

The status and political participation of women in the Democratic Republic of Congo (1960–2010): A critical historical reflection

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Abstract

One of the central demands of the feminist movement (which started in the 1880s globally [but first arose in France in 1870]) has been and continues to be women's exercise of their full and active citizenship, which they consider was denied them as a result of not being recognised as equals at the moment of the definition and construction of citizenship in the eighteenth century. Since then, the women's movement and feminist movement have denounced this exclusion, calling for equal citizenship for women. At first, between the end of the nineteenth century and the beginning of the twentieth, the feminist movement demanded the right to vote along with other civic, civil, and political rights, considered as a first wave of feminism.¹ The second wave of feminism during the 1960s and 1970s continued to demand the expansion of women's citizenship in the case of the African continent as a whole, and called for a redefinition of the private sphere in which women were isolated. In this sphere they were excluded from certain human rights and were thus unable to fully exercise rights expressing an equal citizenship.² In for example the Democratic Republic of Congo (DRC), as the focus for this discussion, the participation of Congolese women in the decision making of the country by 2011 was supported by the recently promulgated constitution of the DRC in 2006. The constitution promotes equal opportunity for men and women, but the current government has to date not yet achieved what was promised then. This paper is a critical historical reflection of women's status and political

1 Compare LJ Rupp, *Worlds of women: The making of an international women's movement* (Princeton University Press, Princeton, 1998), pp. 1-325; R Kumar, *The history of doing: An illustrated account of movements for women's rights and feminism in India, 1800-1990*, 8th Edition (Indraprastha press CBT, New Delhi, 1993), pp. 1-204;

2 Compiled from International Research and Training Institute for the Advancement of Women (INSTRAW), "Gender, governance and women's political participation", 2005 (available at <http://www.un-instraw.org>, as accessed on 12 July 2008).

participation in the DRC. It also argues that the DRC government should encourage women to become actively involved in political parties so that they are eventually able to achieve the highest office in the country in order to serve justice to human rights. Furthermore, the government should take the initiative to introduce a quota system for women in the different state structures. The paper also calls upon political parties of the DRC to encourage the participation of women in party politics.

Keywords: Democratic Republic of Congo; Gender studies; Women's political participation; Women's rights; Gender equality.

Introduction

According to the International Research and Training Institute for the Advancement of Women (INSTRAW), it is the right of women:³

...to participate in power and decision making was one of the feminist movement's first demands for women at the individual level ... a woman has the right to mount the scaffold; she must equally have the right to mount the rostrum, provided that her demonstrations do not disturb the legally established public order.

Two centuries later, women's right to participate in the processes and instances of social, political and economic decision making at all levels and in different sectors, has been firmly established in diverse international instruments. These instruments include the Universal Declaration of the Human Rights (1948); the Convention on the Political Rights of Women (1952); the Civil and Political Rights International Act (1966); and the Convention for the Elimination of All Forms of Discrimination against Women (1979).⁴

Realising that this was a pressing international issue, the United Nations (UN) organised the World Conference of the International Women's Year in Mexico City from 19 June to 2 July 1975 to raise awareness on women rights. This was followed by a Second UN conference on the Decade for Women:

3 INSTRAW, "Gender, governance and women's political participation", 2005 (available at <http://www.un-instraw.org>, as accessed on 12 July 2008).

4 INSTRAW, "Gender, governance and women's political participation", 2005 (available at <http://www.un-instraw.org>, as accessed on 12 July 2008); S Vyas-Doorgapersad, "Women participation in the local political decision-making: A specific reference to South Africa", *Journal of Local Government Management*, 2, 2008, pp. 314–338. For detail on international instruments on women rights, see http://www.un.org/womenwatch/directory/instruments_treaties_1003.htm. For more on regional treaties in Africa, and the status of women in decision-making settings in the DRC, consult http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/SHS/pdf/concept_paper_greatlakesregion.pdf.

Equality, Development and Peace, held at Copenhagen from 14 to 30 July 1980. The UN's Third World Conference on the Decade for Women was held in Nairobi from 15 to 26 July 1985 to review and appraise the achievements of the initiative thus far.⁵ In 1995, these conferences culminated in the Beijing Platform for Action (PFA) that identified:⁶

... women's full participation in the exercise of power as one of its critical areas of concern, recognising that this must be incorporated at all levels of decision making as a necessary requisite for the attainment of the goals of equality, development and peace. Since then, different resolutions, campaigns and declarations have come to reinforce and/or complement the Beijing PFA, turning women's participation in power and decision-making processes into a high-priority issue on the agenda of women and development at the local, national, regional and international levels.

In its Resolution 1325 (2000) on women, peace and security, the UN Security Council underscored the important role of women in the prevention and resolution of conflict and the peace-building process. It also stressed the importance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision making.⁷ In this regard, the Millennium Declaration of September 2000 reaffirmed the centrality of women's participation in development and declared, for the first time in the UN's discussions on women's rights, the urgent need to promote gender equality and the achievement of women's empowerment as the most effective way to fight poverty, hunger and disease and truly stimulate sustainable development.⁸

Governments worldwide are taking measures and developing instruments to empower women and ensure their right to participate in decision making. The Southern African Development Community (SADC),⁹ also committed to the spirit of global and African declarations on women's participation in grass

5 For additional information on the progress measure to improve the status of women, see <http://www.globalissues.org/article/166/womens-rights>.

