upon parents' shoulders. Topping-ups have gradually increased in importance over time. They cover real topping-up of official salaries as well as payment of non-registered teachers (approximately one third of all teachers are in this situation). Functioning fees, which finance the general functioning of schools rather than salaries, decrease in importance. They are also gradually replaced by the extra fee to be paid to organize the final grade test. This test has been introduced at the national level in the late nineties. It is actually a highly controversial test: it is meant to provide a standard of quality control but in fact this objective is perverted by a multiplicity of loopholes during the implementation process. Many conceive it as just another source of finance of the system<sup>2</sup>.

**Table 4: Estimation of annual school fees as reported by public primary schools in 1987-2006** (Constant dollars of 2006)

	1987-8		2002-3		2006-7	
	amount	%	amount	%	amount	%
Minerval (registration fee)	\$0,16	2,9%	\$0,34	2,3%	\$0,18	1,4%
Assurance	\$0,08	1,4%			\$0,12	0,9%
Fonctioning costs	\$3,13	58,0%	\$5,58	36,8%	\$2,88	21,8%
School documents			\$0,31	2,1%	\$0,18	1,4%
Parents' association	\$0,08	1,4%				
Motivation fee (teacher top-up)	\$1,96	36,2%	\$8,94	58,9%	\$9,83	74,5%
<b>TOTAL (\$ per pupil)</b>	<b>\$5,41</b>	<b>100,0%</b>	<b>\$15,19</b>	<b>100,0%</b>	<b>\$13,19</b>	<b>100,0%</b>
TENAFEP (6th grade test)			\$2,59	17,0%	\$4,61	35,0%
Number of pupils	4.156.032		5.470.977		8.200.000	
<b>TOTAL DRC (mio\$)</b>	<b>\$22,46</b>		<b>\$85,10</b>		<b>\$113,54</b>	

Sources: constituted on the basis of Davezies et al. (1988), World Bank (2005), Verhaghe (2007c). Number of pupils in 2006-7: World Bank-PARSE (2007). Conversion in constant dollars through the index of IRES market prices.

To be sure, the estimates on the basis of public schools' announced fees do not reflect the costs really paid by parents: According to a recent budget survey (2005), parents pay 'only' 95 million \$ to public schools (table 5) instead of the 114 million mentioned above. The difference between the data reported in tables 4 and 5 reflects the fact that many parents simply are not able to pay all these fees, i.e. they reflect endless stories of payment problems, conflicts with parents and, ultimately, pupils sent away from school. To be sure, to calculate the total cost of schooling borne by households, we should add around \$40 million paid to private schools (not taken into account in table 4), and another \$90 million for payment of school uniforms and books.

**Table 5. The weight of education costs in household budgets**

<sup>2</sup> This item did show up in several interviews with resource persons in the state administration, the religious networks and in the donor organizations.

Province	(1) Total Household expenses	School Fees						Other school-related costs			
		(2) Total	(3) Primary school	(4) <i>(primary public)</i>	(4) Sec- ondary school	(5) high- school / university	Total Fees/ HH expenses	Fees primary school/ HH expenses	(6) school uniforms	(7) books, other costs	Total school cost/ HH expenses
Kinshasa	\$2,044.4	\$82.4	\$31.2	\$16.1	\$31.3	\$18.1	4,0%	1,5%	\$11.43	\$11,55	5,2%
Kasai-Orientale	\$1.337,6	\$26,2	\$13,0	\$5,9	\$10,0	\$2,0	2,0%	1,0%	\$4,40	\$4,78	2,6%
Kasai-Occidentale	\$1.274,4	\$17,0	\$8,6	\$7,4	\$6,1	\$2,1	1,3%	0,7%	\$3,45	\$3,14	1,8%
Maniema	\$1.095,2	\$13,6	\$8,9	\$8,3	\$3,6	\$1,0	1,2%	0,8%	\$1,43	\$4,83	1,8%
Katanga	\$1.021,9	\$25,4	\$11,6	\$7,3	\$9,5	\$4,0	2,5%	1,1%	\$2,65	\$3,69	3,1%
Nord-Kivu	\$952,6	\$30,6	\$16,6	\$12,7	\$11,2	\$2,4	3,2%	1,7%	\$3,72	\$5,40	4,2%
Bas-Congo	\$895,5	\$26,5	\$14,6	\$13,9	\$9,8	\$1,0	3,0%	1,6%	\$4,62	\$4,92	4,0%
Orientale	\$793,8	\$10,4	\$6,6	\$6,1	\$3,3	\$0,2	1,3%	0,8%	\$1,84	\$2,53	1,9%
Sud-Kivu	\$771,6	\$18,0	\$10,9	\$10,5	\$5,8	\$1,1	2,3%	1,4%	\$2,41	\$5,04	3,3%
Equateur	\$613,0	\$11,4	\$6,4	\$5,6	\$3,5	\$1,1	1,9%	1,1%	\$1,71	\$3,14	2,6%
Bandundu	\$559,3	\$11,7	\$5,1	\$4,6	\$5,8	\$0,8	2,1%	0,9%	\$2,67	\$2,56	3,0%
Average RDC (\$ per HH per year)	\$1.003,6	\$24,6	\$11,7	\$8,4	\$9,2	\$3,2	2,5%	1,2%	\$3,62	\$4,44	3,3%
Total expenses RDC (millions \$)		\$280,2	\$133,7	\$95,5	\$104,3	\$36,5			\$41,2	\$50,5	

