

Legal skills on the need to promote Congolese women: Analysis of some provisions relating to the management of family assets and the fight against gender-based violence

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ABSTRACT: The present examines the persistence of inequalities among women in certain aspects: at the cultural, social and economic level which constitutes a great constraint and lock in the development process. It is carried out using the statistical method with interview, interview, direct observation and documentary techniques. The use of the hypothesis test and analysis of variance of monthly expenses and income led us to confirm 95% that women are not only sexually exploited, but also for economic and commercial purposes; for the benefit of pimps, responsible for brothels in the city of Bukavu, by the fact that they earn an income that does not cover their basic vital needs. The repercussions of this exploitation produce the perverse effects observed by juvenile delinquency, marginalization, poverty and vulnerability. The law, however, hinders women and gives this practice a form of modern slavery. The absence of legal texts that promote women are all ills to which the legislator must remedy through egalitarian legislation favorable to women.

KEYWORDS: skills, promote, woman, violence, gender.

1 INTRODUCTION

Over the past decade, the notion of gender has aroused the interest of social and humanitarian scientists, who have elevated it to a category of analysis (Anne M., 2014).

The concept of gender fits easily into scientific terminology which includes women without naming them (therefore without "assaulting") and implies that any study on women must necessarily be a study on men. Some researchers are specifically interested in the socio-historical dimension of male subjectivity (Edourd B, 2014). The world history is strewn with violence which finds its origin, according to the times, evolutions in times and environments, in the ambition or greed of the men and so many other diachronic and synchronic factors which reflect the explanations of socio-economic, political and cultural order (Coquery V., 1987)

Africa in general is today in the grip of a globalizing and apparently irrational violence, which destroys the achievements of development and especially those of culture; orchestrated and rooted by certain eels under the rock. In this present study, we start from the empirical socio-cultural observation according to which the mechanisms of systematic deterioration of the status of Congolese women liable to devalorization which could lead to the blocking of the socio-political and economic development of this category of the population in general of the whole country in singular.

With the back-to-back wars, the use of sex as a weapon and tool of war continues to worsen the situation of gender discrimination; which was once maintained by customs, traditions, families, religious denominations..., (Bandeja 1993)

Discrimination against women is often accompanied by abuse and violation of fundamental rights that women themselves do not claim, let alone their social benefits. In the Democratic Republic of the Congo, more generally, relations between men and women are borrowed from discriminatory and inequitable practices towards women (Ochala O.1979)

In the Democratic Republic of Congo, quite often and in general, we do not wonder too much about the relationship between men and women. This reality is all the more true as in this Congolese society, hard torn by years of violent conflicts, some studies stipulate that more than 52% of the total population and about 66% of the working population, and they are undoubtedly the main actors in the survival of families. The observation is bitter when we notice that in Congolese society, women are considered a subject subordinate to men, "their master", as soon as they have to receive and carry out his orders. In addition, it has been observed that the people most affected by abuses in conflict and post-conflict periods are women and children.

Note that gender-based violence results from responsibilities exercised on the basis of sex, causing physical, sexual, psychological or economic suffering or harm. It manifests itself in the control and domination of force, mainly of the man over the woman, due to the unequal balance of power between the sexes (RFA, 2010).

However, the first sentence of article 1 of the Universal Declaration of Human Rights enshrines the principle of the equality of all human beings, it says this: "All human beings are born free and equal in dignity and in law" (Law N0087-010 of August 1, 1987.

This, being included in paragraph 1 of article 11 of the constitution of February 18, 2006 as amended by law N0011 / 002 of January 20, 2011. It is provided as in the DUDH that: "all men are born free and equal in dignity and in law." Article 12 of the same constitution gives effect to the right to equality between men and women recognized in several international legal instruments. This article states that «All Congolese are equal before the law and have the right to equal protection of the law» law n022 / 99 of 12/11/1999)

The principle of equality between men and women is also found in various international legal instruments ratified by the Democratic Republic of the Congo but which unfortunately are not applied or because they are ignored by the people given their ignorance by the majority of the Congolese population.