6 INSTRAW, "Gender, governance and women's political participation", 2005 (available at <http://www.un-instraw.org>, as accessed on 12 July 2008); S Vyas-Doorgapersad, "Women participation in the local political decision-making: ...", *Journal of Local Government Management*, 2, 2008, pp. 314–338.

7 United Nations, Economic and Social Council, "Equal participation of women and men in decision-making processes at all levels", 2006 (available at <http://www.un.org>, as accessed on 18 July 2008); S Vyas-Doorgapersad, "Women participation in the local political decision-making: ...", *Journal of Local Government Management*, 2, 2008, pp. 314–338.

8 INSTRAW, "Gender, governance and women's political participation" (available at <http://www.un-instraw.org>, as accessed on 12 July 2008); S Vyas-Doorgapersad, "Women participation in the local political decision-making: ...", *Journal of Local Government Management*, 2, 2008, pp. 314–338.

9 The SADC country members are: Angola, Democratic Republic of Congo, Botswana, Lesotho, Malawi, Namibia, Seychelles, Mozambique, Mauritius, Swaziland, Zimbabwe, South Africa, Zambia and Tanzania.

roots politics. So, for example, the Southern African Regional Symposium on Women in Local Government was held in Johannesburg, South Africa, in 1996, to review women's participation in local government in the SADC region. In 1997, SADC heads of state committed themselves to at least 30 percent representation of women in all areas of decision making as part of the SADC Declaration on Gender and Development signed in Malawi.¹⁰

This paper explores the journey of women's participation in political decision making in the DRC as a case study, showing that this was no easy road; it involved years of political struggle. Indeed, even in current times (2011) the participation of Congolese women in political management is still decidedly unequal. The existing DRC constitution, promulgated in 2006, declared in article 12 that there should be equal rights in every sphere for men and women and that this equality should be respected in all DRC institutions and structures. However, in practice, DRC institutions do not appear to reflect the stipulations of the 2006 constitution. On 30 June 2010, the DRC celebrated 50 years of independence from colonial rule. Though this historical event has allowed for a transformation of the political face of the DRC, the status and rights of women in the country and particularly in the higher ranks of its political structures, is still a matter of fierce debate. This article presents a critical discussion on the past and present political status and political participation of women in the DRC.

Women's participation in decision making structures: A historical glance at Africa

Historically (refer Appendix), changes in society's economic and social organisations have contributed enormously to the evolution of the roles played by men and women on the African continent. Prior to the "scramble for Africa" that began in the latter decades of the nineteenth century, and the era of colonial rule thereafter,¹¹ members of the extended family provided

10 S Vyas-Doorgapersad, "Women participation in the local political decision-making: ...", *Journal of Local Government Management*, 2, 2008, pp. 314–338.

11 For a detailed history on the rise and fall of colonialism in Africa, see for example LH Gann and P Duignan (Eds.), *Colonialism in Africa: The history and politics of colonialism, 1870–1960* (Cambridge, Cambridge University Press, 1982); R Hallet, *Africa since 1875* (London, Heinemann, 1975); SC Easton, *The rise and fall of Western colonialism* (London, Pall Mall, 1964); On colonial rule in the Congo, G Brausch, *Belgian administration in the Congo* (London, Oxford University Press, 1961).

economic and social support through mutual responsibility.¹² Women were responsible for subsistence agriculture to produce food, while men did the hunting and rearing of cattle and other domestic animals. Through marriage, new households were formed, normally headed by the husband, who managed new units of production and reproduction.¹³ Under this arrangement, the care and guardianship of the woman was transferred from her father and brothers to the custody of her husband and his male relatives, who now cared for the wellbeing of the wife, who had few, if any rights beyond the confines of the family unit.¹⁴ The people of the DRC in general and the generic family unit in particular:¹⁵

...began witnessing changes with the arrival of missionaries in the middle of the nineteenth century. All these historical events, enforcing societal shifts, brought in new norms and values which led to changes in gender relations, and the division of labour.

Schapera has observed that before the era of Christianity (pre-42 BC), men dominated the intellectual world and women had no legal status but were at the mercy of their male relatives or husbands.¹⁶ Therefore, a women's destiny was marriage and motherhood. As Guy put it, women in Africa were "precious objects of exchange and control".¹⁷

Intense activism by women's movements on the continent, most notably the Solidarity for African Women's Rights Coalition (SOAWR)¹ led to the introduction of an addendum to the African Charter on Human and People's Rights, known as the Protocol on the Rights of Women in Africa, as adopted by the African Union (AU) in July 2003. In 2004, following the Beijing PFA and additional evaluations, heads of members states of the AU, pressurised by

12 FThM van Driel, "Poor and powerful: Female-headed households and unmarried motherhood in Botswana", *Verlifier Entwicklungspolitik (Studies in Development and Cultural Change)*, 16, 1994; PT Tanga, "The women are coming: Women's participation in Lesotho local governance", *Advancing Women in Leadership Online Journal*, 28, 2008, p. 6.

13 PT Tanga, "Female-headed households in Cameroon: Etiology, problems and prospects", Unpublished chapter, 2006 (available at <http://www.advancingwomen.com>, as assessed on 17 August 2010).

14 FThM van Driel, "Poor and powerful: Female-headed households and unmarried motherhood in Botswana", *Verlifier Entwicklungspolitik*, 16, 1994; PT Tanga, "The women are coming: Women's participation in Lesotho local governance", *Advancing Women in Leadership Online Journal*, 28, 2008.

15 PT Tanga, "The women are coming: Women's participation in Lesotho local governance", *Advancing Women in Leadership Online Journal*, 28, 2008, p. 6.