Source: Based on Enquête 1-2-3 budget survey 2004-5

Table 5 does also show data per province. Differences in school fees between provinces reflect sometimes huge differences in price levels, but also differences in the importance of private schools (mainly present in the big cities), besides differences in the supply of and demand for schools and differences in state financing of schools. The so-called “war provinces” (North and South Kivu) do not show an extraordinary record in this respect, as the relatively higher school costs may be compensated by the relatively lower demand for schooling. Over-all, the weight of education costs in the household budget is quite important. For households with only children in primary school, it varies between 2,5% and 4%, with an average of 2,9%<sup>3</sup>.

## 1.2. Schooling and social class

The gradual replacement of public finance by private finance of the school system may explain the survival of the system as such, but it does so by adding another conundrum: why is it that there is a higher demand for schools whilst the price to be paid for the service has considerably increased? Why do more parents want to pay more, in 2006, for a (public) service that has in all likelihood decreased in quality?

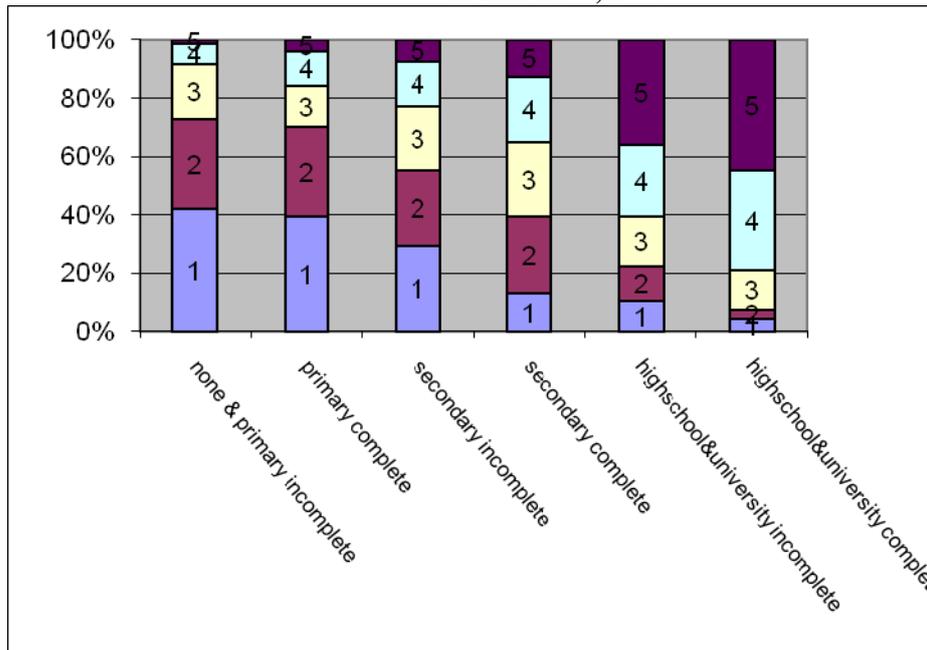
Indeed, where does the demand for schooling come from, in the midst of an unprecedented crisis of the state and the formal economy? Why is it that parents continue to send their children to schools even if the state has withdrawn from them for more than three decades now, even if they have to pay for them themselves and even if there are but complaints about its deteriorating quality? In the DRC, one frequently refers, at this point, to the “myth of the diploma”, not without reason.

Based on his field research in Bas-Congo province, the anthropologist Wyatt MacGaffey clarifies the position of Congolese pupils vis-à-vis western education in colonial times as follows: “They participated only passively in European institutions, governed by laws they did not enact, repairing machines they did not build, reading

<sup>3</sup> Data are derived from the 123-survey. In table 5, the average of 3,3% refers to total outlays for all households in the survey (including households without children). Interestingly, the weight of education in household budgets does not vary significantly between different quintiles.

books they did not write... Independence meant that they would at last be admitted to the world of understanding” (1982: 244). Thus, “the class structure of the new regime immediately declared itself in educational terms” (1982: 244). To our surprise, this continues to be the case up to today. Figure 2 relates income to the education level of the income earner, on the basis of a recent budget survey for Kinshasa (2005). These data clearly show how one’s level of education still continues to be one of the most important determinants of income. No wonder, then, that people invest so much in their children’s education: it is one of the more important keys to social success –or at least in the city. It is only rational for them to do so, even if it is important to add immediately that the secret of the key is in all likelihood not in the quality or the contents of education.