Moreover, the situation is contrary to the wish expressed in the various texts to which the Democratic Republic of Congo is a party. On the legal, social and political level, the fate of Congolese women raises questions. This is why it is necessary to reflect on the conditions for a more effective involvement of women in management, administration and in decision-making affecting the smooth running of society in general and the family in particular (Albarellon, L. 2003).

From the outset, it should be demonstrated that the objective of this analysis is to provide an argument that can support the advocacy of actors involved in the processes aimed at improving the situation of Congolese women.

The approach is intended to be critical insofar as it sets out legal provisions and issues criticisms in the light of changing times and circumstances; In addition, gender-based violence takes many forms including: domestic violence, sexual violence, sexual harassment, prostitution and sex trafficking where women and girls are attracted, generally, by false promises of employment, cross borders and are forced to have sex and other jobs for delusional pay (Kaganda M, 2004).

To this end, a certain number of questions retained are as follows:

- Is there a link between socio-political and cultural considerations on women?
- In which areas of life, violence against women is more remarkable?

These are the questions of the problem that we will try to answer.

To answer our questions, we made the following hypotheses:

The socio-political and cultural considerations of women are said to be linked to the violence to which they are subjected. Harmful traditional practices remain a point of contention and a major source of resistance to change with regard to women's rights. Violence against women is either tolerated or accepted as a way of life. Violence against women persists in Bukavu following the degrading concern of men to inferior them, to annihilate them, to drag their part in the process of socio-political and economic development (Pinto R.1979).

These practices are primarily designed to perpetuate patriarchy and are often championed by men as part of their culture. The women of these societies where these harmful practices persist, often also defend them without questioning them. The punishments that married or single women regularly undergo occur in family, at school, in the service, in the street, generally

in social structures where they are considered as a subject subordinate to the man, "his master", from the moment when it must receive and execute the orders thereof.

The principles of equality between men and women are also found in various international legal instruments ratified by the DRC but which unfortunately are not applied or because they are ignored by the people given their ignorance by the majority of the Congolese population (Albarellon, L.2003)

Indeed, the stereotyped group label contains a quality of information, which connects us to one group and opposes another and often referred to as irony and joke. They also coexist with factual knowledge and thus participate in ritualization, especially in the major stages of daily life. For example, elections, nomination, the fight against violence against women (Dimitra Bulletin, n020,2014).

From now on, it is appropriate to present the objective of this analysis; it is about offering an argument that can support the advocacy of actors involved in the processes aimed at improving the situation of Congolese women.

The approach is intended to be critical insofar as it sets out legal provisions and issues criticism in the light of changing times and circumstances. The resulting proposals are therefore adapted to the times and to the international legal instruments in which the DR Congo is involved but is still lagging behind to comply. The legislator will therefore find here a lamp that illuminates his steps towards the path of the evolution of the rule of law for women.

GOALS

The main objectives of the study are:

- Analyze and study the factors that promote violence against women in our communities;
- Identify the root causes and propose plausible solutions to accomplish quality work.

2 METHOD

Given the acuteness of the problem, our survey took place in the province of South Kivu. As a target, we interviewed people in urban communities and rural areas from January to October 2020.

We used the following material and method; a survey questionnaire, a pen observation grid and the computer tool.

For data collection, certain techniques including questionnaire survey, interview and direct and participant observation.

To this end, we have drawn up an observation grid written in French including a series of closed and open questions which enabled us to speak with the victims and enabled us to collect the information sought. We also made use of documentary analysis for the development of the theoretical part of this work.

This questionnaire was of three types: one was administered to housewives, victims of a certain atrocity and another to the various actors involved in the fight against gender protection, in the province of South Kivu.