16 I Schapera, *The Tswana* (London, International African Institute, 1984); PT Tanga, "The women are coming: Women's participation in Lesotho local governance", *Advancing Women in Leadership Online Journal*, 28, 2008, p. 6.

17 J Guy, "Gender oppression in Southern Africa's pre-capitalist societies", C Walker (ed.), *Women and gender in Southern Africa* (London, James Currey, 1990), pp. 33–48; PT Tanga, "The women are coming: Women's participation in Lesotho local governance", *Advancing Women in Leadership Online Journal*, 28, 2008, p. 6.

their own women's machinery and organisations, produced a Declaration on Gender Equality in Africa at the Third Ordinary Session of the UN Assembly held in Addis Ababa, Ethiopia, at which they undertook to sign and ratify the protocol by the end of 2004.¹⁸

Furthermore, Goal 3 (to promote gender equality and empowerment of women) of the Millennium Development Goals (MDGs),¹⁹ was structured to improve challenges regarding women's participation. In this regard Dejene remarks:²⁰

Paragraph 58 of the World Summit Outcome Document of 2005 articulates the resolution of the world leaders to eliminate pervasive gender discriminations in primary and secondary education; property and housing rights; access to reproductive health; access to the labour market; sustainable employment and labour protection; and representation in government decision-making bodies, as well as elimination of all forms of violence against women and girl child.

In general, despite significant progress on the African continent Africa lags behind in meeting the 2015 MDG targets.²¹ The number of people living in extreme poverty (on one US\$ per day or less) in sub-Saharan Africa (SSA), increased from 217 million in 1990 to 290 million in 2000, of whom the majority are women.²² The reasons for this are complex, but are due in large measure to the fact that women are restricted to certain labour; they have to care for their children and the household and are thus also restricted as far as education is concerned.

Several countries in the continent are unlikely to meet the target of closing gender gaps in primary and secondary education by 2015. Furthermore, only seven countries in Africa are likely to achieve the MDG3 target to eliminate

18 S Hassim and S Meintjes, *Expert group meeting on democratic governance in Africa: Strategies for greater participation of women* (New York, Office of the Special Adviser on Africa, UN, 2005), p. 9. This was a coalition of 36 civil society organisations, established by the AU Protocol, 2003. The SOAWR covers organisations throughout the continent, implementing the Protocol to the African Charter on the Rights of Women in Africa.

19 At the UN Millennium Summit in September 2000, the Millennium Development Goals (MDGs) were adopted by 189 nations. Eight MDGs, with 21 quantifiable targets to be measured by 60 indicators, were set to achieve by 2015, including promoting gender equality and empower women; reduce child mortality; improve maternal health. See United Nations Development Programme (UNDP), 'Millennium Development Goals', <http://www.undp.org/mdg/basics.shtml>.

20 Y Dejene, "Promoting women's economic empowerment in Africa", 2010 (available on <http://www.uneca.org>, as accessed on 8 November 2010).

21 For insight on the achievement of MDGs in Africa, refer to African Union, "Review of progress towards the Millennium Development Goals in Africa", at <http://www.sarpn.org.za>; United Nations Economic and Social Council, "Achieving the Millennium Development Goals (MDGs) in Africa: An issue paper", <http://www.sarpn.org.za>.

22 Y Dejene, "Promoting women's economic empowerment in Africa", 2010 (available on <http://www.uneca.org>, as accessed on 8 November 2010).

gender disparity in primary and secondary education by no later than 2015. In particular, closing the gender gap in secondary education has been a major challenge in sub-Saharan Africa, which has the lowest female secondary enrolment of 29.75%.²³ The projection for 2015 indicates that twelve of the 27 countries with below 0.9 gender parity ratios in secondary level will be in the sub-Saharan African region. It is well known that the prevalence of armed conflict in SSA in the quest for liberation from colonial oppression or involvement in civil war, has had a negative effect on economic and social development of this region. In 1990, UNESCO reported that six countries (Angola, Burundi, Democratic Republic of Congo, Liberia, Sierra Leone, and Somalia) of the 17 SSA countries in which the enrolment for women's education has declined, were affected negatively by ongoing armed conflict.

Despite human rights movements, feminist movements and MDG campaigns in Africa, the data on women's empowerment and participation in decision making as active citizens show, as communicated by Dejene:²⁴

...gender discrepancies in access to resources of education and power sharing: 0–0.9% in 32 countries; 10–20% in 10 countries; 20–30% in 4 countries; Seychelles 27%; South Africa 25%;^[25] Mozambique 25%; and Eritrea 21%. The same scenario is repeated with the representation of women in government, whereby 36 countries have less than 10% women. In 11 countries there are between 10 and 20% women: Mali 10; Namibia 10; Niger 10; Ghana 11; Burkina Faso 11; Cape Verde 13; Uganda 13; Benin 15; Guinea 15; and Tanzania 16%.

It is noticeable that the DRC is not listed in any of the recent global and African databases on gender equality due to the virtual lack of women participation in decision-making processes.²⁶

23 For information on the achievement of MDGs in African continent, see African Union, "Review of progress towards the Millennium Development Goals in Africa", at <http://www.sarpn.org.za>.

24 Y Dejene, "Promoting women's economic empowerment in Africa", 2010 (available on <http://www.uneca.org>, as accessed on 8 November 2010). See also UNECA, "Status of women in Africa", 2008 (available on <http://www.uneca.org>, as assessed on 10 July 2010).

