

# Women, Conflict and Public Authority in the Congo

BY JEROEN CUVELIER AND MARIE-ROSE BASHWIRA

## Key points

- Even though women in the Democratic Republic of the Congo (DRC) are undoubtedly marginalized in formal political life, they are not completely absent from the political arena.
- Congolese women are involved in the exercise of local public authority in a variety of ways.
- While women's organizations are important for promoting peace, the effects of women's involvement in governance have not been unequivocally positive in terms of peace and stability.
- Women's participation in the political arena should be encouraged.
- In the absence of other, more substantial reforms, the mere inclusion of women does not guarantee the transformation of institutions as a whole or their modes of governing.

## Introduction

The DRC has a bad reputation when it comes to gender equality and respect for women's rights. Until now, the donor community and international media have mostly been focusing on sexual and gender-based violence (SGBV) in the eastern part of the country, which has suffered from two decades of armed conflict. In 2010, a speech by the then United Nations (UN) Special Representative of the Secretary-General on Sexual Violence in Conflict, Margot Wallström, included a reference to the eastern Congo as 'the rape capital of the world'.<sup>1</sup> Although the problem of SGBV is indeed a very serious one, this briefing focuses on another gender issue that has so far received only scant attention,



Woman in Bunyakiri, South Kivu, on the eve of the 2011 elections.

namely, the issue of women's participation in local governance and the exercise of public authority.

In particular, it warns against the persistent tendency to adopt an instrumentalist approach towards women's participation in politics, or the tendency to justify the promotion of gender equality in the political domain on the grounds that the inclusion of more women will lead to more peace, stability and good governance.<sup>2</sup> This approach is premised on gender stereotypes according to which women in powerful positions are more likely to act as peacemakers and incorruptible leaders than men.<sup>3</sup> This briefing challenges these assumptions by describing some of the less well-known—and in certain respects also less positive—aspects of women's involvement in the exercise of local public authority, paying particular attention to conflict-affected areas in the eastern DRC.<sup>4</sup> The briefing ends by arguing for a rights-based approach, according to which women have an inherent right to take part in governance, regardless of their contribution to the achievement of good governance objectives.

## Local public authority and gender

Under colonial rule, the Belgian Congo was divided into two administrative spheres. First, the sphere of modern civil legislation and bureaucracy reserved to Europeans. And second, the traditional sphere

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of customary law and rule under state-appointed customary authorities.<sup>5</sup>

The practice of local governance chiefs remained in place after the country gained independence in 1960. As a result, the *mwami* (customary chief) is the pivot of the lower echelons of the administrative framework in most, although not all, rural areas.<sup>6</sup> Chiefs not only head their chieftaincy in matters of government and administration, they also play an important role in the distribution of land for farming, mediate in local conflicts and perform certain spiritual and ceremonial tasks.<sup>7</sup>

Women's involvement in customary systems of governance tends to be relatively limited, especially when it comes to leadership positions, even though women do act as customary chiefs in some areas. Moreover, they rarely have a decisive voice in crucial issues such as succession to chiefship although in some communities, the wife of the customary chief plays a behind-the-scenes role.<sup>8</sup> It would be inaccurate to assume, however, that women do not have any power or influence at all in the customary sphere.

The case of the chiefdom of Luhwindja in South Kivu fittingly illustrates this. In December 2000, after the death of her husband *mwami* Philémon Naluhwindja, Espérance M'Baharanyi started to play an increasingly prominent role in the governance of the chiefdom, culminating in her appointment as customary chief in 2005. M'Baharanyi maintains close ties to the Canadian mining company Banro, a relationship that benefits both parties. Banro used it as an opportunity to strengthen its grip on the gold concession in Luhwindja and promote wider acceptance of its activities among the local population, while M'Baharanyi, too, has not hesitated to use this relationship to further her own interests.<sup>9</sup>

Although exceptional in terms of how much influence she wields, the example of M'Baharanyi is not unique. In other chiefdoms, women—often relatives of the chief—have been observed to fulfil a variety of more or less formal political and economic functions such as tax farming, or collecting taxes on behalf of the chief. Thus, while often barely visible and heavily circumscribed, women can and do exercise a certain influence in the customary sphere.

