

# Women's Co-Optation in Institutions: Promoting Values of Equity and Equal Opportunity Tested in the Democratic Republic of the Congo

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## Abstract

This article is the result of a study carried out among civil society actors and civil servants in South Kivu, North Kivu, and Maniema who are advocating for equality and equity for all people. The co-optation of women into the institutions of the Democratic Republic of the Congo is examined. This study examined obstacles to the values of equity and equality of human rights. It further explored women's competences, capacities, skills and the need for them to enjoy the same legal advantages as other citizens. Although women's rights are in principle guaranteed and protected by international, regional, sub-regional, and national legal instruments, it is observed that they are subject to co-optation for their representation and exercise their right to work. To have a balanced world, equality between the sexes is a right, and realizing it benefits not only women, but also the entire human race. Finding the contributing variables to the co-optation of women in state institutions is the study's main goal. To analyze them, and propose ways to improve the application of equity, and respect for human rights are all fundamental human values. To do this, we proposed an online questionnaire through the Google Form tool. Out of the 70 respondents identified, 58 responded favorably. Most of them are former academics and civil servants. At the end of the survey, it was noted that despite all the legal provisions of the Democratic Republic of the Congo, the participation of women in public institutions is low. Our study revealed that, of the five main public structures of the state that we identified, the participation rate of women is decreasing. It ranges from 36.2%

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in provincial divisions, 31% in health care facilities, 2.6% of women in universities, and 1.5% of women in primary and secondary schools. Our study reveals that eleven governments have been in office from 5 February 2007 to 31 December 2022. The average representation of women in government is 12.9%. It has gone from 9% in 2007 to 12.9% in 2021. This weak progression of 3.9% of women in public institutions does not urge better performance of the women's rights, the principle of equity and equal opportunity for all. In terms of knowledge of legal instruments on the issue of co-option of women into public office, our study reveals that no article or legal provision revisits the legal scope of women, but it notes that all the provisions in the country's legal arsenal only reinforce understanding of women's rights and their participation in institutions. The issue of women's co-option, emancipation, development and equitable access to work is a real concern for all. It would not be taken as a catalyst to create a pretext for equal rights for women, but rather to give every citizen (male and female) an equal opportunity to use their qualities and skills to enjoy their equal rights.

### Keywords

Co-Option, Public Institution, Equity, Equality

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## 1. Introduction

How women are treated in public organizations in the Democratic Republic of the Congo has not developed remarkably. Nothing seems to have changed despite their important role in the search for peace. They are co-opted to participate in institutions. No legal instrument shows that the co-option of women has a legal basis to justify this marginalization. Théodore-Eliza indicates that the transition from a single-party system to a multi-party system has not sufficiently influenced the situation of women in society, specifically in terms of women's rights and their participation in the process of management, consolidation, and stabilization of peace in society. Instead, it has overly reinforced its marginalization and its strategy of co-opting women to keep them out (Theodore-Eliza, 2011). In parallel to the views described by the above authors, we have noted that the evolution of the constitutions in the Democratic Republic of the Congo has not significantly changed the living conditions of women, from the First Republic to the Third Republic. The First Republic was under the colonial yoke. The so-called Luluabourg Constitution is silent on the policy of co-opting women into institutions. The following Republic, which was the second, adopted a new constitution on 24 June 1967. It took over the provisions of the first constitution in Article 5, which repeats that

“All Congolese, men and women, are equal before the law and are entitled to equal protection of the laws. No Congolese may, in matters of education and access to public functions, be subject to a discriminatory measure, wheth-

er it results from a law or an act of the executive, on the grounds of religion, tribal affiliation, sex, ancestry, place of birth or residence” (Constitution du 24 June 1967).

The involvement of women in public institutions would remain a simulation of the slogan of “co-option of women”, evidence that unfortunately does not manage to advance the condition of women in the Democratic Republic of the Congo. Today, the opinions of civil society actors are being raised to really understand the elements that favor the co-option of women, their legal scope in a peacebuilding environment, and their added value in the advancement of women’s rights. Is it favoritism, Nepotism, Clientelism, or Networking? Is it accepted today as a paradigm, a strategy to assert the hegemony, control, and domination of a social category to the detriment of the fundamental values of equity and equality? All these questions show how fragile the situation of women remains. Pascale Boistard, during the presentation of the draft report to the Francophonie parliamentary network on women and politics, reassures states to take specific actions to support political governance and promote the equal representation of women in their respective countries’ politics through national laws as well as other strategies to guarantee that women are involved in each phase of staffing without discrimination, that their views have representation the same with men at all stages, and that they ought to be equal individuals with men at every phase of state-building planning and implementation (Pascale, 2014). The issue of women’s involvement in the economic, social, economic, cultural, and political life of the country is important, fundamental, and vital. The co-option of women should not be used by some to justify their presence in the Democratic Republic of the Congo institutions.