25 On MDGs in South Africa, see the website: www.indexmundi.com/south_africa/millennium-development-goals.html.

26 On this see Africa Progress Panel, "Africa development: Promises and prospects", available at <http://www.africaprogresspanel.org> which explores the fact that the DRC is not listed amongst the countries able to achieve the MDGs by 2015. The report also indicates the challenges hindering the implementation of MDGs in the DRC. This is an area that requires further research.

Defining the status of women in the history of the DRC

Neo-liberal dictates and structural adjustment policies have denuded African states and attempted to limit their role to enabling the building and functioning of markets. These policies have retarded development, exacerbated gender inequities, and deepened Africa's entanglement in exploitative imperialist economic relations. Therefore there is a pressing need to re-establish a proactive developmental role for the state in African conflict-ridden countries, including the DRC.²⁷

The political history of the DRC began in the late nineteenth century when the King of Belgium (Leopold II) won international recognition for the Congo Free State.²⁸ In the eighteenth century, King Leopold II virtually made the Congo his personal kingdom. All developmental projects had to be supported by the King's personal funds and private companies in Belgium. Between 1890 and 1895, Leopold II made an appeal to the Belgian government for financial assistance for the development of what was then known as the Congo Free State. His appeal was only granted in 1901 when the government provided him with a free loan – but on the understanding that the Belgian government had the right to annex the territory.²⁹

The right to annex the territory became reality in 1909 when the Belgian government took over the administration of Congo Free State, ending Leopold's vicious system of forced labour. However, the Congo was still regarded almost exclusively as a field of European investment, and very little was done to give the indigenous Congolese people a significant role in the country's government or economy during the colonial era.³⁰ Prior to 1960 the Congolese had no participation at all in any political decision making. Therefore one could hardly expect that the status of women would have made strides in these years. Congolese men, too, were hamstrung by the colonial experience and stepping up to fill leadership positions, in the DRC was severely curtailed. Most decisions on the DRC were taken in Belgium without

27 M Samson, "Developmental local government in post-apartheid South Africa? A feminist rethinking of the state and development in the context of neo-liberalism", 2008 (available at <http://www.codesria.org>, as accessed on 19 July 2008).

28 There is no significant political history recorded on the DRC before 1890, hence the status of women in political decision-making is not explored within this particular content and context.

29 B Gascoigne, "Congo Free State: AD 1885–1908", 2011 (available at <http://www.hsitoryworld.net>, as accessed on 15 February 2011).

30 G Brausch, *Belgian administration in the Congo* (London, Oxford University Press, 1961); and Columbia Electronic Encyclopedia, "Democratic Republic of Congo: History" (Columbia, Columbia University Press, 2007), pp. 1–6.

any consultation with the local people in the DRC.

The historical setting of political governance in the Congo shows that at the time of independence the participation of women in public decision making was non-existent. Women only became involved in politics in 1964 after the end of the civil war.³¹ This was due to the raised political awareness of collective participation by both men and women in the development of the DRC. Two years after the *coup d'état* under Mobutu Seseseko in 1965, women were allowed to participate in the 1967 election.³² Mobutu Seseseko, by this time the president, then appointed Sophie Kanza as the first Congolese woman in a ministerial position. This was a groundbreaking move; Congolese politicians had never before had a senior female colleague. Another high profile appointment, on the level of premier of the province, was held by Catherine Nzunzi waMbombo. She was premier of the Kinshasa province and later became the premier of the Bas Congo province. She subsequently held various ministerial portfolios during the administrations of Mobutu and Laurent Desire Kabila. The number of women who were members of parliament was meanwhile also increasing. However, the emancipation of women in senior levels of government did not change gender inequality at grassroots level. Nothing was written into the constitution at the time as regards assuring that women's rights were raised to the level enjoyed by men. Women were still lagging behind in terms of political participation and public decision making.

By the early 1980s, limited legislative improvements were being introduced in the area of gender equality in the DRC. Most notable of these was the *code de la famille* (family code) in terms of which a married woman was not (as was previously the case) obliged to ask the permission of her husband to work or to undertake other provisional activities. The *code de la famille* is still under review, and there are no other cultural/traditional codes in place in the DRC that advance the status of women. Although when it was introduced this document received some support, Congolese politicians who were part of the political system (well known to be a dictatorial regime) were unwilling to accept gender expansion in the political arena.³³ According to Mosao, in

31 United Nations, Department of Economic and Social Affairs, "Introduction: How do you assess the current level of women's participation in decision-making in Africa?" 1999 (available at <http://www.esaconf.un.org>, as accessed on 8 March 2010).

32 A Karam and J Lovenduski, "Women in parliament: Beyond numbers", 2008 (available at <http://archive.idea.int/women/parliament/index.htm>, as accessed on 28 February 2008).

33 DRC, 'Code de la Famille', *Journal Officiel de la République Démocratique du Congo*, Special 44th anniversary issue, 2003.

the 1980s “the participation of women in some of the specialised fields such as the armed forces, the police service and the intelligence service were very unusual”.³⁴ In fact, the political emancipation called for by the government during the 1980s was not made operational. On the other hand Kale claims that the dictatorial regime in place in the 1980s failed to make any progress towards the equal participation of woman in public decision making.³⁵ This situation continues in some African states that are ruled by dictatorial regimes. It is also true that the participation of Congolese woman in political governance in the DRC still lags behind compared to the situation in other post-colonial African countries such as South Africa, Rwanda, and Uganda, where women are far more involved in politics.³⁶

During the middle to late 1980s, there were no major advancements in women’s participation in politics because of the centralised power in the hands of the male- dominated dictatorship. The transformation of women in political decision making only really began to advance after 1990, when the democratic process began to improve. Many women in the DRC became involved in diverse developmental sectors outside the domestic environment. Their participation was not only seen in political parties, but also in other sectors such as the media, non-governmental organisations (NGOs) and senior management positions in both in private enterprise and the government.