**Figure 1. Weight of income quintiles according to level of education of household head in Kinshasa, 2005.**



Source: own calculations, based on Enquête 1-2-3.

Further, the increasing effective demand for education could also be seen in terms of an increasing opportunity cost related to alternative livelihood pathways. It might indeed be the case that in particular the attractiveness of a peasant future has substantially diminished, pushing increasing numbers of people towards non-agricultural livelihood pathways. This is a hypothesis that must be taken up in further work.

The above data clarify the “evidence” of a peace dividend at this micro-level: a renewed commitment of the state in the education sector would be more than welcomed by a population that has to spend part of its meager household budget to the education of their children. Beyond this pecuniary argument, it must be borne in mind that the school is one of the most important ‘faces’ of the state for ordinary people – and therefore an important point at which they can ‘measure’ state performance. No wonder this commitment was even written in the recently adopted Constitution (2004), which explicitly stipulates that “education in primary public schools is free and compulsory” (article 46)<sup>4</sup>. On the other hand, it is also clear that the name of “peace dividend” would clearly overstate the importance of the war in diluting the social contract between citizens and the state: that contract was broken well before, and hence a short-term reparation of the social contract at that level, even if feasible, does not necessarily respond to the deeper problem of state-building in the DRC.

<sup>4</sup> The constitution was written in part with external help, but it was also produced through a process that involved the (admittedly non-elected) parliament. We encountered many people who referred to this article to argue that the state did not do his job. If taken at face value, article 46 would indeed imply that all school costs are illegal, but there is a practical difficulty that there is actually no Court to check the constitutional consistency of laws and decrees.

## 2. Negotiating state capability

Though *prima facie*, the argument developed above would indicate that there is an opportunity to help the state in realizing what citizens expect it to do, things are more complicated in reality. To begin with, the education system in the DRC has always<sup>5</sup> been a public-private partnership with religious networks. Further, schools have gradually also turned into tax units, amongst other reasons in order to respond to declining real wages of school administrators.

### 2.1. Education provided through a “public-private partnership”

In the DRC, the school system is de facto dominated by a limited set of religious networks, whose role is defined in a convention signed in 1977 with the state. As shown above (table 1), 3/4ths of all primary school pupils go to “conventionized” schools. Their dominance is even bigger in the countryside. Among them, the Catholic Church occupies the most important place, with approximately 50% of all pupils. In the urban centers, the catholic network is also disproportionately present at the richer end of the market.

Conventionized schools are run by church networks but recognized as public schools by the state, as agreed in the convention between the state and the main regular churches in 1977. The above-mentioned convention between the state and the main churches establishes that the state “organizes” education whereas the churches “manage” the schools. In principle, the state defines the pedagogical programs, controls and guarantees the quality and subsidizes public schools. This is done in 4 ways: it drafts regulations through which the legal framework of the education sector is organized, it organizes an educational administration and an inspection service. The state also pays for personnel: teachers, but also administrative staff at school level and at the level of the “coordinations” themselves. In turn, the religious networks *manage* schools, they engage teachers and also sometimes mobilize other resources, e.g. to build or have access to basic infrastructure. They also have their own inspection services.

This system is not recent; in fact it has its roots in colonial times. It partly reflects the Belgian system of “free schools”, led by the Catholic Church but largely financed by the state, and it partly reflects the logic of a “concessionary” colonial state that contracted private actors to take up public duties (Poncelet 2010). The system is however not without difficulties. In general, one can say that the state is de facto unable to impose its “regulatory framework” on the non-state religious networks. Particularly the Catholic Church does have a de facto much more powerful position, which does rather impact on the state regulatory framework than the other way around. The fixation and management of school costs is one of the central elements of tension between the state and the churches –as we will see below.

The ‘conventionized’ public schools exist side by side the ‘official’ public schools: schools run by the state itself. In terms of finance by the state, there is in actual fact no

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<sup>5</sup> To the exception of the period of “Zairianization”, between 1974-77.

difference anymore, as the state does not have the money to invest in infrastructure anyway: The state only pays for salaries -except for the special projects it finances with aid money – as will be discussed in section 3, below.

## 2.2. The transformation of schools into tax units.

It is important to signal that the “functioning costs” mentioned in table 4 do not only serve to pay for operational costs of schools themselves: indeed, an increasing part of it is in fact transferred to higher-level units in the school administration, up to the district, provincial and even national level. As such, schools have increasingly become tax units. To get an idea of the different administrations to which school fees are redistributed, we give the example of the redistribution of functioning fees paid by parents of conventionized schools in the province of “Equateur” during the school year 2008-9. The number of both state and non-state administrative offices which function in part on the basis of parents’ contributions is impressive. We can observe that around 70% of the part of the school fees that does not stay at the school level is in fact destined to the administrative units of these non-state actors – mainly the religious networks.

Though most of the money (60%) stays at district level, one third is passed to the provincial level and 6% (or 13,5 FC) arrives at the national level. Under the hypothesis that this distribution is roughly similar in other provinces as well, we can calculate that this tax system generates around 4-5 million \$ – or approximately one fifth of the financial flow to the education system through other kinds of taxes in 2002.