3 RESULTS

3.1 STATE OF PLAY ON GENDER-BASED VIOLENCE

The analysis of the situation relating to gender-based violence gave a more general idea of the sexual violence which is an integral part. The report drawn up by the provincial government on gender-based violence reveals a situation of several types of violence, namely:

3.1.1 VIOLENCE LINKED TO ARMED CONFLICTS

They include rape, sexual slavery, early motherhood, unwanted motherhood, destruction of genitals, massive HIV / AIDS contamination, mass displacement, wandering, family dislocation, marginalization, trauma. psycho-health, the aggravation of female poverty, savage killings.

Some studies show that today 80% of households in South Kivu owe their survival to the majority of the population; women are faced with many problems of access to resources, basic services, social services and the management of power.

Studies on poverty show that 61.2% of women live below the poverty line against 59.3% of men. In addition, 61.5% of households headed by women live below the poverty line against 54.2% of households headed by men. This feminization of poverty is explained by the discriminations observed in all areas of development, including health, education, law, access to resources, governance, decision-making, employment, environment,

Gender inequality in the management of sexuality is one of the main factors in the transmission of sexually transmitted infections (STIs) and AIDS because it is the man who has the decision in the use of condoms while the woman only suffers. In domestic life, inequalities between boys and girls are observed through the enrollment and dropout rates as well as the literacy rate between men and women.

These data indicate that a significant proportion of girls do not complete primary school, i.e. 42%, or secondary school 20%. Several socio-economic constraints such as premature pregnancies, early marriages, backward customs, 'Insufficient financial income for parents who favor boys to the detriment of girls adds to the list of conflict-related violence in South Kivu (Anne M., 2014).

3.1.2 KNOWN VIOLENCE OUTSIDE OF CONFLICTS

This violence includes rape of minors and children, incest, sexual harassment, forced prostitution, juvenile prostitution, ...

3.1.3 SOCIO-ECONOMIC AND CULTURAL VIOLENCE

This violence is linked to the persistence of backward and sexist social practices and to the degradation of living conditions (mistreatment of widows, spoliation of orphans, incestuous marriages, beliefs in witchcraft, the infantilization of women, etc.) (Bompaka, 2005).

3.1.4 DOMESTIC VIOLENCE

This violence is linked to the mistreatment and undervaluation of women's contributions to the household and the family (beating, humiliation, household chores, dependence, submission, sexist discrimination).

In addition to this violence, there are institutionalized inequalities linked to the discriminatory provisions of certain legal texts in the process of being adopted, including the Civil Code and the Family Code. The above shows that acts of violence are based on gender. Their scale is more worrying such that the uncontrolled elements of the regular army, the badly reintegrated or demobilized units create insecurity here and there and trigger acts of violence (IPS, 2004).

3.2 CONSIDERATIONS ON SOCIO-POLITICAL PERCEPTIONS OF VIOLENCE AGAINST WOMEN

The challenge in this problem is to give a Abstract overview of the socio-political perceptions of violence against women and the description of their recurrence in the communities of South Kivu, it is a question of defining the main causes and consequences, the main authors, the aims and finally the different approaches put forward to stem these defamatory practices.

The introduction of new ways of organizing political and economic power has over time brought about enormous socio-cultural changes. One of these changes relates to the way society perceives women, particularly with regard to their body and their status in society.

Once considered sacred and inaccessible by anyone and anytime, the body of Congolese women today makes her sexually, due to the birth of a culture of rape, both for fetid practices in times of war than for the consideration of rape as a weapon of war.

The challenges linked to violence in the DRC, in general and in South Kivu in particular, continue to arouse the interest of political researchers, humanitarian and development actors. In the context of recurrent wars and flagrant violations of human rights, the scale of the violence can only be worrying, thus drawing the attention of the community, both national and international, to the harmful consequences of the phenomenon both in terms of

health, psychosocial, economic and cultural on the one hand and the means to remedy it on the other.

