

# Women Victimization to Sexual Violence in Lubumbashi, Myth or Reality?

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**Abstract:** *This work aims to identify the real victims of sexual violence in Lubumbashi because rape has become a source of income for some alleged victims' parents. We would like to find out what would prevail between the psychological variable and the physical variable. We have used a psychosocial survey, a questionnaire and Chi-Square test. The population consisting of the Lushois (The inhabitant of Lubumbashi Town), is a larger population, we have extracted a disproportionate stratified sample of 483 participants. A victim is a person who has suffered a superficial introduction of a sex organ, an object or part of the body into any orifice without his/her consent, the obligation of recounting his/her sexual intercourse, sexual exploitation, sexual threats, the obligation of seeing or touching private parts of the body of a third person and to exhibit his sensitive parts. The hypothesis that the psychological variable prevails over the physical variable is invalidated.*

**Keywords:** sexual violence, victim and victimization.

## 1. Problem definition

Being a victim of sexual violence or rape, of course, does not have the same impact on everyone, depending on the age of the victim, his or her history, possible echoes that such an event may have in family history, the fact that the sexual violence was committed by a close person or a stranger, was accompanied by additional violence or not, etc. As far as our observations are concerned, the suffering of the victim is at two levels: physical and psychological (in the psychological, we include all that is moral suffering).

The situation that intrigues us is that in the city of Lubumbashi, rape has become a source of income for some relatives of the alleged victims of sexual violence. The suffering of a victim of sexual violence in most cases is ignored, but the attention is directed towards the suppression of the alleged torturer. With the aim of identify who is actually a victim of sexual violence in Lubumbashi, we have presented two variables namely: psychological and physical. Therefore we asked ourselves the following question: "between the psychological variable and the physical variable what would prevail over the other?" This question is the guideline of our research.

## 2. Theoretical foundations

This section is subdivided into three sub-sections namely: the hypothesis of the work, the state of the question and the theoretical approaches.

### 2.1. Hypothesis of the work

As anticipated responses to our major questions, we formulated our hypothesis as follows: the psychological variable would prevail over the physical variable in order to enable us to identify who deserves the status of victim of sexual violence in Lubumbashi.

### 2.2. State of the question

We review the literature to realize the critical assessment that allows us to identify the uniqueness of our work.

As for Pignol (2011), victims are concerned only by filing a complaint initiating the judicial process and the issue of reparation coming to its conclusion is certainly legally coherent, but is otherwise illusory in others approaches.

For Houédjissin (2011), it is worth recalling that the victims are in an unequal position and in no way comparable to that of the parties, despite all the possibilities offered to them. They are not considered as parties to international criminal proceedings.

By referring to Bouzidi (2008), sexual violence causes physical and psychological fracture, causes dramatic consequences on the life of the victim and destroys his/her symbolic references, his/her beliefs in life, his/her beliefs in love and his/her beliefs in fun.

Baouayad Agha (2005) comes to the conclusion that in Europe, the victim is increasingly taken into consideration by the European legislator. S/he is given an important place in the criminal trial. In a few years, s/he has gone from a simple role of "witness" who was auditioned, to the role of party in his/her own right.

Our work joins those of the aforementioned authors in this state of the art in the sense that all we talk about the victim and her/his ignorance in the criminal courts at the national and international level. The research of Bouzidi (2008) specifies as we do that sexual violence causes physical and psychological fracture. Our research is distinguished from others by the studied population, the field of investigation, its theoretical approaches and the methodological device.

### 2.3. Theoretical approaches

This subsection focuses on two subsequent points: the definition of key concepts (sexual violence, victim and

victimization) and the theories of sexual violence under the Congolese criminal code and the theory of sex education in the Democratic Republic of the Congo.

### 2.3.1. Definitions of concepts

In the definition of concepts we are not necessarily going to create a new word but to put in the place of the usual conception which is confused, a clearer and more distinct conception.