In the course of this study, the author used analytical, historical, and comparative methods. Official texts, reports, and articles relating to the subject matter were of considerable help. A survey questionnaire was posted on Google from <https://forms.gle/PtQDMFzRbJWWm1CA9> addressed to a well-defined community. Out of the 70 respondents identified, 58 responded positively to the online questionnaire. They came from civil society and civil servants in the dismembered province of Kivu (South Kivu, North Kivu, and Maniema). This tool made it possible to collect a certain amount of information, process it in all possible scientific confidence, and report it without any difficulty.

In addition to the introductory part, our article presents the results of the study, analyzes the factors that explain the co-option of women in public institutions, and interprets them in a scientific manner while putting forward its contribution to the promotion of the values of equal opportunities and equity for all in the Democratic Republic of the Congo, a country after the conflict.

## 2. Choice and Interest

The choice of our subject is motivated by the desire to understand methodically and objectively the causes and factors that support the co-option of women in

public institutions, especially as the issue of co-optation, the problem of representativeness, and the integration of women continues to give rise to controversy in scientific, legal, political and economic circles. The research elements of our study will constitute a “reliable” database for actors interested in women’s rights issues: researchers, national and international organizations, religious or secular, and will contribute to the promotion of the values of equity and equality for all.

### 3. Context of the Study

A number of international, regional, sub-regional, and national legal instruments recognize women’s right to participate in the social, economic, political, and cultural life of their nation; it is not an unconditional favor that males grant to women. This involvement assumes abilities that are likely to promote women’s independence from males above all else, as well as their effectiveness and social visibility (Madiale, 2004). Dominique Epiphane, in her notion of the job of the heart, points out that, for the same amount of training, women face more obstacles than men in reaching the most prestigious professional segments and are, on the contrary, more numerous in the “other jobs” (Flahaut, 2006). As one rises up the ladder, fewer women are present, and they are very rare in the highest-level positions, a fact that is confirmed in private companies as well as in public service (Marry et al., 2015).

Today, women are hardly represented at all in state institutions. The data in our possession show that their representation rate at the executive level has risen from 13.5% in 2006 to 27% in 2017 and from 9.8% to 9.7% at the parliamentary level in other post-conflict countries (Burundi and Rwanda). In Rwanda, for example, the rate of women’s participation in public institutions has increased from 15% to 49% (Rapport Banque Mondiale, 2021), and in Burundi, it has increased from 12.7% to 17% from 2012 to 2017 (study published by the Association des Femmes Rapatriées du Burundi in 2017). There is no evidence that women in the above countries have been co-opted into public institutions in their countries. It is important as a researcher to analyze and understand the circumstances in the DRC that aid in the co-optation of women into public institutions, to fight against the inequalities and stigma that prevent the real exploitation of women’s potential. Helen Clark quoted by Kitenge Maningo Sana calls on Africa to take measures to benefit from the potential of women (Kitenge Maningo, 2013).

### 4. Issues

Our study concerns the provinces of South Kivu, North Kivu, and Maniema, three border provinces, which have suffered from armed conflicts. The participation of women in public institutions is insignificant (Mulumeoderhwa, 2022). Despite the legal provisions of the Democratic Republic of the Congo, in particular, its constitution, which requires the public authorities to guarantee the abolition of all forms of gender-based discrimination, protect and advance wom-

en's rights, especially in the cultural, civil, economic, and political spheres; and fight all forms of violence against women in both private and public life by taking the necessary action. It also states that women have a right to fair representation in local, state, and federal institutions (Article 14 of the DRC Constitution).

Our study focuses on the co-option of women into state/public institutions, a practice that is a test of the promotion of the values of equity and equal opportunity for all in the Democratic Republic of the Congo. Thus as, the first employer, the public service remains the Congolese State, which legislates the laws of the Republic through parliament. It ratifies the Rome Statute for the International Criminal Court, the Convention on the Rights of the Child, and other international and regional legal documents that are specifically designed to defend the rights of women and girls. The DRC adopted the "Solemn Declaration on Gender Equality in Africa" in 2004, thus adopting the promotion of the gender dimension. The Protocol on the Rights of Women in Africa was recently ratified by the DRC in 2009. The SADC Protocol on Gender and Development has also been signed, a contract that binds it legally and obliges it to accelerate efforts toward gender equality in the country. To this end, we asked the question why are women being co-opted into public institutions. What are the legal grounds that actually motivate the co-option of women? What are the individual, environmental, and societal factors and/or barriers that limit and prevent the recruitment and emergence of women in state institutions/public service? What are the possible solutions for the values of equity and equality of women to be taken into account by those who make decisions in the Democratic Republic of the Congo? All these questions call for many others and deserve to be analyzed, to understand scientifically and objectively the facts adjacent to and/or interfering with the co-option of women in public institutions/States in the Democratic Republic of the Congo.

## 5. Review of the Literature

In order to conduct the analysis, this paper draws on the research, books, articles, journals, and reports on the issue of rights of women identified in the literature. Mondolo, returning to the issue of women, specifies that studies on the progression in terms of the proportion of women in institutions of several countries in the region (Burundi, Rwanda, South Africa) show that it is illusory to expect to achieve equal female participation without quota measures and co-optation as a first step (Lydie, 2017). Tremblay notes that, despite these few advances, no measure allowed or allows today to ensure a minimum number of elected women; the achievement of parity is, therefore, subject to the goodwill of governments and political parties, which are free to present or not a parity number of candidates (Tremblay, 1996).