**Table 6. Redistribution of functioning costs paid by parents for conventionized schools**  
(Province Equateur 2008-9, in FC)

Level	State Actors		Non-state Actors		Total
<b>District</b>	district-level administration	\$4,5	District Coordination	\$110,0	<b>\$132,5</b> <b>(59%)</b>
	Antenna of SECOPE (salary administration)	\$4,5			
	Antenna of SERNIE (pupil administration)	\$4,5			
	Antenna of PRS (pension administration)	\$4,5			
	Antenna of inspection service	\$4,5			
<b>Province</b>	Provincial level administration	\$9,0	Provincial Coordination	\$40,5	<b>\$79,0</b> <b>(35%)</b>
	Provincial level of SECOPE	\$7,0			
	Provincial level of SERNIE	\$4,5			
	Provincial level of PRS	\$4,5			
	Provincial level of inspection service	\$9,0			
	Gouverneur	\$4,5			
<b>Nation</b>	Fund for the promotion of national education	\$4,5	National Coordination	\$4,5	<b>\$13,5</b> <b>(6%)</b>
			Parents' association	\$4,5	
<b>Totals</b>		<b>65,5</b> <b>(29%)</b>		<b>159,5</b> <b>(71%)</b>	<b>\$225,0</b> <b>(100%)</b>

Source: *Circulaire* of the Catholic Network, Coordination of Mbandaka (Equator province)

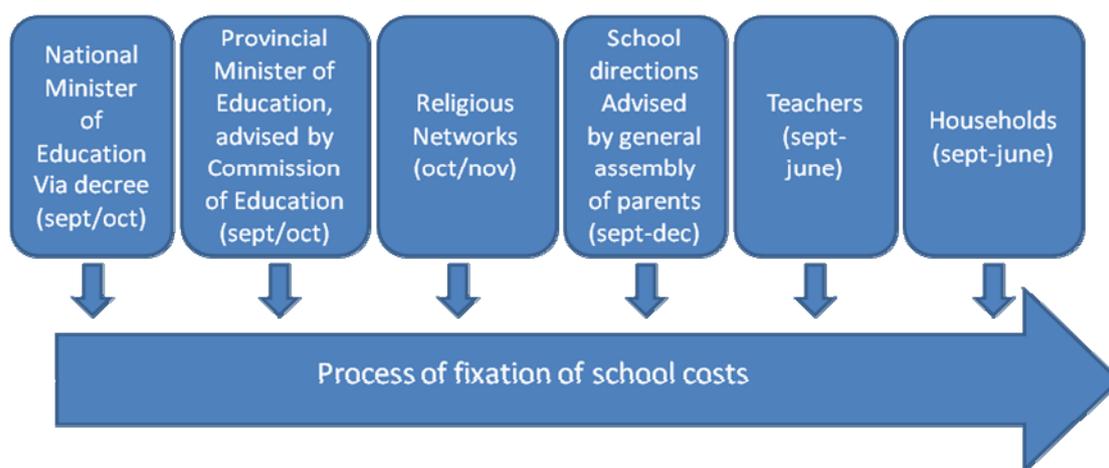
To be sure, this distribution varies between provinces and from year to year. Yet, the logic is similar everywhere. In the case of official schools, too, the only difference is

that the percentages destined to the religious network are now added to the (different levels of the) state administration.

In fact this system also reflects the layered system of decision-making in fixing school costs, which are partially fixed at the national level (like assurance costs and cost of school documents), partially at the provincial level, but also at district level<sup>6</sup>, up to households themselves negotiating with schools (figure 2)<sup>7</sup>.

Whilst at the national level the ministry of primary, secondary and professional education is responsible for the general legal framework of the fixation of school fees, provinces have been assigned a key role in their concrete fixation. Provincial governors determine the amount of school fees at the start every school year – as advised by a provincial committee representing different stakeholders. This means that they often add fees that are in fact not authorized by the national level. Then, managers of the conventionized networks add other – also strictly speaking non-authorized – fees. “Motivation fees” or teacher top-ups and fees for “punctual interventions” are fixed at school level, in principle through negotiations between school management and teachers, and through consultation with parents.

**Figure 2: Actors involved in the fixation of school fees**



Though, *prima facie*, the layered system to define school costs might look consistent, in practice this is certainly not the case as lower-level decisions do only partially reflect higher-level decisions – i.e. they actually add additional cost elements. A national decree of 2007 clearly defines possible costs and sets a maximum limit of 1020 FC per pupil, but provinces seem to stick neither to this limit, nor to the types of costs allowed. Their legal basis for this action is the ‘Framework Law’ edited in 1986 that has neither been abolished nor been updated since. In turn the churches refer to the 1977 ‘Convention’ (on the management of the national schools between the state and the churches) to allow themselves to ask additional school fees.