Since 1987 various women NGOs and networks of women have been established in the DRC and they are actively involved in the promotion of the rights of women.³⁷ In order to improve the participation of Congolese women in political decision-making “several of them decided to continue exchanging ideas and they established a network called Caucus de Femme with representatives in all of the 11 provinces of the DRC”.³⁸ However, due to internal conflict between members, some of them resigned and formed another similar organisation called *Cadre Permanent de Concertation de la*

34 KM Musao, “Evaluer la participation des femmes candidates aux election presidentielles de 2006 en DRC”, Paper presented at workshop on ‘Political Participation’, University of Kinshasa, Dakar, 2008.

35 AM Kale, “Les femmes et la politique dans la societe congolaise traditionnelle de l’ascension a la perte de son pouvoir”, *Magazine de la MONUC*, 12, 2006.

36 Insight on African countries with similar political and social backgrounds and the measures taken to improve the status of women, can be viewed at African Union, “Review of progress towards the Millennium Development Goals in Africa”, at <http://www.sarpn.org.za>; United Nations Economic and Social Council, “Achieving the Millennium Development Goals (MDGs) in Africa: An issue paper”, <http://www.sarpn.org.za>; and Africa Progress Panel, “Africa Development: promises and prospects”, at <http://www.africaprogresspanel.org>.

37 For information on women’s NGOs in the DRC, refer to <http://www.psi.org/democratic-republic-congo>.

38 IN Douma, *Women, peace and security in the DRC. A civil society assessment on current practices and future perspectives of the implementation of United Nations Security Council Resolution 1325* (Netherlands: CORDAID, 2008), p. 26.

Femme Congolaise (CAFCO). The establishment of this NGO led by women promoted the participation of females in political parties and it is true to say that many of the women in politics today in the DRC began their politicisation in NGOs across the country. The majority of women who lead these NGOs have received tertiary education in the DRC.

These transformative gender initiatives were complemented by the first democratic elections held in 2006, after 48 years of independence. Four women were registered as possible presidential candidates and this motivated other women to become involved in political activity. The available statistics show that:³⁹

...in the transitional period after the civil war (1998–2002) many women were involved in political negotiation... this was demonstrated in the transitional parliament where 37 seats amongst 738 were given to women,... the number represents [only] 5% compared to 95% men in parliament.

The reason behind the relatively low percentage of women in the transitional parliament is that in this period (1998–2002) most members of parliament were not elected but were appointed by the leaders of political parties. Such appointments were certainly biased towards men. The lobby by Congolese women was for a “30% representative quota in decision-making posts during and after the transitional period”,⁴⁰ but this was unacceptable to male politicians in the DRC. There is no doubt that political dialogue is necessary to encourage Congolese women across the board to unite in their effort to increase the number of women participating in the decision-making process.

The period 2002 to 2006 was a phase of political transformation in which the democratic process on gender equality was considered for inclusion in the DRC Constitution. The newly adopted DRC Constitution implemented in 2006 states that “there should be equal involvement by men and women in political decision making”. According to article 12, all Congolese citizens, be they men or women, are “equal before the law and are protected by that law”.⁴¹ This means that there should be no discrimination in terms of gender or sexual orientation. Despite this, the practicality in terms of women’s participation in the different spheres of government does not reflect the stipulations in the

39 Inter-Parliamentary Union, *Progress and setbacks of women in national parliaments between 1 July 1995 and 1 February 2006* (New York, UN, 2006). This is an overview the progress of women involvement and participation in the political decision-making.

40 IN Douma, *Women, peace and security in the DRC ...*, p. 26.

41 DRC, “Constitution de la Republique Democratique du Congo” (Kinshasa, Gombe, 2006).

constitution. As illustrated in the table below, very few women, as compared to their male counterparts, were active in government structures in terms of public decision making in the aftermath of the democratic elections of 2006, which was the first time women were permitted to stand for office.⁴²

Table 1: Female representation in national and provincial government structures

Structure	Men	Percentage	Women	Percentage
Members of parliament (total 500)	458	92.3	42	7.7
Senators (total 108)	105	95.6	5	4.4
Ministers (total 45)	40	90.0	5	10.0
Premier of the province (total 11)	11	100	0	0
Director general (total 55)	48	88.7	7	11.3

Source: DRC, “Independent Electoral Commission” (Kinshasa, CEI, 2008).

Table 1 shows that in the 2006 elections only 42 women were elected to legislative bodies compared to 458 men. It is assumed that during the electoral campaign women candidates had difficulty in convincing other women to support them at the polls. Furthermore, the participation of women as candidates was not taken seriously by Congolese voters across the board. This might well be because politics has traditionally been the domain of men in the male-dominated DRC.⁴³ Currently, (2011) and looking ahead to the future, the problem is that there is no move on the part of the government to introduce a quota system for female members of parliament or at lower governmental levels. Research indicates that in the period between:⁴⁴

...2000 and 2002, elections were held in 23 countries in sub-Saharan Africa, with increases in women parliamentarians in 14 of them. Most of the countries that have achieved significant increases in women’s participation have done so through the use of quotas – a form of affirmative action in favour of women.