All this work brings us back to the initial debate on the co-option of women in public office, which struggles to promote the values of equity and equal opportunities for all. At the same time, other societal factors have been introduced to

justify the imbalance in the representation of men and women in public institutions. In particular, cultures and customs in some countries have evolved to the disadvantage of children of the female sex rather than the male. This reality has had repercussions over time to the extent that the situation of women has not progressed significantly.

The evolution of women in institutions is also subject to the will of governments and political parties, which have a share of influence on their situation. The exercise of power appears to be concentrated in the hands of the highly educated social elite, increasingly professionalized in the hands of political power, and, finally, male. This observation means that political actors reinforce their positioning by putting confident working men in the foreground, convinced of their total availability. Despite their competence and capacity, the choice of young girls and/or women is put at the back of the queue with little hope of being solicited and integrated into the process. Even if they have the will and determination, the stigmatizing behavior and attitude towards them do not augur well for them to develop their competence. John Rawls argues that “those who are at the same level or talent of ability and have the same desire to use it should have the same prospects of success, regardless of their initial position in the social system” (Rawls, 1989).

## 6. Methodology

This study is based on a quantitative approach using the analytical method of public service studies on the issue of the co-option of women in public institutions, identifying the factors that contribute to their co-option, analyzing them, and interpreting them in order to propose possible solutions. This approach allowed us to collect all the field data, and to deepen them while putting them in interrelation with the subject of the study. A survey questionnaire was put online via Google Form <https://forms.gle/PtQDMFzRbJWWm1CA9>. Out of the 70 respondents identified, 58 responded favorably. They came from civil society and the public sector. The majority of the respondents were educated to bachelor, master, and doctorate levels, and were also civil servants. This education variable added value in the analysis and interpretation of the data and in the triangulation of opinion with other scientific sources.

It is possible to use two or more investigation techniques in tandem when designing or gathering data. Triangulation within techniques and among methods is the two forms (Denzin, 2017). In this study, a triangular method was used in data collection. Thus, to validate the results, the questionnaire and interview data are separately processed analyzed, and correlated.

The above linkage allowed the author to collect data and process them in complete scientific confidence and report them without any difficulty. Its setup is classical and includes three interdependent components: the questionnaire summary, the questions, and the individual.

- *The questionnaire summary* component compiles all the respondents' answers,

exports them in statistics, and projects them in diagrams before the sponsor, the researcher, analyses them and interprets them for research purposes. It is a well-digitized technology that weights the results by question field as the researcher interviews the respondents.

- *The question component groups* together all the “questions”, section by section, that are put online. In this case, our questionnaire was divided into three sections: General, Women and Society, and Women and Legal Instruments. For each section, specific questions were asked in order to allow the researcher to have a logical sequence of ideas and to methodically follow the answers given by the respondents. And finally,

- *The individual component groups* together “the respondents” who responded to this exercise in terms of their individual identity. The tool is confidential and does not allow other respondents to read the answers that are formulated by each other. This variable also does not describe the name of the respondent but only his or her e-mail address. The researcher, if necessary, could call back or talk to the respondent about the subject or point that he or she would like to explore further.

All the elements of the components included in our study influenced our field research, especially as they brought together the opinions of all the parties, interpreted them objectively and allowed the researcher to make a careful reading of the central question of the study: Promoting the values of equity and equality in public institutions in the Democratic Republic of the Congo. The results of the study are presented in the following pages.

## **7. Results of the Study and Analysis of the Factors Explaining the Co-Option of Women in Public Institutions**

Our study focuses on the policy of co-optation in public institutions of the State. It is part of an analytical approach and includes, on the one hand, a brief description of the interviewees according to some classic socio-demographic characteristics: marital status, profession, qualification; on the other hand, it proposes an analysis and interpretation of the data collected on the explanatory factors of co-optation in public institutions. This intellectual exercise consisted in identifying the variant of the data presented, those that are significant in the light of the research objectives and thus establishing relationships between them. This analysis forms the basis for the interpretation of the discussion of the results in the following pages.

### **7.1. Status of the Respondent**

Of the 70 respondents identified, 58 responded positively to the survey questionnaire. They constitute 82.85% of our representative sample of respondents to the study. They are grouped as follows 36.2% of women in the red arc of the diagram against 63.8% of men, in blue. At first glance, the 64% male score sets the tone of the analysis and empirically denotes gender disproportion (**Graph 1**).



Men's status is weighted much more heavily than women's, a trend that draws our attention and raises questions. Does the overrepresentation of men have a real basis or an impact on the study question? Is it a matter of chance? Is it the spontaneous caution of women on the subject of gender? In any case, the individual perceptions (men, women) of the respondents would not involve biological differences but their ability to bring objective meaning to the analysis.