## Conflict and gender

The role of women in conflict is another domain where misguided assumptions and misconceptions dominate. Contrary to what is often believed, women's roles in the Congo's violent conflicts are not invariably passive. Moreover, their involvement in the exercise of public authority in conflict-affected areas has not always led to peace and stability. During the Second Congo War, for example, several high-profile women were heavily involved in the militarized commercial networks that controlled much of the country. A notorious case is that of Aziza Kulsum Gulamali, alleged to be involved in the trafficking of arms and natural resources, and the arming and financing of a Burundian rebel group. In November 2000, the rebel movement *Rassemblement congolais pour la démocratie* (RCD, Congolese Rally for Democracy) decided to grant a company headed by Gulamali a monopoly on the purchase and sale of coltan. When coltan prices dropped and other traders started to resist Gulamali, her dominant position in the mineral trade was dismantled.<sup>10</sup>

The case of Gulamali demonstrates two things. Firstly, that women have been involved in various forms of rebel governance during the Congo Wars. And, secondly, that female members of the Congolese economic elite have been able to establish themselves as important businesspeople capable of building up wealth and networks using their political and business acumen.

Besides being implicated in rebel governance as civilian 'big women',<sup>11</sup> a few women have also played important roles in the military branches of rebel groups. One example is Cynthia Wabelindile, the widow of the leader of one of the Raia Mutomboki factions in Shabunda, Kindo Sisawa Byangozi, who was killed by the Congolese army in September 2014. After his death, Wabelindile took over the leadership of the group and oversaw the illegal exploitation of gold on the Ulindi River before surrendering to the local authorities in Shabunda in September 2015.<sup>12</sup>

Women also serve as officers in the government forces, the *Forces armées de la République démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo). Most women who manage to obtain a senior position in the FARDC, however, are merely given administrative responsibilities and are stationed in urban areas. Similarly, lower

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rank female military personnel are mostly active in administration roles, or in the fields of medical care, intelligence and logistics. Only a few are involved in combat operations.<sup>13</sup>

In addition to involvement in armed conflict, women are also implicated in—and sometimes even at the heart of—different types of social conflict. Sometimes their governance practices provoke resistance. In Kisengo for example, a locality situated in the northern part of the newly created Tanganyika province in the territory of Nyunzu, the coltan boom has led to the site's transformation from a small village into a fast growing urban centre. The boom has also reinforced the presence of military and non-military state institutions, all vying for access to mining revenues. Kisengo's customary chief and his relatives are part of the authorities who have managed to gain access to revenues from the mining business.<sup>14</sup> One of them, Faila, is responsible for collecting taxes and in charge of the local branch of the province's Ministry of Gender, Family and Children. However, Faila's rise to prominence in Kisengo has been met with resistance. One of her strongest opponents is another 'big woman', Mariette, whose power derives from her success in the local artisanal mining business. Mariette is the president of a group of women assisting artisanal miners with drying and cleaning minerals. In 2012, Mariette's leadership role was formalized when the Lubumbashi-based mining company Mining Mineral Resources set up operations in Kisengo and appointed her as the manager of this women's group. She started acting as its spokesperson, defending the women's rights and communicating their complaints to state officials overseeing the artisanal mining sector in Kisengo. In the process, Mariette developed a close relationship with several public servants, especially within the local branch of the Congolese Mining Division. Eventually, a major dispute erupted between Faila and Mariette, with both women claiming the right to collect taxes on behalf of the local authorities.<sup>15</sup>

The conflict in Kisengo shows that rather than being naturally peaceful—as exhortations to include women sometimes assume—women can also be responsible for conflict. Furthermore, when in positions of public authority, they may well display similar behaviour to their male counterparts in the pursuit of their interests, which can lead to abuses of power.