<sup>6</sup> In fact the education reform of 2004 has anticipated the decentralization movement that was enshrined in the new Constitution: several ‘old’ provinces have been subdivided into different ‘educational provinces’ whose limits broadly overlap with the limits of the districts –and of the ‘new’ provinces.

<sup>7</sup> The figure is (of course) a simplification of reality – also as it suggests that school costs are determined annually. While this is officially so, in practice many provinces and below-province levels continue to fix school costs on a semestrial basis.

Thus there is no coherent legal framework, but actors do in fact act *as if* there is one. It allows them to legitimize their actions. And most importantly, there is neither an effective higher-level enforcement of decisions at lower levels, nor horizontal enforcement of decisions by one entity over another. This is perhaps the most deleterious side-effect of the negotiated arrangement between state- and non-state actors, and between state-actors themselves: the “equitable” distribution of the cake of school costs between all actors concerned does in effect paralyze the normal functioning of accountability relationships built into a the state apparatus and between state and non-state actors. Even parents’ associations have a share in the cake of school costs paid by parents. Everyone has an objective interest in maximizing the number of pupils – who bring in resources – but at the cost of paralyzing the checks and balances needed to guarantee minimal quality of education.

To be sure, the outcome of local-level negotiations between all stakeholders is not uniform: for example, different school fees are introduced in different parts of the country; certain provinces introduce universal primary education while others do not, and so on. What is similar however is the fact that public policy is a reflection of local power configurations which are then backed-up by the state.

It is equally clear that, as they stand, the range of arrangements between state and non-state actors, and between state entities themselves, certainly reproduces a certain image of the state and a certain social peace within the state and between state and non-state actors. These arrangements also allowed for the social reproduction of the education system even in times of virtual bankruptcy of the state itself. Yet, a bit paradoxically, social peace seems to have been bought at the cost of guaranteeing a minimal level of quality in education.

We think that this description brings us to the heart of what “state fragility” means in reality. From a historical point of view, we are rather faced with a ‘state under construction’, a concept that allows to highlight the efforts of those who are co-constructing it. One can indeed only be impressed by the efforts of non-state actors in their contribution to the reproduction of the state at the meso-level: primarily the *gestionnaires* of the schools, the parents and the teachers. Given the dismal record of the Congolese state in recent decades, one could have expected a much higher proclivity to opt out of the state’s framework, but yet the contrary seems to be the case.

### **3. Negotiating external aid flows.**

The donors’ strategy to help the state realise the peace dividend is built on the supposition that school costs are a major hurdle to access (primary) school, a supposition that, as we saw, is quite logical in actual circumstances. Considerable aid to help the government to re-invest in education would ultimately result in an increase in Gross Enrolment from 50% to 75% in 5 years’ time (DfID 2008). In practice, all major donors<sup>8</sup> have agreed to participate in a common strategy to reduce school costs

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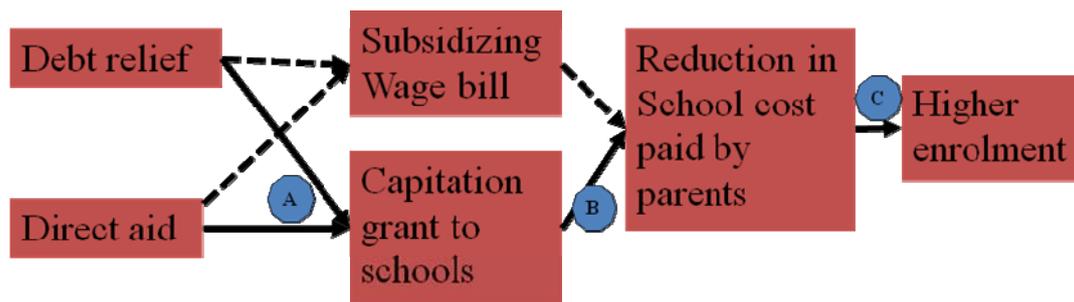
<sup>8</sup> i.e. besides the multilateral donors like World Bank, UNESCO and UNICEF, also the bilateral donors of United Kingdom, Belgium, Spain, France and the United States.

– discussed with the government in a so-called “thematic group on education”, presided by DfID as the most important donor. The other mechanism financing the peace dividend is the debt cancellation in return for the commitment to transform debt service into expenses in the education sector. We discuss first the donors’ efforts to finance operational costs.

### 3.1. Financing operational costs

In fact, donors’ attention was concentrated on their direct aid efforts to contribute to the reduction in school costs paid by parents. Figure 3 sketches the “theory” of the donors’ intervention. Though, initially, they wanted to contribute to the wage bill, this strategy was postponed until payroll administration would have been audited, so that risk of leakage would be minimized. This audit has started, but it has not been finished and will probably not finish in the months to come. In the meantime, it was decided to help schools by providing a capitation grant to finance functioning costs of schools.