## 7.2. Distribution of Women in Institutions

In our study, we identified five main structures in the civil service. These are operational structures throughout the country with a specific recruitment regime set out in the Labour Code of the Democratic Republic of the Congo. These are the Provincial Directorates (Environment, Tourism, Sport, and Leisure, etc.), public health care structures (health centers, public hospitals), primary schools, secondary schools, and universities. Provincial town halls and national ministries were not explicitly included in our study due to a lack of access to reliable information. Nevertheless, we had the opportunity to exchange with the administrative officials of these entities, to get their opinions on the issue of our research. The results of the study showed that the rate of women in state structures is still very low, ranging from 2.6% of women in universities to 15.0% in primary and secondary schools, 31% in health care structures, and 36.2% in provincial divisions. This decrease in percentage in state institutions attracts attention. What justifies this glaring gap between men and women? Is it necessary to co-opt women to achieve real parity? Are the obstacles linked to the socio-political context and culture or to systemic and structural obstacles? Everything seems to suggest that the subordinate status of women imposed on them in Congolese society and culture, unfortunately, contributes to their marginalization and stigmatization. Women continue to pay the price of traditional subjective values from decade to decade, whereas they have every right to assert their competence and quality and to rewrite history differently.

## 7.3. Mode of Recruitment

As in all human structures, the modes and procedures of recruitment are defined by the texts governing the organization. As far as we are concerned, the Labour Code of the Democratic Republic of the Congo is precise in this area. In terms of recruitment, information, in any form whatsoever, to the candidate for a job can only be for the purpose of assessing. The data must be pertinent to either the evaluation of expert abilities or the job being offered. This material ought to be pertinent to the position being offered or to the evaluation of professional abilities (Code du travail RDC Mis à Jour 2022-10-01, p 37). The same code adds the following: The same code adds the following:

“The applicant for a job is expressly informed, prior to their implementation, of the methods and techniques of aiding recruitment with regard to him or her” (Code du travail RDC Mis à Jour 2022-10-01, p.38).



Title II relating to recruitment published in the official journal relating to the status of career staff in the public services of the State recalls that

“All recruitment is subject to success in a competition organised by the Department of the Civil Service” (Journal No. 046-A/2003 of 23 March 2003, collection of coordinated texts and updated to 15 October 2004).

The current practice is far from reality. Even if the publication of the offer is professional (posting of the call for tender through the media, social networks, and others, setting up the recruitment commission or unit, determining the objectives of the recruitment and the method of evaluation, ...). However, the whole recruitment process is even less reliable. It does not necessarily guarantee equal opportunities for all. Ambiguities and imperfections remain. The data in the chart shows that 44.4% of the respondents were recruited through the official procedure. All candidates, men, and women, compete together and give priority to their experience and skills in relation to the content of the job advertisement. 28.9% of the respondents partially agreed with the above statement and argued that despite the official mode of recruitment, peer influence plays an unofficial role in the finalization of the process (**Graph 2**). In other words, not all candidates competing for the job have the same chance of being recruited, especially as social and family relations work against them. The principle of equality of opportunity still remains as a wish in the civil service, but its rationality is not always obvious. In other words, despite the affirmation of a principle of gender equality and the implementation of policies intended to achieve it, despite the movement towards feminization of the higher categories linked to the increase in women's qualifications, the civil service hardly offers the same professional opportunities to both sexes in practice. The fundamental values of the intellectual skills and/or experience of candidates are at the mercy of clientelism, fraternity and/or familiarity. As Marry points out, the civil service should at first glance appear to be a more egalitarian context for the regulations controlling hiring, compensation, and promotion for women (Berenie et al., 2011).

A study on the diagnosis of women's economic empowerment in the DRC: Obstacles and opportunities published in 2021 by the World Bank state that “the significant gaps between women and men in the labor market compromise the country's initiatives for economic growth. Only 62% of women are in the labor force and only 6.4% of them are in paid employment, compared to 23.9% of men”. This reality is not far from the daily experience in the workplace in the Democratic Republic of the Congo. The study chart on the co-option of women shows that 44.4% of hired employees are officially recruited, 28.9% are recruited through peer pressure (official recruitment but selected on the basis of affinity) and about 11% are co-opted. These results show how often credibility and reliability in the recruitment process struggle to align with the components of competence, equal opportunity, and respect for the recruitment process itself. Women lose out the most, lacking a credible environment in which to put forward their abilities and professional experience. Unfortunately, they are exposed

to co-optation, and their representation in public structures is diminishing, a situation that is becoming increasingly widespread in the professional world.