#### 1) Sexual violence

For Tartar-Goddet (2001), the word “violence” has a different meaning for each person. Various representations of this word coexist in our heads. But most of the time, the word “violence” is associated with a negative connotation. So she distinguishes two types:

- Symbolic violence, which concerns small violence suffered daily. It has unmeasurable consequences and expresses itself with strong emotions. The victim may then experience fear, anxiety, stress, or worry, but this is unique to everyone.
- Serious violence, which falls under the legal code and therefore has consequences under the law. Its purpose is to injure, to cause harm, to cause pain or to physically or psychically destroy a person. It has destructive effects on human beings.

According to Couillard (2016), sexual violence has devastating consequences for victims and their families. Intrusion into the very dignity of a person is a selfish, degrading and destructive gesture that can break an individual's life or can stain him/her forever.

For Fischer (2003), social psychology uses the term “sexual assault” rather than “sexual violence”. Aggression is conceived according to several criteria, including the nature and the intensity of the act (active, passive, physical, verbal, etc.) and according to the social coding, that is to say that the forms of aggression are tolerated, accepted or denied differently depending on the person.

We can say that the expression “sexual and gender-based violence” brings together a wide variety of abuses: sexual threat, exploitation, humiliation, aggression, brutality, domestic violence, incest, forced prostitution, torture, and introduction of objects into the genital orifices, rape attempt, early marriage and genital mutilation.

#### 2) Victim

We can see with Audet and Katz (1999) that the word “victim” comes from the Latin “victim”, it belongs to the same family as the verb “to overcome”. The meaning of these words being: “substitute”, “deputy” and introduces the word “scapegoat”. For Kawit Yav (2018), when a psychopathological problem affects a family member, s/he becomes the bearer of the symptom of the family. This individual with disturbed behavior or cognition has crystallized the communication within the family in their mode of psychic functioning.

Thus, victims are people who individually or collectively suffered harm, including an attack on their physical and mental integrity. The term “victim” also includes, in the

actual case, the closest family or people taking care of the victim and those who have been harmed by intervening or to assist victims in distress or to prevent victimization.

### 3) Victimization

Fortin (2012) says that violent criminal victimization is a unique form of trauma, it can be difficult for both the victim and those around him to distinguish what are known as normal reactions from those to be monitored or those that are problematic. Thus, it is suggested to contact a specialized resource to assess the evolution of the psychological recovery process of the victim and his/her family.

According to Prud'homme (2011), victimization therefore leads women to be self-centered, to constantly doubt their own perceptions, their ability to defend themselves and their own value. In this context, assaults are often perceived as justified, and the victims come to take on their shoulders the responsibility for men's violence.

For us, victimization is a process by which a person who experienced a traumatic situation, has integrated the position of victim in his psyche to the point that s/he knows no other role than that one, and that s/he will display it perpetually, consciously or unconsciously. This is applicable in all domains of life: intimacy, interpersonal relationships, work, and even hobbies.

### 2.3.2. Theory related to sexual violence by the Criminal Code of DR Congo

In its first meaning, rape is characterized at least by the existence of an act of introduction of a genital organ performed without the consent of the victim. Since 2006 in the Democratic Republic of the Congo we have the following laws: the first, No. 06/018 amending and supplementing the Decree of January 30, 1940 in the Congolese Criminal Code and the second, No. 06/019 amending and supplementing the Decree of August 06, 1959 establishing the Congolese Code of Criminal Procedure. They largely take into account the protection of the most vulnerable people, including women, children and men who are victims of sexual violence offenses. The Congolese legislator has broadened the scope of rape which includes:

- a) Every man, whatever his age, who has introduced his sexual organ, even superficially into that of a woman or any woman, whatever her age, who has obliged a man to introduce even superficially his sexual organ in hers;
- b) Every man who has penetrated, even superficially, into the anus, the mouth, or any other orifice of the body of a woman or of a man with a sexual organ, with any other part of the body, or with any object;
- c) Any person who has introduced, even superficially, any other part of the body or any object into the vagina;
- d) Anyone who has forced a man or a woman to penetrate, even superficially, into his/her anus, his/her mouth or any other orifice of his/her body or with any object.