## Improving women's involvement in the exercise of public authority

The instrumentalist approach to women's involvement in the political domain became dominant in the wake of two influential studies published in 2001, which argued that countries with higher levels of women in politics and the labour force tend to have lower levels of corruption.<sup>16</sup> This view was echoed in the World Bank report *Engendering Development*, published in the same year, which pointed out that women 'could be an effective force for good government and business trust'.<sup>17</sup> In the subsequent years, more and more international development agencies and aid donors started pushing for the inclusion of women in politics and public institutions in aid recipient countries, in the hope that this would lead to a breakthrough in the fight against corruption and the promotion of good governance.

Recent years have witnessed a remarkable shift in the views of both scholars and policymakers. While the research community has been questioning the relationship between gender and corruption for some time,<sup>18</sup> aid donors, too, have now become much more nuanced in their views on the matter. Still, some female politicians and activist groups in the DRC continue to promote the increased involvement of women in Congolese politics on the grounds that this will make a difference in the achievement of good governance objectives. For example, in an interview with the humanitarian news agency IRIN, Gertrude Kitembo, the Congo's former Minister of Posts and Telecommunications, claimed that an increase in the number of female politicians would help put an end to the climate of impunity with regard to SGBV in the eastern DRC.<sup>19</sup> Another example is Faïda Mwangilwa, the former Minister of Gender, who believes that 'women should be in politics as they have proved that they can play a greater role in change in the country based on their experience in households.'<sup>20</sup>

This use of instrumentalist arguments is understandable. All around the world, there are examples of female leaders attempting to reassure the public and trying to anticipate gender-based criticisms by emphasizing that they are only interested in politics as 'mothers, ... guardians, [and] ... carers of the nation.'<sup>21</sup> There is, however, an important disadvantage to the continued use of

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such arguments to justify women's involvement in the exercise of public authority. It creates the impression that women should only be included if they can demonstrate that they are more ethical, efficient and peaceful than their male colleagues. To avoid this, women politicians and activist groups in the Congo should adopt a rights-based approach, which emphasizes that participation in politics is a fundamental right of all women, regardless of their capacities and performance in the political arena.

A positive development, in terms of moving towards a rights-based approach, is the initiative of the international NGOs International Alert and Kvinna till Kvinna. In March 2015, they invited 15 leaders of Congolese civil society organizations to a workshop to reflect on the implementation of UN Security Council Resolution 1325,<sup>22</sup> as well as on advocacy strategies to promote the political participation and representation of Congolese women. The workshop led to the launch of the campaign *Rien sans les femmes* (Nothing Without Women), which involves more than 40 civil society groups in North Kivu, South Kivu and Kinshasa. In May 2015, the campaign leaders spoke to several high-level decision-makers in Kinshasa and also submitted a petition with more than 200,000 signatures to the President of the National Assembly. The petition asked for the revision of Article 13.4 of the electoral law, so that in future electoral lists failing to respect the principle of parity between men and women would be rejected. At the same time, peaceful marches were held in Bukavu, Uvira and Goma to rally popular support for the campaign.<sup>23</sup>

Unfortunately, little or no progress has been made since the petition was submitted. Although two contact persons were appointed to follow it up in parliament, the process has since come to a standstill.<sup>24</sup> One of the reasons, it has been argued, is that the legal status of the petitions and the procedure to be followed remain unclear. According to some, this foot dragging might reflect lukewarm enthusiasm to deal properly with the issue of gender parity.<sup>25</sup>

## Notes

1 Margot Wallström, 'Ending sexual violence: From recognition to action', keynote speech at the Women and War UNSCR 1325 Tenth Anniversary Conference, Washington, DC, 3 November 2010, <http://www.un.org/sexualviolenceinconflict/statement/women-and-war-unscr-1325-tenth-anniversary-keynote-speech/>.