By way of illustration and based on field investigations, since the advent of democratic elections in the Congo in 2016, eleven governments have succeeded one another from 5 February 2007 to the present day but have not paid sufficient attention to the equity and representativeness of women in the institutions. The statistics are shocking, alarming, and require fundamental rectitude. Despite the legal texts and instruments available to the DRC, the evolution of women's participation in public institutions remains to be desired. The average representation of women in government is about 12.9%. **Table 1** in **Appendix** shows that it has gone from 9% in 2007 to 12.9%, or 13% in 2022, a curve that does not bode well for its recovery on the issue of the rights of women in terms of equity and equal opportunities in the workplace. As the next year will be more legislative in the DRC, it is obvious that political issues will be brought to the forefront for alliances and strategies to strengthen the competition for power and the formation of the next government (**Table 1** and **Graph 6**). This brings us back to questioning ourselves as many times as possible to better understand the situation. Out of eleven governments, ten of which have already passed and one in the course of its mandate, the representation of women is almost insignificant with an average of 13%. Why is this so? Don't women have capacities and skills? Are they not subject to rights, are they not protected by the relevant legal instruments and tools that give them equal opportunities? All these questions show how often the question of women is imperative to which researchers are called to reflect and propose solutions favorable to the development of society and above all to the respect of human values and rights. The points that follow our study will bring additional elements of clarification to the situation of co-optation of women in public institutions. They will bring to the forefront the international, regional, sub-regional, and national legal tools that promote the values of equality and equity for all in the Democratic Republic of the Congo.

Moreover, the various analyzes on the issue of the co-optation of women in public institutions indeed highlight the socio-cultural and political process that takes root in social division and structures the place of gender in the labor market. Socio-cultural, political and economic barriers are obstacles to the emergence of women in the public market in the DRC. Many authors maintain that the reproductive function of women and their assignment to the domestic universe have been used to keep them away from the public sphere, from the power of the job market (socio-cultural barriers). The author Colin, quoted by Palingwindé Inès Zoé Lydia Rouamba thinks that: "the different societies have made the biological condition of women a destiny, justifying the social introduction of a division/hierarchy between private and public: to women, the private sphere of raising children, caring for children and people and men, the public sphere and economic activities outside the home" (Palingwinde Ines Zoe Lydia Rouamba, 2011).

#### 7.4. Which Legal Instruments to Use to Address the Issue of Co-Option of Women into Public Office

It is important to remember that legal instruments are credible sources that states rely on, use and protect in order to maintain the balance between individual rights and obligations as members of society. In terms of co-opting women into public office, the Convention on the Elimination of All Forms of Discrimination against Women is acknowledged as a crucial tool for defending the equality of women and, consequently, has developed into a crucial treaty for defending women against all forms of abuse. States can follow the road maps provided in the country reports and theme reports of the UN Special Rapporteur on Violence against Women, its Causes, and Consequences to ensure that women and girls have the right to a life free from harassment (*Rapport Thématique ONU Femmes, 2023*). There is every reason to believe that the issue of discrimination against women and men, especially the issue of their co-option in the workplace, is of growing interest in relation to the evolution of public policies.

Our study reveals that about 90% of our respondents have already become aware of legal instruments (*Graph 3*). These include national laws, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Discrimination against Women Resolution 1325 of the United Nations Security Council, the Universal Declaration of Human Rights, the Constitutive Act of the African Union, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the Solemn Declaration on Equality between Men and Women in Africa, ...

Knowledge of legal sources is very important to our respondents. It requires a sense of intellectual mobilization of all parties, in solidarity, with intension of ending traditions, practices, and laws that harm women. We have shown in our study that the representation of women in institutions is very low. As a reminder, for fifteen years, the rate of women's participation in the various governments of the Republic of Congo has remained very low. It has gone from 9% in 2007 to 12.9%, or 13% by the end of 2022. Despite their capacity, and competence, compared to men, women are denied the same chances for the same job. They are subject to co-option.

Although the co-option of women in institutions has a social basis for cohesion, stability and parity, there is no article or legal provision on the legal scope of the co-option of women. On the other hand, they strengthen the understanding of women's rights, their participation in institutions, etc.

The assertions reported in our diagram describe, in order of weighting, the legal instruments most known to the respondents (national, sub-regional, regional, and international legal instruments). The comparative reading of all these sources evoked by our surveys reassures and reinforces the trend formulated at the beginning of our analysis on the status of the respondents and their profession. 48.3% of respondents claim to be aware of legal instruments on women's rights issues. As mentioned in the above paragraphs, the consequences of this know-

ledge will be in favor of mobilizing people to promote the values of equity and equal opportunity for all. The knowledge of the legal arsenal opens the interest in our reflection when women's rights are not taken into account by the states and how they will defend them. This includes the principle of equality of human beings (without gender differentiation) before the law:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood; all are equal before the law and are entitled without distinction to equal protection of the law. All are equal before the law and are entitled without distinction to the equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination” (Universal Declaration of Human Rights, 10 December 1948).

Curiously, this same provision is also included in the DRC's constitution and in other legal instruments that the country has ratified. It is very important that this is so and gives more meaning to what we call here the interdependence and complementarity of legal texts.