In these two laws, there is almost an insistence of place and consideration of the victim, his/her suffering and the psychological trauma, somatic and social consequences of sexual violence. So in order to understand who the victim of

sexual violence is, we must identify the punishments aimed at suppressing the torturers.

#### 2.4. Theory of sexual education in D.R Congo

Crozier and Friedberg (1977: 56) believe that the behavior of the actor is “a behavior that always makes sense. Behavior has two aspects: an offensive aspect: the seizure of opportunities in order to improve his/her situation and a defensive aspect: the maintenance and the widening of its margin of freedom, thus of his/her capacity to act”. This is explained by the theory related to sex education in the Democratic Republic of the Congo.

For Kombe Oleko and Murhega (2009), this education aims to have a man or a woman useful to the society to which s/he belongs, capable to preserve and perpetrate the culture and morals of Congolese society. Thus its goal is to achieve the major goal of educating young people for sex life. The responsibility to educate the youth in the responsibility of the entire community. Boys are introduced to jobs related to male by their fathers and brothers and girls to jobs related to women by their mothers, aunts, elder sisters and especially the grandmother. Sex education of boys is done by their elders in the play sessions in the bush, the emphasis is put on virility. For the girl, the focus is on virginity and fertility as a proof that they can remain faithful to their husbands. The girl is taught concentration techniques on her body that will allow her to give the husband maximum pleasure and to be loved. On the night of the wedding, a white sheet will be available and must be spotted with blood.

It's a training that consists of:

- 1) Being informed and subjected to several lessons of practical life and to a sexuality learning after circumcision, for boys. It is during this period that they are moralized for a good rational and acceptable use of sex by the community.
- 2) As far as girls are concerned, they are supervised by experienced women in the first initiations. They are taught:
  - How to take care of their a husband on all levels;
  - How to behave in bed and as a result, the practice of sex with a man.

This training begins with the consultation of parents in a village, each parent who notices that his/her boy has just experienced a morphological change, deserves to manage a woman and is ready to procreate, consults him/her friends who also have children like him/her. They will agree to call the person in charge of circumcision and tell him their requests, and then they will start preparing things for the party: “palm wine, bamboo wine, maize alcohol, smoked meat, cassava flour ... “

After this stage, the person responsible for the circumcision will go out in the bush with the children in June because it's cold, for a year of training that starts with the action of circumcision: They throw up in the air a coal for the person who is circumcising young people, and before the coal reaches the ground, he is supposed to finish the circumcision of one person. After, the action is the same for all the other young people. Generally the maximum number is twelve

boys. So, the rest of days are spent on training: “sex education, hunting, fishing, cultivating, building huts, war ...“

For girls, it is their mothers who will notice the appearance of the first menstruations and who will take them to a specialist for training and supervision. The specialist is a wise lady who deals with the initiation of young people. She will go with the girls into a bush to teach them how to take care of their husbands, how to live in couple, how sex education is, how take care of their own body and how to give the envy of sex to their husbands ...”

This training is intended for those whose external appearances are manifest, that is, before reaching a new balance, both physiologically and psychologically, the adolescent experiences many changes: her tastes change, in terms of social relations or extra-scholar activities; her behavior manifests itself in more or less frequent moments of indifference or opposition; her character changes from open to taciturn, for example.

Access to maturity therefore involves transformations that, although they can prove painful for the immediate family, are also difficult for many adolescents to experience. As part of this study, the theory helps us understand who is actually a victim of sexual violence in Lubumbashi because it is not enough in order to be a victim to be right, if that were the case, everyone would fight to occupy this rewarding position. Being a victim would become a vocation, a full-time job.