**Figure 3. The theory of the donors’ strategy to reduce school costs**



#### **Box 1: Donor strategy to reduce school costs by paying operational costs**

Awaiting an audit of the salary payment system, the donors opted to invest in a system of capitation grants, first through HIPC-finance (from 2005-7), later through direct finance by the World Bank called PURUS (‘projet d’urgence de réhabilitation urbaine et social’) (2007-2010) –aside from some financially less important accompanying interventions by other donors. Each public (conventionized as well as official) school is granted an amount of, minimally, 150\$ (through HIPC finance) respectively 250\$ (through PURUS) per trimester, an amount that is increased in function of the number of (registered) classes. In total, around \$6 million of HIPC money and \$45 million of PURUS is disbursed in this way. The amount was channeled through the wage administration service SECOPE. SECOPE was supposed to be the administrative structure which would allow to channel the money directly to the schools and to avoid the religious networks. The grant was also accompanied by side measures: a decree was written to limit the degrees of freedom of provinces and schools to ask for new categories of school costs. The use of the grant was also limited to specific outlays (having to do with refurnishing, painting, etc. of school buildings): these specifications were mentioned in a booklet that was distributed

together with the grant itself. Finally, the outlays were to be managed by the (officially installed) school management councils ('conseils de gestion'), who would in turn have to report to the parents associations ('comités des parents'). On the basis of our field visits, we can affirm that the material objective has indeed been attained: though some irregularities have been noted as well, most of the money was used for its intended purpose (arrow A). However, it is also clear that the PURUS project has had little impact on the "participatory" structures of schools. In general, the PURUS grant has been managed by head masters, in collusion with some teachers or parents who provided for the signatures. Though the Parents' associations do play an active role in many schools – notably in mobilizing school costs – they were not involved in the management of the PURUS-grant.

Notwithstanding these considerable efforts to reduce school costs, there is in fact no evidence that school costs paid by households were effectively reduced (arrow B). The estimation of school costs at the school level<sup>9</sup> as presented in Table 3 does in fact show some shifts between different types of costs, but no over-all decrease. This is confirmed by other evidence<sup>10</sup>. On the contrary, it seems to be precisely the 'tax' part that is to be sent to somewhere higher up in the financing system that has increased. One argument that has been advanced to explain this situation is that as the PURUS fund does now finance schools, this gives an argument to the administrative services to demand an increasing part of the cake of school costs: As someone else is already financing functioning costs at school level, the logic of fungibility suggests that this allows the part of school-level functioning costs paid by parents to be redirected to higher levels (De Herdt & Poncelet 2010). This effect has even been reinforced by the choice to channel funds directly to the schools, instead of through the religious networks, by making use of the wage administration: a choice that has in effect been perceived by others as a "negation of the convention" between the state and the churches, which delegates the school management to the churches. In disrespect of a century-old logic of "concessions", this initiative has clearly been conceived by the religious networks as a provocation. This being said, we do not want to imply that if the grants would have been channeled through the church networks, things would have turned out differently. We simply do not know what would have happened.

What we do know is that it is an illusion to think that the national-level legal framework would have a direct incidence on local-level behavior. Even though the grants have been used for their intended purpose (arrow A), the impact on school costs paid by parents was non-existent (arrow B) as the reduction in school-level functioning costs was compensated by an increase of the 'taxes' to be paid to higher administrative levels.

Interestingly, however, the failure to reduce school costs was accompanied by an increase in schooling itself (table 1, above). What caused it then, if declining school costs cannot account for it (arrow C)?

### 3.2. Financing wages after all

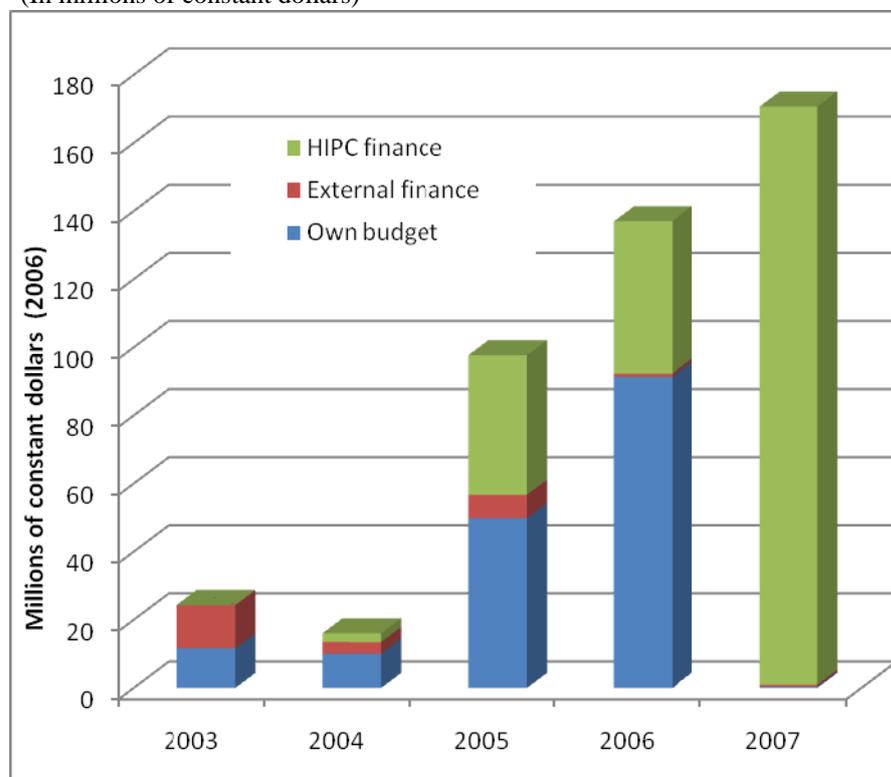
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<sup>9</sup> Comparing e.g. the World Bank study on school costs (RESEN) and Verhaghe (2007) –see André et al. 2010, table 3.