Still in this area, 25.9% of respondents claim to have more knowledge of the Constitution of the Republic, especially since it is the constitution that guarantees the fundamental ideas and guidelines of the law and how they should be applied. The other assertions in the diagram (10.3%) concern the legal instruments ratified by the DRC in the area of rights of women (**Graph 5**). By analyzing the above scores, we note with satisfaction that the national, sub-regional, regional, and international legal instruments on women's rights are well known by our respondents, but at different levels. In other words, given the legal arsenal of rights of women in the Democratic Republic of the Congo, the co-option of women is not a new concept. It is easy for them to make a real analysis and interpretation and to integrate it into a legal approach so that the principle of equity and equal opportunity for all is respected. And as we are on the analysis of “recruitment-cooptation”, it would be absurd to freeze on an approach according to which women's access to employment would have been through cooptation. This would reduce their legal recognition and their intellectual skills. On the other hand, it would be judicious to put before her all possible opportunities for her positive evolution without any restriction. Nevertheless, to be more complete, it is important to analyse other factors that encourage this approach. That is why we asked our respondents, for example: Who gives the order to institutions to co-opt others? Clearly, the idea behind this approach is not to identify the culprits but to have more elements that contribute to the analysis, likely to bring more solid reflections so that the issue of women's rights is understood by all.

### **7.5. Towards an Institutionalised Co-Option of Women**

In light of these two diagrams (**Graph 3** and **Graph 4**), our study shows that

ambiguity in the interpretation of the texts included in the various legal instruments plays an important role and constitutes a source of co-option of the female sex in the institutions of the Democratic Republic of the Congo. The first case of figure comes back to the parliamentarians, one of the institutions of the Republic, called to vote/legislate the laws of the country (score of 53%) followed by 31 respondents who unfortunately opt for the answer assertion, "I don't know" the structure involved in legislating the co-option of women in public institutions. The trend with the assertion "others", in the diagram would give the interpretation that, apart from parliamentarians, there would always be other structures that would play an influence on the co-option of women, without however specifying the structure they are referring to. The other case suggests that there is a need to end the co-option of women and considers women as subjects of rights on the same level as men (score of 50%). However, the same respondents do not exclude the influence of partners in the worldwide community in promoting and supporting women for their dignity and equity in society. This is an impulsive approach that is sufficiently important for the issue of women, their emancipation, their development, and their equitable access to work to be a real concern for all, a reality that has struggled to promote the values of equity and equal opportunities for all. It is a reality that policymakers, civil society actors, and researchers must take into account for the recovery of society. The implementation of equal opportunity policies at the national level and in public administration provides a favorable context for the expression of a critique of gender inequalities. The co-option of women into public institutions would not be taken as a catalyst for a pretext for equal rights for women. On the other hand, giving every citizen (man and woman) an equal opportunity to use their qualities and skills to enjoy their equal rights.

## **8. Conclusion**

The co-option of women in public institutions in the Democratic Republic of the Congo is a reality. It requires special attention from every individual in order to make solid reflections that could bring about lasting solutions that would put in place clear and legal policies on the issue of women's co-optation. Our study was carried out based on the hypothesis that women's participation in public institutions through co-optation is a reality that struggles to promote the values of equity and equality for all in the Democratic Republic of the Congo. Our analysis focused on the explanatory factors of women's co-option into public/state institutions. Through our research, it was discovered that historically, women have been kept out of power in the DRC. The exercise of power was more the business of men, who were traditionally considered to be the masters whose voices would determine the place of all in the society.

Congolese legislation does not sufficiently promote independence on the issue of women's rights. They are faced with socio-political, legal, cultural and systemic barriers. They (women) continue to pay for traditional subjective values

for decades whereas they have the full right to exert and exercise their competences and qualities, and rewrite their history.

Recruitment to the civil service is guaranteed by legal texts and goes through the official process as set out in the Labour Code of the Democratic Republic of the Congo. Even though the publication of the offer is professional, in practice, the recruitment process is less reliable. It does not guarantee the principle of equal opportunity for all. The fundamental values of the candidates' skills and/or experience are at the mercy of clientelism, fraternity and/or familiarity.

The study noted that international, regional, sub-regional and national legal instruments, in principle, emphasise respect for women as subjects of rights in the same way as men. They encourage states, including the DRC, which have ratified them, to ensure social foundation, stability, parity, non-discrimination, and cohesion. They encourage (the DRC) to the direct women's involvement in public affairs management. The constitution of the DRC guarantees the principle of gender equity and makes it the responsibility of the state to ensure the eradication of all gender prejudice in its various manifestations. Finally, our study has shown that, although the co-option of women into institutions has a social basis for cohesion, stability and parity, there is no article or legal provision on the subject that revisits the legal scope of the co-option of women.

Women's rights are recognized, protected and guaranteed by all international, regional, sub-regional and national legal instruments. The Universal Declaration of Human Rights recalls that "Everyone has the right to access, under equal conditions, to the public functions of his country" (Universal Declaration of Human Rights, 1948). This provision quoted above does not make a distinction between men and women when speaking of "any person". On the other hand, it encourages the two partners in this free and democratic game of participation in the management of the affairs of the state. Furthermore, it also does not distinguish between men and women in the aspect of representation. United Nations Security Council Resolution 1325 in turn highlights the role of women in promoting peace and security, urging all parties to take a gender-responsive approach in particular, and adopt the measures guaranteeing the protection and the respect of the fundamental rights of the constitution, of the electoral system (United Nations Security Council Resolution 1325, Article 8). Also, in this chapter, the Constitutive Act of the African Union that the African Union operates in accordance with certain principles such as: The promotion of equality between men and women (Constitutive Act of the African Union, 2002). The adoption of the Constitution of the Third Republic in February 2006 in the DRC opened a new stage in the participation of women in the management of public affairs, specifically in its Article 14: The public authorities ensure the elimination of all forms discrimination against women and ensure the protection and promotion of their rights (DRC Official Journal, special issue of February 18, 2006). All these mechanisms show how often the protection of women's rights is guaranteed by legal frameworks to which states are subject.