⁴² DRC, “Independent Electoral Commission” (Kinshasa, CEI, 2008).

⁴³ For insight on the reasons for lack of women’s participation in the 2006 DRC elections, see DRC, *Independent Electoral Commission* (Kinshasa, CEI, 2008).

⁴⁴ G Mutume, “Women break into African politics: Quota systems allow more women to gain elected office”, *Africa Recovery*, 18, 1, 2004, p. 3.

The point is made that women should insist that they no longer want to be mere window dressing in political parties; they must be given the opportunity to function in a senior capacity. What needs to be done is to involve more women in political dialogue on their participation in government structures; they must take affirmative action.

At senatorial level the percentage of women is even lower. There are only five female senators (4.4%) as compared to 103 (90.0%) male senators. Then too, as Oscar Kashala has shown, as far as ministerial posts are concerned:⁴⁵

...the number of women is only five which represents [a mere] 10% of women in the government. Furthermore, during February 2010, the DRC government reshuffled the ministerial positions... For example, the Minister of Public Enterprise is [currently] being held by Mrs Jeanine Mabunda Lioko. The Ministry of Transport and Communication is held by Mrs Laure-Marie Kawanda-Kayena.

Looking at the participation of women at the provincial level, in the DRC, none of the eleven provinces has a woman premier. At local government level too, very few women have been appointed as executive mayor. One example, where a woman does indeed hold this position is in the city of Lubumbashi in the Katanga province. It remains to be seen whether the local election, which is due in 2012, will show any shift in this trend.

The justice system of the DRC is another government organ where men far outnumber women. Most of the senior positions in the judiciary are occupied by males. There is not a single woman who functions as a judge president in the different courts of the republic. Only one female is a judge in the Supreme Court (*Cour Suprême de Justice*) of the land. In 2009 there were three women judges in the Supreme Court but President Joseph Kabila fired two of them on the basis of a rumour of corruption. The list of magistrates he fired at the same time is said to be approximately 100. Many commentators claim that Kabila acted in contravention of the DRC constitution by not following the correct procedures before firing them.⁴⁶ It is therefore an urgent priority for the DRC government to promote women in the country's judiciary. For example, one of the problems the women magistrates in lower courts face is a lack of promotion opportunities to the senior bench. Presumably this is because the women (due to the circumstances which prevailed previously)

45 "Oscar Kashala parle aux femme, Kinshasa, Gombe", *Journal la Prosperite*, 2010 (available at <http://www.Laprosperteonline.net>, as accessed on 9 March 2010), p. 2.

46 MA Lukamba, (former judge in the Supreme Court), telephonic interview, MT Lukamba, 2010.

lack experience and have not yet been given the opportunity to enhance their skills and expertise.

The Minister of Public Enterprise in the DRC, Jeannine Mabunda, observed that since the beginning of the public sector reform, an increasing number of women now occupy senior positions in her department. Many Congolese women graduates have applied for and been appointed in senior management positions in various public companies. She claims that of 78 top positions (including those of managing director, financial director and director of human resources), 14 are occupied by Congolese women.⁴⁷ The political-oriented selection process was based on the qualifications, experience and professional expertise of each candidate. This selection affirms that the politically established women are utilising such positions to enhance the status of women in decision-making in other sectors of society.

Training opportunities provided for Congolese women after the 2006 democratic elections have led to a range of career prospects. This is witnessed not only in the public domain, but in the private sector too. Many Congolese women are well established in different spheres such as the media, agriculture, telecommunications and hotel management to name but a few. Mabunda claims that Congolese women are contributing a great deal to the economic development of the DRC today. According to her:⁴⁸

...the empowerment of women in the private sector is much more advanced than in the government sector... many Congolese women work for international organisations such as the United Nations' offices in Kinshasa. There are also many women in the banking sector and telecommunications who occupy senior management positions.

What is needed is that liberal male politicians, particularly prominent leaders of political parties in the DRC, should to promote awareness of the importance of including women in their organisational structures. Women who are in politics should of course remain in touch with their local constituencies as well.

As far as the DRC government is concerned, it must be made aware that the constitution of the country calls for equal opportunities for both men and women and that this must become a reality. Some progress has already

⁴⁷ L'Avenir, "Gestion des entreprises du portefeuille: Jeannine Mabunda reunit les femmes technocrates", *Groupel'avenir*, 2010 (available at <http://www.groupelavenir.cd>, as accessed on 29 March 2010).

⁴⁸ L'Avenir, "Gestion des entreprises du portefeuille: Jeannine Mabunda reunit les femmes technocrates", *Groupel'avenir*, 2010 (available at <http://www.groupelavenir.cd>, as accessed on 29 March 2010).

made by the government to promote female politicians into senior executive positions and this trend must be maintained. The introduction of a quota system will help in this regard.