On 1 August 2015, the Congolese parliament adopted a new law regarding women's rights and gender equality.<sup>26</sup> It remains to be seen whether it will actually make a difference in terms of improving women's access to the Congo's national, provincial and local political institutions. Observers are quite sceptical, not only because the law does not include any binding measures but also because it does not mention the quota system<sup>27</sup> that the women's movement has been fighting for.<sup>28</sup>

## Conclusions and prospects

In recent years, a number of donor initiatives have aimed to increase women's participation in the Congo's public institutions and promote their political empowerment. It is uncertain, however, to what extent such initiatives can bring about structural changes—particularly in the short term. As the experience of other countries has demonstrated, introducing gender quotas and legislation to protect and extend women's legal rights does not automatically lead to lasting and fundamental improvements in all women's lives. Deep-seated patriarchal structures, norms and beliefs often prevent the large majority of women from genuinely exercising their legal rights.<sup>29</sup>

Additionally, including women—who are often drawn from the elite—in political institutions does not necessarily imply that these particular women will defend the rights of all women, and especially those from the lower strata of society. Furthermore, in the absence of other, more substantial reforms, the mere inclusion of women does not guarantee the ways institutions work, or their transformation as a whole.

It is of vital importance that donor policies and programmes but also Congolese policymakers take into account the wide variety of women's roles and positions in the Congo's social and political landscape. In addition, more advocacy and campaigning could emphasize women's inherent right to take part in decision-making bodies at different levels of the political system, regardless of their performance.

2 Jane Freedman, *Gender, Violence and Politics in the Democratic Republic of Congo*, Surrey: Ashgate Publishing Ltd, 2015, 122.

3 Anne Marie Goetz, 'Political Cleaners: Women as the New Anti-Corruption Force?', *Development and Change* 38/1 (2007): 87–105;

Maria Eriksson Baaz and Maria Stern, 'The gendered subject of violence in African conflicts', in *Routledge Handbook of African Security*, ed. James Hentz, New York: Routledge, 2013, 157–167.

4 It is important to note that there are considerable differences in terms of gender norms, gender relations, and women's power and influence in the different areas of the DRC.

5 Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton and Chichester: Princeton University Press, 1996.

6 Denis Tull, 'A Reconfiguration of Political Order? The State of the State in North Kivu (DR Congo)', *African Affairs* 102/408 (2003): 429–446.

7 Paul-Robain Namegabe, 'Le pouvoir traditionnel au Sud-Kivu de 1998–2003: rôle et perspectives', in *L'Afrique des Grands Lacs: Annuaire 2004–2005*, eds. Stefaan Marysse and Filip Reyntjens, Paris: L'Harmattan, 2005, 209–234.

8 For a historical example of women's involvement in customary governance, see Gillian Mathys, *People on the Move: Frontiers, Borders, Mobility and History in the Lake Kivu region*, PhD dissertation, Ghent University, Ghent, 2014, 101–107.

9 Sara Geenen and Francine Iragi Mukotanyi, "'Les grands poissons mangent les petits': multiples aspects d'un conflit autour d'une concession minière au Sud-Kivu", *Politique africaine* 131 (2013): 121–141.

10 Jeroen Cuvelier, 'Réseaux de l'ombre et configurations régionales: le cas du commerce du coltan en République Démocratique du Congo', *Politique africaine* 93 (2004): 82–92.

11 The term 'big women' is an analogy of the term 'big men'. See Mats Utas, ed., *African Conflicts and Informal Power: Big Men and Networks*, London: Zed Books, 2012.