Certainly, it is important that policies remain focused on issues of public interest, promoting the values of human dignity, respect for individual intellectual competence and equal opportunity and rights. All these values contribute to stability and peace building. This study opens up many avenues for further research on the issue of women's rights. More specific research could be based on a more complex study of the engagement of women in both the private and public sectors, and women combatants in armed groups, in order to discover the relevant factors that influence their situation.

It is important that the public authorities, through policy, innovative programs and effective strategies can promote equitable access to all children (girls and boys) for their better education and active participation in political life and in the management of the public affairs of the state. In his article, on the challenges of education in the DRC: Priorities for girls, it is established that the gaps in schooling widen as one evolves in the levels of education. These disparities arise from preschool and are accentuated in primary and secondary education (UN Women Report, 2015). The policy of free education is one of the palliative solutions to the disparity. However, support measures should be taken downstream to improve the level of education of women, so that they are not always co-opted into public institutions.

### Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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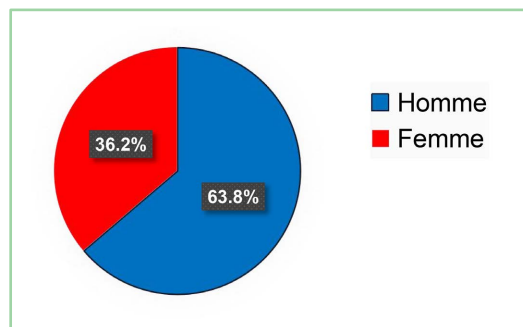


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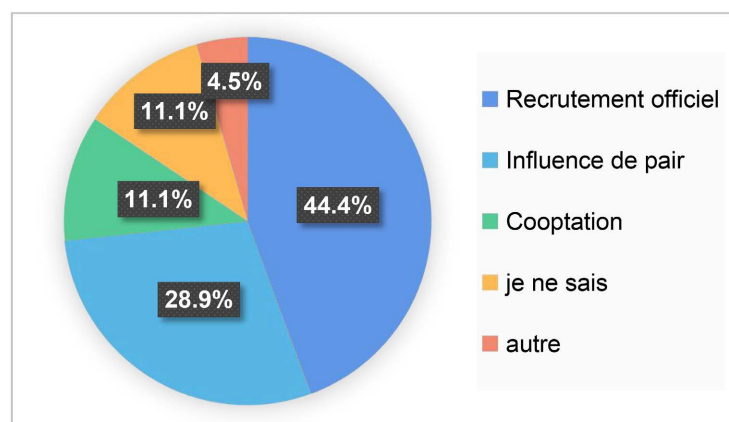
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## Appendix

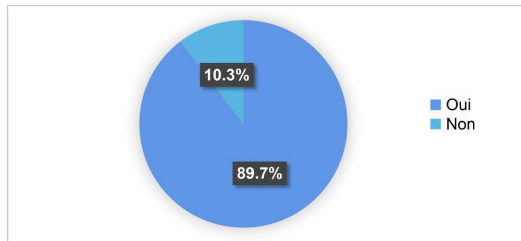
The graphs and tables below reflect the figures on the co-optation of women in public institutions in the DRC. It shows the reality that struggles to promote the principle of fairness and equal opportunity for all. **Graph 1** gives the status of the respondents. The proportion of men is high compared to that of women (63.8% against 36.2%). The recruitment method (**Graph 2**) for engagement in the public service involves official recruitment (44.4%). However, 28% of respondents believe that peer influence plays an important role in the recruitment process (11%). The trend suggests that the recruitment process in institutions in the DRC poses serious doubt on the principle of fairness and equal opportunity for all. **Graph 3** describes the trend in knowledge of common legal instruments in the DRC. 89.7% of respondents know them compared to 10.3%. This trend has implications for the repertoire of legal instruments upon their recognition (**Graph 4**). **Graph 5** describes the curve of representation of women in the public sector at the provincial level. The results showed that the rate of women in state structures is still very weak. Finally, **Table 1** on the representation of women in public sectors gives the evolution of the participation of women within the different governments that have succeeded one another in the DR from 2007-2022. Fifteen years later, the findings are to be desired.



