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Explaining Sexual Violence and Gender Inequalities in the DRC

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Recent reports of mass rape and sexual violence against women and girls in the Democratic Republic of Congo (DRC) are just the latest in an ongoing tale of gender-based violence that has characterized some of the conflicts to which the country has been subjected. But beyond these conflicts, this violence has also expanded to become a “normalized” part of everyday life. Despite existing legislation and policies on gender equality and women’s rights, it seems that this equality is still very far from reality, and women still face serious obstacles to enjoying their rights in the post-conflict DRC. This essay argues that the sexual and gender-based violence that is so talked about as part of the conflicts in the DRC is just one part of a continuum of social structures within the country that perpetuate gender inequalities and forms of domination. Despite interventions from international organizations and international and national nongovernmental organizations (NGOs) aiming to advance women’s rights and gender equality, it seems that there is still a long way to go in this domain.

Sexual and gender-based violence remains a huge problem in the DRC, and despite prevention efforts by national and international actors, incidences of sexual violence seem to be on the increase. In October and November 2010 alone, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) reported more than two thousand incidents of sexual violence in the country. Incidents of sexual and gender-based violence have clearly increased since the start of the conflict, and much violence has been committed by the armed forces and by militias involved in the fighting.

In Eastern DRC, the International Rescue Committee has found that 56 percent of women reporting sexual violence were attacked by armed groups while they were conducting their everyday activities. Sexual violence should not, however, be interpreted merely as a “side-effect” of this conflict that will disappear when peace returns. In fact in “post-conflict” DRC, and even in provinces where fighting has ceased, levels of sexual and gender-based

violence remain high. Much of this violence is committed by civilians, not just by armed forces or militias.

In fact, it seems that there has been a process of “normalization” of sexual and gender-based violence with the breakdown of traditional sanctions and the spread of general impunity at all levels. The normalized attitudes to sexual violence were reported in research carried out with soldiers from the Congolese Army who made a distinction between “lust” (or “normal” rape), understood as a product of “normal” male desire, and “evil” rape, which was accompanied by a particularly high and thus unjustified level of violence. This type of typology demonstrates the extent to which sexual and gender-based violence have become a banalized part of social relations within the DRC. This violence is clearly a hindrance to any advances in gender equality within the post-conflict DRC, but also must be seen as a product of fundamental social structures of inequality within society.

One of the problems that can be identified in programs aimed at preventing sexual and gender-based violence is the fact that they sometimes fail to place this violence within a wider social context. In focusing on help for victims, they do not address the more fundamental causes rooted in traditional gender roles and representations, and the low social, political, and economic status of women in Congolese society. One interviewee working for an international NGO explained, for example, that her organization worked only in the east of the DRC as this was the only region where there was conflict-related sexual violence. She made a clear distinction between this conflict-related violence and other types of sexual and gender-based violence occurring in the DRC, a distinction that is common amongst international organizations and NGOs working in the country, but which ignores the continuum of violence existing within the country, and thus the fundamental social structures underlying this continuum.

Sexual and gender-based violence in the DRC cannot be viewed merely as a product of conflict, but must also be considered in relation to persistent gender inequalities that characterize Congolese societies. In some cases, these inequalities have been exacerbated by conflict as women have found themselves increasingly as heads of household with responsibility for the survival of themselves and their children. Other women have been forced to migrate or displace in large numbers as a result of conflict. These factors contribute to a general insecurity and lack of rights for many Congolese women.

Gender inequalities remain visible at all levels of social, economic, and cultural life. Concerning the economic status of women, for example, statistics show the feminine nature of poverty with 61.15 percent of female-headed households living below the poverty line (as opposed to 54.32 percent

of male households). Women's economic activity is largely concentrated in traditional agriculture and in the informal sector, where they have no protection against exploitation of various kinds. Women have little access to services such as health or education. One in two adult women is illiterate (as opposed to one in five adult men), with the rate of illiteracy remaining significantly higher for women than for men—41.1 percent for women and 14.2 percent for men. These inequalities are unlikely to diminish in the near future as girls have consistently less access to education than boys, with families judging that it is a better investment to place their scarce resources into boys' education and to keep girls at home to help with household duties or engage in informal work to bring additional income to the household. Statistics indicate that 42 percent of girls do not finish primary education.

Persistent gender inequality and the low status of women are also visible in the exclusion of women from political participation and decision making. Although the 2006 Constitution calls for gender parity in elected institutions, this was not adhered to in the constitution of lists of candidates for the elections of the same year. According to women who participated in the debates over this issue, male party members rejected any idea of gender parity or women's quotas and accused any women who supported these ideas of lacking loyalty to the party cause. Following the 2006 elections, only 42 (or 8.4 percent) of the 500 deputies elected to the National Assembly were women. For the Senate, the figures were even lower, with only five women (4.6 percent) elected out of the 108 Senators in total. Women are also under-represented in provincial assemblies, making up just 43 deputies, or 6.8 percent of the total. This under-representation of women in elected bodies is symptomatic of a society in which gender equality is far from a reality.