It is worth noting that according to the Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI):⁴⁹

...one of the positive outcomes of peace processes and political transitions in the Great Lakes Region has been the increased participation of women in political decision-making... In the DRC, the post-transitional constitution adopted by referendum in December 2005 has gone as far as to guarantee 50/50 parity between men and women.⁵⁰

However, the concept of 50/50 parity is still not incorporated into the electoral laws, and needs to be reviewed against the backdrop of traditions and the conventional outlook of the DRC society as a whole. Maria Matembe suggested that “it is crucial to get issues institutionalised and transformed into laws that are then implemented”.⁵¹ There are still crucial questions that need further research in order to improve women’s participation in the DRC. For example, to mention some of the points made by International Alert and EASSI, it is essential to address the following crucial issues: How can we make sure that the family code is amended to incorporate women’s individual rights? (As yet, for a woman to aspire to a position of power, she has first to ask her husband’s permission).⁵² What are the mechanisms to integrate gender equality in the electoral code as well as at the institutional, legislative and judicial levels? How do socio-cultural obstacles, the patriarchal system and retrogressive and discriminatory customs, impact on women’s political participation? How can gender analysis strengthen the capacity of men and women in power? And finally, what are the most effective ways of adopting the quota system?⁵³

49 International Alert and Eastern Africa Sub-Regional Support Initiative for the Advancement of Women [EASSI], “Women’s political participation in countries emerging from conflict in the Great Lakes Region of Africa”, 2008 (available at <http://www.international-alert.org>, as accessed on 25 July 2010).

50 The participation of women and the impact of the current elections (November 2011) can only be evaluated and analysed when the full results are released.

51 International Alert and EASSI, “Women’s political participation in countries emerging from conflict in the Great Lakes Region of Africa”, 2008 (available at <http://www.international-alert.org>, as accessed on 25 July 2010).

52 International Alert and EASSI, “Women’s political participation in countries emerging from conflict in the Great lakes Region of Africa”, 2008 (available at <http://www.international-alert.org>, as accessed on 25 July 2010).

53 International Alert and EASSI, “Women’s political participation in countries emerging from conflict in the Great Lakes Region of Africa”, 2008 (available at <http://www.international-alert.org>, as accessed on 25 July 2010).

In order to improve the status and rights of women in DRC, an organisation called Réseau des Femmes pour un Développement Alternatif (RFDA), a network of 50 women's organisations, was established in 1998 at a time when there had been a "long-term political and social crisis in the South Kivu region" of the DRC. This move:

... brought women's associations together to form a network in the hope of increasing women's effective participation in the search for peace, peaceful cohabitation and sustainable development. The network's primary strategies focus on dialogue with decision-makers, and training and informing women about peaceful conflict resolution methods and women's rights and responsibilities.⁵⁴

Moreover, to promote women's rights and strengthen political empowerment, the UN Mission in the Democratic Republic of the Congo (MONUC)'s Office of the Gender Adviser (OGA); the United Nations Development Fund for Women (UNIFEM); and the United Nations Development Programme (UNDP), together with international women's groups such as *Femmes Afrique Solidarite*, cooperated with local women's organisations. The OGA works with DYNAPFEP (Dynamics of Political Women in the Democratic Congo), "representing women from all political factions who articulate women's political views on the transition process" with the aim to increase women's participation in the elections. On 22 May 2003, UNIFEM executive director, Noeleen Heyzer, met with Congo President Kabila in Kinhasa, relaying the message that Congolese women "expect to play an important role in the reconstruction of communities and of the country". She pointed out that UNDP had also been promoting the political empowerment of women, through its support for the National Programme for the Promotion of Congolese Women (PNPFC).⁵⁵ These initiatives are indicative that the process to strengthen the position of women in the DRC is under way; it may well be that in due time these efforts towards equal participation for women in the decision-making processes based on skill, merit and ability, may bear fruit.

In the first decade of the twenty-first century, the struggle for women's rights in the DRC, has been accelerated. Writing on the issues and challenges of

54 RFDA, "Réseau des Femmes pour un Développement Associatif", 2011 (available at <https://grants.globalfundforwomen.org/GFWSearch/index.php?id=17819>, as accessed on 16 November 2011).

55 E Schroeder, "A window of opportunity in the Democratic Republic of Congo: Incorporating a gender perspective in the disarmament, demobilization and reintegration process", 2010 (available at <http://www.iss.org.za>, as accessed on 15 July 2010).

women's political participation, Bari argues that:⁵⁶

[It is] imperative for gender equality advocates (organisations and individuals) to focus on the gendered nature of development and challenge the capitalist paradigm of international development that creates and recreates gender disparities, while at the same time working towards creating an enabling environment for women's participation in development. Women's mere participation in mainstream development cannot automatically lead to their advancement and gender equality unless the contradiction in the development claim for equality and justice and the practice is eliminated. The level and nature of participation is equally important to determine whether women are able to share development gains.

Clear guidelines for the implementation of affirmative measures that lead to empowering women and sharpening their ability to engage critically with the state and society for social change and gender equality should be developed. It may still be discussed and argued that the capitalist paradigm is the biggest reason for gender disparity. It is suggested here that we should rather rethink traditions; tribal protocols; cultural heritage and the views on education for women as well as current statues and laws when assessing gender disparities in the adulthood phase. Obviously it is also important to note other external influences too, but the capitalist paradigm as applied to the DRC appears vague and not well motivated. It is like making a prognosis of an illness that is already apparent while ignoring the history of the illness, almost as if it doesn't exist. The whole issue of gender equality is therefore one of further debate.

Conclusion

This paper is a critical historical reflection of women's status and political participation in the DRC. It also argues that the DRC-government should encourage women to become actively involved in political parties so that they are eventually able to achieve the highest office in the country in order to serve justice to human rights. Furthermore, the government should take the initiative to introduce a quota system for women in the different state structures. The paper also calls upon political parties in the DRC to encourage the participation of women in party politics. This will gradually increase the number of women who are active in politics in the DRC as time goes by.

⁵⁶ F Bari, "Women's political participation: Issues and challenges", 2005 (available at <http://www.un.org>, as accessed on 19 March 2008).