<sup>10</sup> E.g. estimations based on provincial decrees, see André et al. 2010, Tableau 5

Donors did not only finance operational costs to schools; they also indirectly financed the education sector by allowing debt repayment to be transformed into “pro-poor expenses”, notably in the health and education sector. In fact, it turns out this was by far the most important mechanism in budgetary terms, going much beyond the initial \$6 million invested in functioning costs. The budget of the Minister of primary, secondary and professional education has increased spectacularly since 2003 from around \$20 million to more than \$170 million, or from 2% to 12% of total government expenses. In 2007 almost the whole budget has been paid as a replacement of debt service (HIPC finance)<sup>11</sup>. This poses an evident problem of sustainability (would the state also commit so much resources after the need to do so to please donors has gone?), an issue we cannot go into within the scope of this paper.

**Figure 4: sources of finance of the budget of the Ministry of Education**  
(In millions of constant dollars)



Source: based on data of the Ministry of Budget

What interests us here, however, is the impact of the increased budget on school costs and, further, on schooling itself. It turns out that most of it has been used to pay for the wage bill of the education sector (around 80%). So it appears that what donors were reluctant to finance in a direct way was nevertheless financed indirectly, through the mechanism of debt cancellation.

<sup>11</sup> Unfortunately, there is an important delay in making data public; the latest year available to us is 2007. The data are consistent with the latest Public Expenditure Review (February 2008), that does however only report until 2006. We do only report on-budget data, an important part of donor budgets to the education sector are hence not reported here.

The re-financing of the budget of the Ministry of primary, secondary and professional education first allowed to increase *teachers' wages*. Wages did indeed increase from 13\$ in 2001-2, to 34\$ in 2007-8 per month. This wage increase was the concrete result (or what was left of it) of negotiations between the teachers' syndicates and the government which resulted in the "Mbudi agreement" of 2004. Though the Mbudi agreement meant a threefold multiplication of salaries, they do not yet exceed the poverty line: In other words, they do not suffice to allow a teacher to survive if (s)he would only live from the official salary<sup>12</sup>. By implication, the pressure to reproduce the above-described system where schools are used as tax points to top-up salaries at all levels is not halted.

The increase in the state budget also allowed to pay for *newly enlisted teachers*. The number of teachers on the state's payroll did indeed spectacularly increase, from 142.900 in 2001-2 to 214.200 units in 2007-8. These are data from the Social Security Department<sup>13</sup>. According to data from SECOPE, the salary service of the Ministry of education itself, the number of registered schools increased with 65%, the number of registered teachers with 61% between 2001-2007. It is still not clear how this could have happened precisely. The macro-level data can also be confirmed by our field research: though realities differ between provinces, everywhere one has reports of a considerable increase in the number of schools –up to the point of speaking of "a terrible explosion of new schools", in the words of the Head of the education administration of Mbandaka.

What is striking at this point, however, is that the donors have always refused to pay for new teachers as long as the payroll administration would not have been audited, so that risk of leakage would be minimized. There are however two important sources of pressure to increase the pay list of teachers. The recognition of new schools and teachers does first respond to school-level expectations to obtain finance from the state for their school. The number of non-recognized teachers is estimated at approximately 1/3 of all teachers (Verhaghe 2006: 39). Until their official registrations, these teachers cannot but count on parents' contributions and on the expectation that they will be paid officially one day. Second, we should not forget either that the education sector accounts for approximately 1/3<sup>rd</sup> of all public employment in the DRC. The school is in many cases one of the only "faces" of the state in the village. It therefore constitutes an important part of the resources politicians may mobilize to "drain" to their political constituency. Indeed, if the idea of a social contract presupposes that the state "delivers" as a collectivity to citizens in general, for individual political actors it may be more immediately rewarding to drain resources to particular villages. From this perspective, it is no coincidence that the spectacular increase in the number of publicly recognized schools was realized precisely in the period just before the elections of 2006.

### Figure 5. How donors' efforts worked in practice

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<sup>12</sup> The Mbudi-agreement fixed salaries at 205\$ but also projected this result at the end of a process of the stepwise increments. The 35\$/month is the real value of what is left of the first step.

<sup>13</sup> Banque Centrale du Congo, *Rapport Annuel 2006*, Kinshasa : RDC.