Obstacles to women's election include both socioeconomic factors such as their lack of economic resources to fund a political campaign, and also persistent stereotypes concerning women's role in society. Women explained that they did not have the necessary networks to become candidates or to be elected, and that women were not seen as having a real place in politics. Other women described the barriers posed by their lack of economic resources to woo the electorate. One woman, for example, described how the hall where she was holding an election meeting suddenly emptied when it was announced that a rival male candidate was distributing free meat to voters in the town. While there are some groups pressing for women's greater inclusion in political decision making, including a group of women parliamentarians and ministers (the REFAMP—*Réseau des femmes ministres et parlementaires*), there are few avenues for women to make their voices heard in the formal political arena.

There is, in fact, a legislative and policy framework for advancing women's rights in the DRC. The preamble of the 2006 Constitution contains a commitment to the principle of equality between men and women, and Article 14 states that "the State shall have the duty to ensure the elimination of all forms of discrimination against women and ensure the respect and promotion of their rights." The State must "take measures to address all forms of violence against women in public and private life," and ensure the "full participation of women in the developmental agenda of the nation" particularly guaranteeing the "right to meaningful representation in national, provincial and local institutions." This theoretically far-reaching commitment to gender equality and women's rights has, however, not been implemented in practice, due to a lack of both an adequate infrastructure and a real political will to address these issues.

Specific legislation and policies have also been adopted on sexual and gender-based violence. In 2006, two laws were passed by government specifically to address the problem of sexual violence, one of which provides a definition of rape (including both sexes and all forms of penetration) and establishes penalties for rape, and the other that defines the criminal procedure that should be followed with regard to rape cases. The passage of these laws is a step in the right direction, but implementation remains weak and there are still very few prosecutions for sexual and gender-based violence. Obstacles to implementation include the difficulties that some women have in talking about their experiences of rape or sexual violence and the lack of access to police, medical services, lawyers, or courts, which is especially severe for women living in rural areas.

For many women, fear of retaliation by the perpetrator, stigmatization by the community, or rejection by their husband still prevents them from talking about sexual violence they have experienced or from taking any action to have the offenders prosecuted. The costs of bringing a case to court remain high. Women must pay to file a complaint and then for a medical certificate and legal assistance. In these circumstances, it is not surprising that so few cases actually come before the courts. Recognizing the need for action in this area, the DRC government adopted a National Strategy on Combating Gender-Based Violence, together with a detailed Action Plan on the implementation of this Strategy in 2009. It is still early to judge the impacts that this Strategy and Action Plan will have, but as with the 2006 laws on sexual violence, it seems that the obstacles to implementation remain real, and that the Strategy and Plan will not really be effective unless more widespread efforts to increase gender equality are made.

Action at a national-level has been accompanied by interventions from international organizations and NGOs. The United Nations (UN) has put in place a Comprehensive Strategy to Fight Sexual Violence under which

five thematic areas should be addressed: security sector reform; prevention and protection; combating impunity; multi-sectoral assistance; and data and mapping. This strategy is aimed at supporting and reinforcing the DRC government's own efforts, but faces many of the same problems in terms of implementation. One interviewee explained the huge challenges in terms of lack of resources for dealing with the widespread issue of violence in a huge territory with little infrastructure for accessing many of those affected. In addition, a very high proportion of resources for intervention are targeted at the eastern provinces of the DRC where there is ongoing conflict. This concentration of resources means that there is little time or money spent on dealing with questions of violence in the other parts of the country. Further, the response is framed very much in terms of immediate humanitarian action to help the victims of violence (through, for example, provision of medical services). While this type of action is clearly needed, the focus on short-term help for victims diverts attention from any longer term strategy, which would analyze the social causes of violence and gender inequality, and devise actions to transform social relations and structures.

Another difficulty noted regarding interventions for victims of sexual violence is the perverse effects that this type of intervention may have in a context of extreme poverty and lack of resources. In a country where only 1.8 percent of women have access to reproductive health services, it is not surprising that humanitarian programs providing medical services to victims of sexual violence should be approached by many women who are not themselves victims, but who are desperately in need of medical attention. Thus, a perverse incentive is created for women to name themselves as victims in order to access the medical services that they require. This type of difficulty reflects a more general problem of trying to treat the "symptoms" of sexual violence without addressing the fundamental underlying causes that are situated not only in the conflict in the DRC, but also in the persistent gendered inequalities.

Women's poor socioeconomic situation, coupled with gendered representations and stereotypes that relegate women to a second-class status deprived of full citizenship, act to complete this vicious circle in which sexual violence exacerbates already existent forms of gender inequality. The situation for women in the DRC thus seems less than optimistic, and unless government and political parties make a real commitment to promoting women's rights and gender equality in all areas, it is difficult to see where an improvement will come from.

RECOMMENDED READINGS

- Baaz Eriksson, Maria and Stem, Maria. 2009. "Why Do Soldiers Rape? Masculinity, Sexuality and Violence in the Armed Forces in the Congo." *International Studies Quarterly* 53: 495–518.
- Freedman, Jane. 2010. "Les résolutions internationales contre les violences faites aux femmes: un outil pour la protection?" *Science et Video* 2: October.

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