12 'Lorsque les militaires FARDC tuent les chefs de Raia Mutomboki, cela encourage ou empêche la reddition des éléments?', Sauti Ya Congo. Accessed 30 March 2016, [www.sautiyacongo.org/lorsque-les-militaires-fardc-tuent-les-chefs-de-raia-mutomboki-cela-encourage-ou-empeche-la-reddition-des-elements](http://www.sautiyacongo.org/lorsque-les-militaires-fardc-tuent-les-chefs-de-raia-mutomboki-cela-encourage-ou-empeche-la-reddition-des-elements); 'South-Kivu: 71 Raïas Mutomboki surrendered and transferred to Goma by Monusco', Monusco, 19 October 2015. Accessed 30 March 2016, <https://monusco.unmissions.org/en/south-kivu-71-ra%C3%AFas-mutomboki-surrendered-and-transferred-goma-monusco>; United Nations, 'Letter dated 16 October 2015 from the Group of Experts extended pursuant to Security Council Resolution 2198 (2015) addressed to the President of the Security Council', 16 October 2015, S/2015/797, 71.

13 Maria Eriksson Baaz and Maria Stern, 'Whores, men, and other misfits: undoing "feminization" in the armed forces in the DRC', *African Affairs* 10/441 (2011): 563–585.

14 Ruben de Koning, 'Demilitarizing mining areas in the Democratic Republic of the Congo: the case of Northern Katanga province', *Insights on Peace and Security* No. 2010/1, Stockholm International Peace Research Institute, January 2010.

15 Marie-Rose Bashwira and Jeroen Cuvelier, *Women, Mining and Power in Eastern Democratic Republic of Congo: The case of*

*Kisengo*, forthcoming.

16 David Dollar, Raymond Fisman and Roberta Gatti, 'Are women really the "fairer" sex? Corruption and women in government', *Journal of Economic Behavior and Organization* 46/4 (2001): 423–429; Anand Swamy et al., 'Gender and corruption', *Journal of Development Economics* 64/1 (2001): 25–55.

17 World Bank, *Engendering Development Through Gender Equality in Rights, Resources, and Voice*, Washington, DC and New York: World Bank and Oxford University Press, 2001, 96.

18 For a succinct overview of the scholarly debate, see Boris Branisa and Maria Ziegler, 'Reexamining the link between gender and corruption: The role of social institutions', Discussion Paper No. 24, Georg-August-Universität Göttingen, Courant Research Centre, 2010.

19 'Women politicians "key to promoting rights"', *IRIN*, 2 September 2011. Accessed 25 May 2016, [www.irinnews.org/report/93645/drc-women-politicians-key-promoting-rights](http://www.irinnews.org/report/93645/drc-women-politicians-key-promoting-rights).

20 'Women politicians "key to promoting rights"'.

21 Goetz, 'Political cleaners', 90.

22 Among other things, resolution 1325 urges member states to 'ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict' (United Nations Security Council, 'Resolution 1325 (2000)', 31 October 2000, S/RES/1325).

23 Annika Ben David and Maria Lange, 'Rien sans les femmes: increasing the political representation of women in DRC', *International Alert*, 18 May 2015. Accessed 7 June 2016, [www.international-alert.org/news/rien-sans-les-femmes](http://www.international-alert.org/news/rien-sans-les-femmes).

24 Apparently, one of the appointees has resigned and the other has not been very active (international NGO working on gender issues in the DRC, e-mail message to first author, 15 April 2016).

25 International NGO working on gender issues in the DRC, e-mail message to first author, 15 April 2016.

26 Government of the Democratic Republic of the Congo, 'Loi n°15/013 du 01 août 2015 portant modalités d'application des droits de la femme et de la parité', Democratic Republic of the Congo, 1 August 2015.

27 Women's movements in the DRC have been demanding a minimum of 30 per cent representation of women at all political levels. See Dorothea Hilhorst and Marie-Rose Bashwira, 'The Women's Movement in South Kivu, DRC: A Civil Society Analysis', Occasional Paper 11, Special Chair Humanitarian Aid and Reconstruction, 2014.

28 International NGO working on gender issues in the DRC, e-mail message to first author, 15 April 2016.

29 Marie Berry, 'When "Bright Futures" Fade: Paradoxes of Women's Empowerment in Rwanda', *Signs: Journal of Women in Culture and Society* 41/1 (2015): 1–27.



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