



Understanding of Sexual Violence in the Democratic Republic of Congo

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Much has been written about the prevalence of sexual violence in the Democratic Republic of Congo (DRC), and in particular about the use of rape as a “weapon of war”. The horrific stories of rape and sexual violence published worldwide have led to the DRC being labeled the “worst place in the world for women” and the “rape capital of the world”. Feminists have long decried the silence which has historically surrounded rape and sexual violence during conflict, and so the fact that political leaders and world media are now talking about sexual violence in the DRC and pushing for solutions to this problem should be applauded. However, much of the discourse and reporting reduces this to a simple narrative of “bestial” or uncontrolled soldiers or militias raping the women and girls in villages which they attack. This narrative, in addition to employing colonialist and racist stereotypes about the behaviour of Congolese men and women, fails to grasp the complexities of gender relations in the DRC, the multiple and varied nature of sexual and gender-based violence, and of the social structures and norms which underlie this violence.

One of the common perceptions about gender-based violence in the DRC, is that rape is the prevalent form of this violence and that sexual violence committed as a direct consequence and/or a strategy of war. It is undeniable that Forces Armées de la République Démocratique du Congo (the official army of the DRC) soldiers as well as numerous other rebel fighting groups have committed acts of sexual violence during the multiple and ongoing conflicts in the country, and continue to do so, as demonstrated by an attack in 2015 on the town of [Kikamba in South Kivu](#) during which over 100 women were raped. But to think of gender-based violence only as war rape is to miss the multiple

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other forms of violence, and the fact that these persist not only in areas of the country most directly affected by the conflict (notably the Eastern Regions) but across the whole country. Common barriers to reporting GBV, such as stigma and fear of reprisals of the survivors, as well as poor infrastructure within the DRC mean that there is a lack of accurate statistics on GBV. But studies that do exist have shown that most of the incidences of GBV recorded in recent years are committed by civilians and not by soldiers, and that the most prevalent forms of GBV are domestic or intimate partner violence. A recent [study by UNFPA](#) listed multiple forms of GBV which are common in DRC including domestic violence, rape and sexual violence, forced and early marriage, mistreatment of widows, psychological violence, economic violence and deprivation of resources.

So although armed conflict has exacerbated gender-based forms of violence in the DRC, it cannot be the only explanation for the existence or persistence of this violence. Instead, we should look to the country's underlying gender norms, discriminatory laws and policies, and socio-economic structures. Although the new 2006 constitution of the DRC has made some progress towards recognizing gender equality, [such as in article 14](#) which states that the public authorities should ensure the promotion and protection of women's rights, discriminatory laws still remain, which reinforce persistent norms and beliefs about the roles of men and women in society. The Family Code of the DRC still maintains that a man is the head of the household who has authority over all other members of the household including his wife who must obey him. Women must obtain their husband's permission before performing any legal act such as selling or leasing property, opening a bank account or applying for a visa or passport. The idea that men are heads of the household is strongly engrained and supported by many Congolese who see it as a part of the national "family

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values”. This persistence of a family code which legitimates men’s control over women and the symbolic and normative values which it perpetuates are key barriers to the achievement of gender equality. Further, [research has shown](#) that prevalent gender norms seem to accept a certain level of violence within couples as normal and even desirable.

A [new law on sexual violence passed in 2006](#), showed progress in criminalizing forms of violence not previously recognized such as sexual harassment, sexual slavery or forced pregnancy, but it still fails to recognize marital rape. This reflects that fact that many men and women think it is part of a woman’s duty to have sex with her husband whenever he wishes. And, for many, a certain level of violence within couples is “normal”, so that a man giving a “light tap” to his wife or girlfriend to keep her in line is perfectly acceptable. Some even share the belief that if a man does not hit his partner, then he does not really love her. This normalization of a certain level of violence in intra-personal relationships is just part of a wider continuum of gender-based violence which is normalized and accepted. There are also various forms of violence which are condoned or encouraged by customary law which remains strong in some areas of the country, such as the rules of sororate and levirate under which women may be forced to marry the brother of their dead husband or the widow of their dead sister. The continuum of these different forms of violence, which are accepted and normalized within Congolese society, can be seen to provide the context within which the rape and sexual violence, that has occurred during the armed conflicts, should be understood.

The normalization of GBV also contributes to the continuing impunity of perpetrators, as do the weak police and judicial systems in the country. As noted above, many incidences of GBV are not even recognized as such, and

even when it is acknowledged that an act of gender-based violence has been committed, it is unlikely that the perpetrator will be prosecuted or punished. And in the absence of a robust judicial system, many cases are still settled through “amicable” arrangements between perpetrator and victim.

Gender inequalities are also obvious in many areas of public life, such as the lack of women in decision making positions in the government. Women make up only 8.9% of representatives in the National Assembly, 5.5% of Senators and 14.8% of government ministers (despite a strong recommendation from the national consultation held in Kinshasa in 2013 to appoint at least 30% of women to the government). Although a law on gender parity in political representation was passed by the National Assembly in April 2014, so far it has not had any noticeable impacts. There is still widespread opposition to women’s participation in public and political life because this is equated with a threat to the “traditional” family life and culture of the DRC. Women have also been under-represented in all of the various peace negotiations which have taken place to try and end the conflicts in the DRC, and remain a very small minority in the armed forces, the police and the judiciary.

Much more can be written about the various forms of gender inequality which persist in the DRC and which provide foundations for the various forms of GBV which exist in the country. The necessary links between broader social gender inequalities and GBV are vital to understand if there is to be any effective response to the problem of GBV, and effective policies for prevention. The Women, Peace and Security agenda, has a focus on not only prevention of violence, but also of increased participation of women in public life and decision making. Increasing participation means considering women not only

as “vulnerable victims” of sexual violence, but as actors should be given an equal role in political life. All of the many complexities and layers of gender inequality need to be taken into account if real solutions to the problem of GBV are to be found, and in doing so Congolese women need to be actively engaged in making decisions and finding the solutions.

Meeting of victims of Sexual violence in the Democratic Republic of the Congo. Image by USAID via [Wikimedia](#).

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