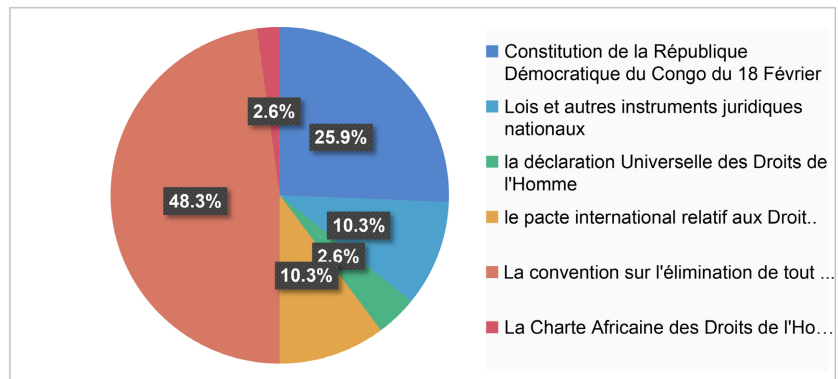
**Graph 1.** Status of the respondent. Source: Nos investigations.



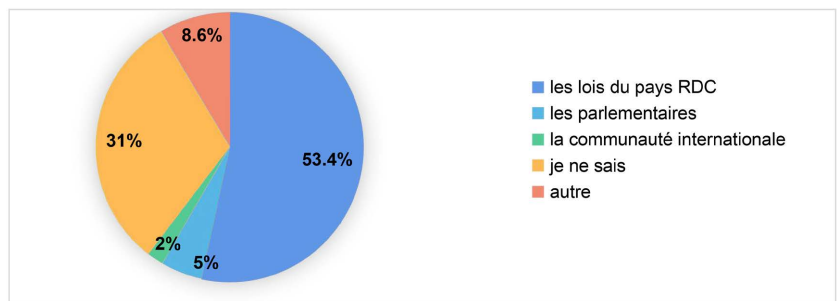
**Graph 2.** Mode of recruitment. Source: Nos investigations.



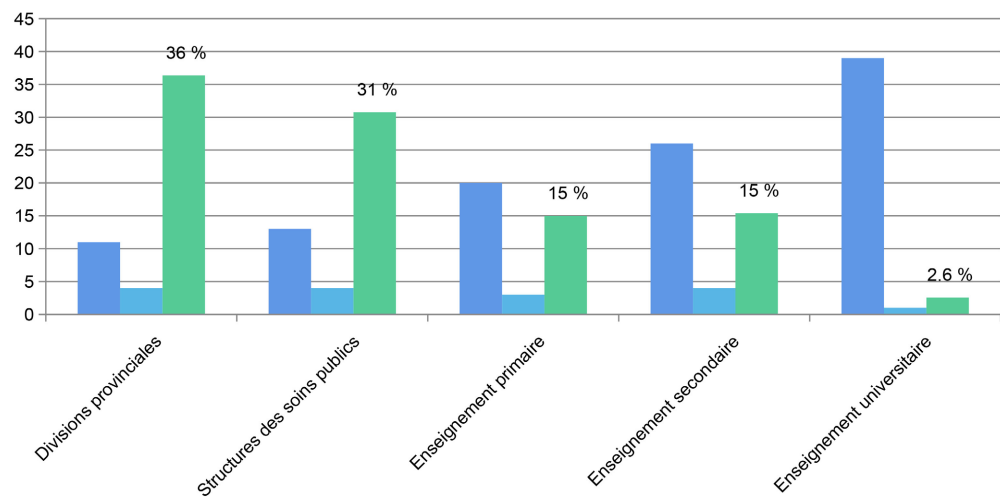
**Graph 3.** Rate on knowledge of legal instruments. Source: Nos investigations.



**Graph 4.** Legas instruments most known to the respondents. Source: Nos investigations.



**Graph 5.** Diagram on the interpretaion of legal text—co-optation of women. Source: Nos investigations.



**Graph 6.** Representation of women in public sectors. Sources: Nos investigations, Décembre 2022.

**Table 1.** Women's participation at government level.

Government	Period	Nbre-gouvernement			Homme %	Femme %
		Homme	Femme	Total		
<b>GIZENGA I</b>	Du 05 Février au 25 Novembre 2007	52	8	<b>60</b>	87	13
<b>GIZENGA II</b>	Du 25 Novembre au 10 Octobre 2008	55	5	<b>60</b>	92	8
<b>MUZITO I</b>	Du 26 Octobre au 19 féVrier 2010	48	5	<b>53</b>	91	9
<b>MUZITO II</b>	Du 19 féVrier 2010 au 11 Septembre 2011	38	5	<b>43</b>	88	12
<b>MATATA I</b>	Du 06 Mars 2012 au 07 déCembre 2014	41	5	<b>46</b>	89	11
<b>MATATA III</b>	07 déCembre 2014 au 14 Novembre 2016	31	5	<b>36</b>	86	14
<b>BADIBANGA</b>	Du 20 Novembre 2016 au 12 Mars 2017	59	8	<b>67</b>	88	12
<b>TSHIBALA</b>	Du 10 Avril 2017 au 25 Août 2019	56	3	<b>59</b>	95	5
<b>ILUKAMBA</b>	Du 26 Août 2019 au 11 Avril 2021	59	8	<b>67</b>	88	12
<b>SAMA LIKONDE</b>	Du 12 Avril- déCembre 2022.	40	16	<b>56</b>	71	29

Source: Nos investigations, Décembre 2022.