The media uproar orchestrated in South Kivu and outside the province around cases of violence sometimes distracts the attention of several stakeholders. The perception of violence is as old as the process of the evolution of traditional societies, even if the context of wars has amplified its scale.

It should be noted that this study is based on cyclical as well as structural violence apprehended from social inequalities, spatial disparities that characterize the phenomenon, its victims, its actors and the interventions of actors to remedy it. The women who are affected by violence are those who live in critical conditions. These are uneducated women, working women, peddlers, porter, those living in a polygamous and even monogamous regime, prostitutes, those from poor households, girls attending mixed schools and those not. in school and those who have dropped out (Bompaka N. 2005).

3.3 MAIN TARGETS OF VIOLENCE AGAINST WOMEN

The crisis created by post-border conflicts has led to the flight to eastern DRC of more than a million refugees and as a result has favored and transformed this humanitarian corridor into one of death, shameless exploitation. and illegal natural resources of the country in a situation of continued security instability and latent tensions.

Sexual violence has been used as a weapon of war to humiliate and tramp the Congolese, especially during wars waged by rebels which have been decried by the international community, the country's institutions and the population.

The women reinforced this cry by their campaign in 2011 supported by the government and the international community. Women and girls have, in fact, engaged in prostitution, subjected to sexual slavery, forced marriage and pregnancy. Sex has been used as a weapon of mass destruction by aggression troops, the armed men under their command (Gwawitz, 2001).

Women and girls experience violence even in their most intimate part of the family. Thus, the supposedly safe space of the family home has become the scene of serious violence and sexual abuse today. In work and school settings, in addition to other forms of exploitation, they are often victims of sexual harassment, rape and other forms of abuse.

3.4 THE PRACTICE OF FIGHTING AGAINST DISCRIMINATORY MEASURES AGAINST GENDER

Since the outbreak of the so-called liberation war in 1996, several humanitarian and development actors have been involved in the fight against sexual violence. It is important to point out, however, that the actions carried out at the outset did not yield satisfactory results because of the dispersion of interventions, the lack of support for some, and the absence of a structure for coordinating activities.

This is how the interventions expressed the will to combine their efforts in order to provide a concerted response to violence against women and girls. Thus, to respond to the concern to take into account the specific needs and aspirations of women affected by conflicts in the post-conflict period, two Security Council resolutions have been adopted since 2000 and concern the Republic. Democratic of Congo:

- Resolution 1325 which aims to protect women and their involvement in peace efforts during and after conflicts;
- Resolution 1 in June 1820 adopted in June 2008 requires effective measures to prevent and punish acts of sexual violence in order to contribute to the maintenance of peace and security in the Democratic Republic of Congo and resolution 188 adopted on 30/09 / 2009 sexual in conflict. This desire was materialized by the establishment in 2003 of the joint initiative to combat sexual violence, coordinated by the United Nations population fund (UNFPA, 2010)

The constitution of the Democratic Republic of Congo of February 18, 2006 underlines in its articles 12, 13 and 14 the equality of opportunity and gender rights between Congolese as well as the obligation to eliminate all forms of violence against of women in public and private life.

Also, two national laws were passed by the parliament and promulgated by the President of the Republic to strengthen the repression in matters of rape and sexual violence. It is the law n06 / 018 of July 20, 2006 modifying and supplementing the decree of January 30, 1940 relating to the Congolese penal code and the law n06 / 019 of July 20, 2006 modifying and supplementing the decree of August 06, 1959 relating to the Code of penal procedure.

3.4.1 THE JOINT INITIATIVE TO COMBAT VIOLENCE AGAINST WOMEN

The multisectoral inter-agency (government, NGO and United Nations system) joint initiative to prevent and respond to violence against women took into account an appropriate referral mechanism for cases of sexual violence identified in the field.