The following recommendations are offered to improve women's status and their participation in governance and politics on various levels of decision making. It is suggested that "existing constitutional, political, legislative and regulatory frameworks, including electoral systems", should be reviewed and revised in order "to remove provisions that hinder women's equal participation in decision-making processes at all levels". Furthermore, extensive research must be undertaken on the ways that women's representation can be "enhanced in political parties, parliaments and government at all levels", and progress made in this regard must be systematically monitored and evaluated.

The UNEconomic and Social Council suggests that it is crucial to "review party structures and procedures to remove all obstacles for women's participation, in particular in leadership positions, with the aim of achieving parity at all levels". In addition, rules should be drawn up for candidate selection within parties, including the "implementation of quotas for achieving equitable equal representation of women candidates in elected positions". It is also suggested that women's branches should be set up in political parties and these bodies be given the necessary resources to increase their status and visibility within party structures; this will in turn influence their decision-making prowess and support women's candidacies. Finally, resources should be made available for "leadership training of women candidates in the skills required for political campaigning and for interacting effectively with the media".⁵⁷

It can be argued (and the argument supported) that women in the DRC are far behind the current global emancipation and participation trends on women's rights. Elsewhere women have proved themselves well able to play pivotal roles in decision making. The DRC also has a shortage of skilled people to develop the economy and women are under-utilised. Then too, equality of opportunity and equal rights for women is a matter of basic human rights. And so the debate continues. Undeniably, there is an urgent need to conduct research to provide an informative picture on the position of women in the DRC over time and to understand the stumbling blocks from a female perspective. All these areas require further research and constructive debate.

The paper concludes with a point of view expressed by a Congolese woman emphasising that the focus should be "to sensitize men, and persuade them

⁵⁷ United Nations Economic and Social Council, "Equal Participation of women and men in decision-making processes at all levels", 2006 (available at <http://www.un.org>, as accessed on 18 July 2008); S Vyas-Doorgapersad, "Women participation in the local political decision-making: ...", *Journal of Local Government Management*, 2, 2008, pp. 314–338.

to accept [gender-sensitive] laws, [and be] partners in efforts to improve the condition of all, rather than create competition between men and women”.⁵⁸

APPENDIX

A brief overview of the historical development of the DRC

The development of the modern-day DRC was accelerated when Union Minière du Haut Katanga, among others, was one of the lucrative mining companies set up in 1906 to exploit the new-found opportunities in the Congo. The first copper was extracted in 1911 and by 1928 the country was producing 7 percent of the world's copper. In addition, diamond mining began in 1907 and was soon contributing to the rising status of the Congo as one of Africa's richest regions. Twenty years later, it was running a close second in the world after South Africa as a producer of these precious gems.

By the mid-1950s indigenous African people throughout the continent began to reject colonial rule and demand their independence from European colonisers such as France, Belgium, Italy, Britain and Portugal. In the case of the Congo, there was a complete absence of local participation in political structures. By 1957, several political parties had been established, for example Alliance des Ba-Kongo (Abako) headed by Joseph Kasa-Vubu. The objective of this party was to politicise the Congolese and improve their living conditions. Another political organisation was the Mouvement National Congolais (MNC) headed by Patrice Emery Lumumba. He became the first prime minister when the DRC gained its independence. The first local election in DRC was held in 1957 in Kinshasa (previously Leopoldville) and was won by Abako.⁵⁹

Thereafter, negotiations took place in preparation for independence. In 1959, a large movement of Congolese demonstrated in Kinshasa, and the Belgian authorities realised they could not maintain control. A roundtable conference was then held in Brussels in January/February 1960, in which a number of political parties and Congolese intellectuals participated. It was duly decided that the Belgian Congo would be granted official independence on 30 June 1960.⁶⁰

58 Division for Advancement of Women of the UN Department of Economic and Social Affairs, UN Economic Commission for Africa and the E-network for National Gender Equality Mechanisms in Africa, 2007. "Online discussion on Women, Political Participation and Decision-making in Africa", (available on www.un.org/womenwatch/Online%20Discussion%20Report%20Africa%20FINAL.pdf, as accessed on 21 November 2011).

59 B Gascoigne, "Congo Free State: AD 1885–1908", 2011 (available at <http://www.historyworld.net>, as accessed on 15 February 2011).

60 G Brausch, *Belgian administration in the Congo* (London, Oxford University Press, 1961); Columbia Electronic Encyclopedia, 2007, "Democratic Republic of Congo: History" (Columbia, Columbia University Press, 2007), pp. 1–6.

The first president of the independent Congo was Joseph Kasa-Vubu and Patrice Lumumba became the prime minister. When the Belgians left the DRC, they did not train Congolese civil servants how to manage the affairs of government. While in power, the colonial authorities restricted the Congolese (men and women alike) to the lowest ranks of the civil service; there were no senior officers in the armed forces and the Congolese had no input at all in decision making. But this was just the beginning of the problems faced

by the new post-independence DRC government in the 1960s. The type of administrative structure introduced by the Belgians in the Congo was a centralised system of government. According to Lemarchand, centralising the decision-making process and placing it in the hands of the metropolitan government had left virtually no room for local initiative. The Congolese were given no opportunity at all to make any decisions, even at local level. The colonial bureaucracy stifled all initiative in Congolese society and created the Congolese elite in their own image.⁶¹ It is against this background that this paper on the gradual realisation of the need for women's rights and full political participation must be understood.

61 Apart from sources on the rise and fall of colonialism as provided earlier, see also K Shillington, *History of Africa* (Macmillan, London, 1995), pp. 390-393.