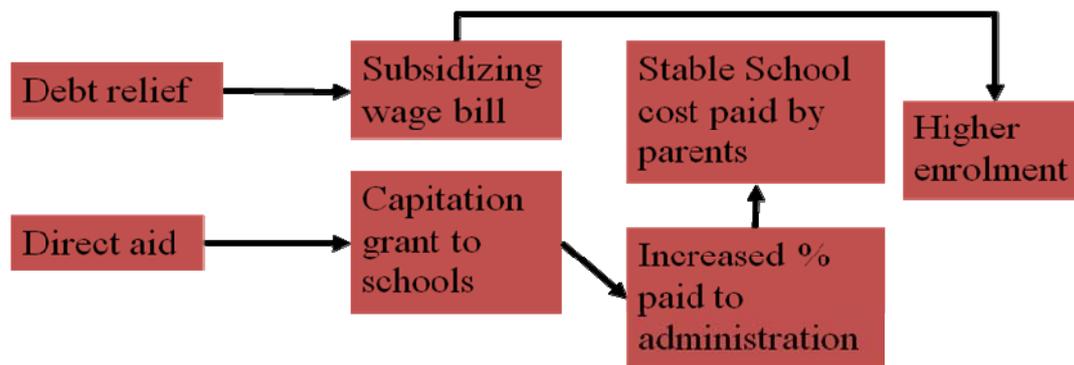


Figure 5 depicts our own reconstruction of how the donors' investments in the education sector have worked out in practice. The mechanism of direct aid did result in real investments at school level, but it did also contribute to the reproduction of the existing system that transforms schools into tax points and that redistributes its proceeds to all local-level stakeholders.

On the other hand, the mechanism of debt relief has increased the education budget that increased the political resources mobilized to register new schools and teachers, resulting in a higher registered enrolment, but without challenging the existing configuration of actors that maximizes quantity at the cost of quality. The system seems rather to have been extended: it integrates more schools, more teachers and more pupils, but it did not change the practices around school fees. One explanation for this is probably that the salary increase was not sufficient to make the basic argument for school costs disappear. Further, the donors' reluctance to contribute to wage payments did certainly not help in making the system more transparent. Though the increased capacity of the (representatives of the) state to appoint teachers could be considered as a **peace dividend** that re-connects people to the state, this is not the same as a better performing public service. There is an important tension here.

## Conclusions

We started this paper by defining the challenge of post-conflict reconstruction in terms of the strengthening of the social contract between the state and its citizens. The idea of a social contract orients our focus to what people expect of the state – in casu: what does education mean for them? It also founds the state's capability to respond to people's expectations in negotiation processes with non-state actors. The donors' efforts to "help the state to deliver a peace dividend to poor people" are shaped by the very same processes.

Applying these ideas to the process of state reconstruction in the Congo in the domain of education, we first observed that there is *prima facie* a large and increasing gap between people's demand for public schools and the state's ability to respond to it. If only in budgetary terms, the state has withdrawn from education long before the onset of conflict, however. The term "peace dividend" would clearly overstate the importance of the war in diluting the social contract between citizens and the state: that contract was broken well before, and hence a short-term reparation of the social contract at that level does not necessarily respond to the deeper problems of state-building in the DRC.

Further, the state's withdrawal in budgetary terms should not be equated with its disappearance; instead, a profoundly "hybrid political order" emerged (Clemens et al. 2007: 48). The education sector is being negotiated by a whole range of actors, in which the state and the religious networks play an important role, whose economic survival is based on parents' payment of school costs, and in which the state has lost its ultimate regulatory power. The logic of this system is not inconsistent with relatively high levels of schooling, but it paralyses the necessary checks and balances necessary to guarantee a minimum of quality. Intriguingly, this relatively high cost and the lack of quality notwithstanding, education continues to be an important livelihood pathway – probably because of the decreasing attractiveness of alternative pathways.

It is important to strengthen the social contract by building on the local-level arrangements between state and non-state actors in the education sector. These arrangements have allowed the sector to survive throughout the political and economic crisis of the nineties. Donors have hitherto shown their will to help the state in delivering the peace dividend mainly in terms of money and legal help. They have thereby certainly contributed to the re-establishment of national-level political structures. We argue however that their actions might benefit from being more sensitive to the local-level building blocks of state reconstruction, if only to realize their objective to deliver the peace dividend *to poor people* themselves.

In doing so, donors must take into account existing configurations in the education system: it is clear that the state is only one of the actors organizing the education sector. External efforts to influence, and reconstruct, the state and public policy must be clearly aware of this. These policies must therefore take into account the importance, and power, of these non-state actors, and in particular of the religious networks. Secondly, the state, and the education system, is de facto decentralized: it has been shown above how there are very different constellations and initiatives in different provinces: school fees are different, some provinces have a basic form of universal primary education and so on. Consequently, the needs are therefore very different in different locations. Both this sectoral and spatial differentiation highlight the importance of not using a 'one-size-fit-all' approach, but the need for a strong contextual sensitivity.

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