This program was to be carried out in four intervention components, namely: medico-health component, judicial component, security component and psychosocial-economic component

3.4.2 NATIONAL AND LOCAL STRATEGIES FOR COMBATING GENDER-BASED VIOLENCE

- **On a national level**

The Congolese government, through the Ministry having gender in its attributions, relied on the shortcomings identified by the joint initiative to fight against sexual violence to adopt, in November 2009, the national strategy to fight against violence based on gender, replacing the previous program. This strategy responds to the concern of the Democratic Republic of Congo to equip itself with a frame of reference to address gender issues of women, young people and girls under the coordination of the government (Law no087-010 of August 1, 1987).

- **At the provincial and intermediate level**

In the province of South Kivu, it is in this sense that certain international organizations come to support the action of women in search of survival strategies. Of course, the women of Bukavu adopted it in view of the atrocities that the society supposed to protect them commits against them. In South Kivu, the woman aware of her marginalization due to acts of violence, raised her head to withdraw from the big hole where she already seemed abandoned for a long time.

To achieve this, she realized to raise her economy under life was going from bad to worse. Reflections on the situation of women were led by women concerned with development and the improvement of living conditions. Finally, after many efforts, the following associations have emerged (Kumbu K, 2002).

3.5 SOCIO-POLITICAL IMPACT OF VIOLENCE AGAINST WOMEN ON DEVELOPMENT

This study consists of showing the repercussions of violence against women on social dynamics. The process of eradicating violence against women is an essential indicator that neither excludes the economic aspect less the cultural aspect. If violence against women nowadays denotes an obvious social pathology, society in this regard will not be able to see a promising outlook. Culturally, there is still an unfair inequality between men and women. This state of affairs presents the man as a key player in all social structures despite the complementarity that characterized the two partners.

Economically, we realize despite the few efforts by women here and there that men undertake alone to the exclusion of women. Many of the woman's economic activities are suffocated by the fear of being assaulted in or on the outskirts of the city.

Politically, the exclusion of women from decision-making is an obstacle to development. If politicians continue to surround women with the title of mere champion of ideologies, development will be far from certain. The painful experience shows women excluded from the management of public affairs without being really unworthy. The flaws they present are those found in men in the same positions. Male pride does not understand that political loopholes are genderless.

Ultimately, a country cannot achieve integrated and sustainable development as long as the components of the community do not enjoy equality of opportunity.

The complementarity of men and women is one of the pillars of the socio-economic development of each nation. Strategic interests constitute an immediate necessity in terms of living conditions. The promotion of equality of all Congolese citizens under the law is a necessity for harmonious development.

The challenges to be met are based on the national strategy for prevention, protection of the response to victims and survivors, information and data management as well as the synergy between public and private institutions and support partners. in connection with violence against women, young and young girls in the Democratic Republic of Congo.

4 DISCUSSION

All the sources of these results come from our surveys carried out in our respective communities. Of these settings selected for the study, 105 respondents made up the sample. Among them, there were 87 women, 6 pimps and 12 actors involved in the fight against pimping. This is a probability choice sample.

Table 1. Abstract table of the characteristics of procuring in South Kivu

No	Variables	Average	Standard deviation	N	Min	Max	Without answer
1	Age	16,2	1,43	87	13	19	0
2	Numbers of women	7,1	5,57	86	2	55	1
3	Position in the original family	3,0	1,70	86	1	8	1
4	Number of dependent children	2,7	1,15	3	2	4	84
5	Solicitation frequency	7,1	2,01	86	3	12	1
6	Average price per service provided to customers	3,0	0,84	87	1	5	0
7	Duration in prostitution (year)	2,1	1,41	87	0,5	8	0

The average age of female victims of procuring is 16 and the maximum age is 19. On the other hand, the minimum age for the sale of local drinks, which plays an important role in the morality of children. While 29% of these women are unemployed (without work) who find it difficult to support themselves and take care of the education of their children and 15% are civil servants who no longer receive their salary.

Twenty (20%) percent left the family because of early pregnancy, 17% fled poverty as a family to enrich themselves, 13% left the family due to the influence of social background or friends, 7% left as a result with orphan status and 10% had problems living with the guardians or because they were affected by this fact. 10% of minors abandoned the family following the separation of their parents, in other words 10% fled the family of their own volition.

Table 2. Main reasons for abandoning the family for pimping

No	Designation of reasons	Frequency	%
1	Misery in the family	14	16,9
2	Insubordination to parents	1	1,40
3	Libertinism	6	7,04
4	Abuse	4	4,22
5	Early pregnancy	17	19,72
6	Orphanage	6	7,04
7	Friends influence	11	12,7
8	Disagreement with tutor	8	9,9
9	Parents separation	8	9,9
10	Will	10	11,3
	Total	85	100

Table 3. Comments of married women in relation to legal marriage

No	Legal marriage of parents	Frequency	%
1	Yes	7	14
2	Without	43	86
	Total	50	100

It was found that most married women (78%) live in a couple illegally, some live in common law, cohabitation, polygamy or even marital instability. This does so, so that the children escape parental control, for the future of their offspring in turn. On the other hand, 14% are families living in regular marriage (monogamous).

Table 4. Gender acceptance condition in host households

No	Conditions of acceptance	Frequency	%
1	Friendship	13	18,8
2	Collaboration	1	1,4
3	Trust	28	40,6
4	Rent	20	28,9
5	Respect for conventions	2	2,9
6	Mutual respect	1	1,4
7	Submission / Constraint	4	5,8
	Total	69	100

In the light of this table above, it emerges 41% of gender, is accepted in the host household out of the trust that pimps have in them, due to the fact that they share the same living conditions. On the other hand, 29% of women are accepted into host households on condition that they contribute to the payment of rent and 19% of women live with their professional friends.

Table 5. Level and reasons for women's satisfaction with freedom

No	Satisfaction level	Frequency	%
1	Well	75	86,207
2	Poor	5	5,747
3	Very good	7	8,046
	Total	87	100

From this table, it can be seen that a large number of women (86%) have taken up this profession in order to earn money. So therefore, they are satisfied with this job; 8% are very satisfied. On the other hand, 6% confessed to us their dissatisfaction.

Table 6. Reasons for gender satisfaction

No	Reasons	Frequency	%
1	Adventure	8	9,5
2	Knowledge	5	5,9
3	Save money	44	52,3
4	Materials	4	4,8
5	Way to follow	23	27,4
	Total	85	100

From the table below, it appears that most of the kind of pimping (52%) gave as the reason for their satisfaction the earnings they make. That is, the money they receive from their services. Also, 27% are satisfied because they find the means to survive. On the other hand, 10% find themselves in a state of adventure and thus they are satisfied because they had a taste for adventure (10%), equipment (5%) and knowledge (6%).

Table 7. Reasons for gender disappointment

No	Reasons	Frequency	%
1	Dark future	2	2,63
2	Loss of parental confidence	3	3,94
3	Disgust	1	1,31
4	Decrease in customers	2	2,63
5	STI / HIV AIDS	42	55,26
6	Dishonesty of customers	2	2,63
7	Poor reputation	20	26,31
8	Nothing	1	1,31
9	Stigma	1	1,31
10	Rape	2	2,63
	Total	76	100

As shown in the table above, 55% of women victims of procuring have expressed their anxiety following sexually transmitted infections, especially STIs and HIV / AIDS which have been in full swing in recent years, 26% are disappointed for the bad ones. Reputations that the outside world has for them.

Table 8. Difficulties encountered by gender in procuring

No	Difficulties	Frequency	%
1	Banditry	13	17,1
2	Family charge	1	1,3
3	Extortion	9	11,8
4	Insecurity	1	1,3
5	STI	4	5,3
6	Dishonesty	4	3,9
7	Poor reputation	1	1,3
8	Any	1	1,3
9	Rejection	3	3,9
10	Annoyances (military, police, population)	20	26,3
11	Rape and sexual violence	20	26,3
	Total	76	100

It emerges from the table above that women victims of procuring are exposed to multiple difficulties, including extortion (12%), rape and violence (26%), rejection by parents and society (4%), STIs (5%) and military harassment (26%). The women interviewed indicated that they do this job for lack of means and that once supervised, they can give up this dirty work, they indicated that they live in stress, they are traumatized because they work a lot day and night. and are considered as objects and not as human persons. Almost the majority of women interviewed claim to suffer from behavioral problems. The most recurring disorders: frustration, shame but especially self-loathing, abnormal sweating, insomnia, hallucination, nightmares, partial amnesia, aggression, anxiety, anxiety and withdrawal into oneself. So many symptoms of the deep traumatic state in which the vast majority of women, victims of pimping, find themselves.

Table 9. Gender perception of the pimping situation and proposal for the better future

No	Propositions	Frequency	%
1	Family welcome	4	4,5
2	Schooling	8	9
3	Income generating activities	49	55
4	Improvement of their living conditions	1	1
5	Take care of their children	1	1
6	Be taken care of (family, food)	7	8
7	Safe	3	3
8	Any	16	18
	Total	89	100

These results prove forcefully that the frequency is 89% for the above indicator.

5 CONCLUSION

The aim of this article was to give a brief overview of the analysis of certain provisions of the Family Code with a view to highlighting some of them in relation to the evolution of human rights in general and those of the woman in particular.

The observation made, has shown that the family code was tailored to the Belgian laws of the colonial era and therefore have not received any substantial modification. The stark contrast is that, those who had bequeathed texts to the Congolese, quickly modified them in their countries to make them conform to modern realities of the evolution of human rights.

To this end, a reform of the family code is necessary to deal with a certain number of the problems caused by the imbalance in the establishment of the family budget in the face of the growing role of women in maintaining the balance of domestic economy.

If in traditional societies, the woman was not only a man's labor force, today, it must be recognized that she is equal to the man as a human being endowed with all the faculties and legal capacities; whatever his marital status (married or single).

In her struggle to restore social order, women are almost everywhere and participate daily in the survival of her family in particular and of society in general. (She is in factories, in the office, in the political scene, in commerce, diplomacy,...). She contributes in the same proportion as her husband to the expenses of the household, and exercises jointly with him the authority parental responsibility for their children.

The Congolese legislator is still hesitant and intends to protect the family by recognizing certain rights to a spouse in defiance of another.

Such a solution denotes an absence of moderation and reflects an imbalance in the relationship between spouses, because, if we want to safeguard the unity of the household, it is desirable not to limit the rights of one in favor of the other..

Therefore, a reform of the law on the rights and duties of spouses over their patrimony is necessary, involving equality and clearly defining the reciprocal powers of the spouses and taking into account the most advanced aspirations of women to participate in the same footing as the man in the management of the family patrimony to which it contributes moreover in the same way as the latter.

To this end, it is high time that equity as well as the natural feelings of equality and solidarity between the genders make it desirable, if not necessary, that there exist in our country an adequate regulation of the management of these economies and their distribution between spouses.

It goes without saying that our country can only get out of the qualifier "underdeveloped" by promoting the conditions of social, economic and even political emergence of which women are capable.

For that, we need legal solutions; the strongly animated debates in the national assembly for the modification of the code on gender, will have to lead to the re-visitation of this one or if necessary to endow the Democratic Republic of Congo with a new code of the family which places the woman Congolese on the same footing as her colleagues from other countries.

The policy of good governance, promoted equality, equity or parity of ideological party adherence, economic requirements and contingencies. The stark contrast is that those who had bequeathed texts to the Congolese quickly modified them in their countries to make them conform to the modern realities of the evolution of human rights.

Meeting this challenge means meeting the broad outlines (objectives) of this study and contributing to the revolution of modernity which is intended to be commonplace by current leaders.

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