### 3. Method and techniques

We used the psychosocial survey method. We used it because it allows us to study social phenomena by resorting to an investigation from the people concerned. It is supported by a questionnaire which includes closed questions as a data collection technique.

According to Paul (1986:6), “a questionnaire is defined as a set of a series or list of questions that is to say random interrogative proposals”. Before developing our survey questionnaire, we went through the following steps: the pre-survey, the pre-test, after the amendment of the items made during the pre-test, we proceeded to the final drafting of the questionnaire and finally we proceeded by the administration of the questionnaire. Regarding the form of the questions, we chose the form of closed questions which allows the subject to simply make a choice among several answers that are proposed to him/her.

We also used the content analysis technique, this technique consisted in analyzing different responses given by respondents, in categorizing or in putting them in sub-themes related to the items of the questionnaire by using the chi-square test in order to achieve the expected results and finally the calculation of the percentages allowed us to test our initial hypothesis.

#### 3.1. Context

There is no need to recall that the City of Lubumbashi occupies the second place after Kinshasa in terms of its area



and its infrastructure. Located in the southern part of the Democratic Republic of the Congo, in the Haut-Katanga Province, it has seven communes and contains a population mostly young. During the Belgian colonization, it was initially named Elisabethville, in honor of Princess Elizabeth of Belgium. The city of Lubumbashi is crossed by two large rivers: Kafubu and Lubumbashi. Its watershed is composed of four streams that are: Katuba, Kimilolo, Kiawishi and naviundu. Located at 1230 m altitude, the City of Lubumbashi covers an area of at least 747Km<sup>2</sup>. It consists of a gently rolling prairie and bounded by 11 ° 30 south latitude, 27°29 east longitude, and 27°1030 west longitude.

### 3.2. Population

For Berther (1987, p. 22), "population is defined as statistical units or individuals meeting a common and constitutional identification of the community to which one's is interested." Our population is made of adolescents, young adults and adults of both sexes who may be victims or torturers of sexual violence in the City of Lubumbashi. This population is large, it was difficult to work with everyone, given the time, the available means; and finally, the size of the population. Thus, we preferred to extract a representative

sample of 483 participants that we present in the following Table:

**Table 1: Studied sample**

N°	Commune	Total	%
1	Annexe	69	14,285%
2	Kamalondo	69	14,285%
3	Kampemba	69	14,285%
4	Katuba	69	14,285%
5	Kenya	69	14,285%
6	Ruashi	69	14,285%
7	Lubumbashi	69	14,285%
Total		483	100

We extracted 69 participants, i.e. 14, 285% in each commune of the City of Lubumbashi out of a total of 483 participants. This disproportionate stratified sample allows us to generalize the results.

### 4. Presentation and analysis of results

After collecting the response protocols, we read and re-read them, finally stripped them by score, and then analyzed them according to their content by Karl Pearson's nonparametric statistical Chi-square test.

**Table 2: Presentation of the results**

N°	The victim of sexual violence is the person who has suffered:	Yes		No		Undecided		Total	
			%		%		%		%
1	Sexual intercourse before 18 and above	187	38.72	136	28.16	160	33.13	483	100
2	Introduction of male sexual organ superficially without consent	339	70.18	84	17.39	60	12.42	483	100
3	Introduction of a part of the body of the alleged torturer into any orifice of the alleged victim without his/her consent	387	80.12	64	13.25	32	6.69	483	100
4	The obligation of telling his/her sexual intercourse	235	48.65	136	28.15	112	23.18	483	100
5	The introduction of any object into any orifice	283	58.59	124	25.67	76	15.73	483	100
6	Sexual exploitations	247	51.13	144	29.81	92	19.04	483	100
7	Sexual threats	315	65.21	68	14.07	100	20.7	483	100
8	Presentation of nude videos and pictures	159	32.91	180	37.26	144	29.81	483	100
9	The obligation of seeing or touching private parts of a third person	287	59.42	104	21.53	92	19.04	483	100
10	Pressure to exhibit his/her sensitive parts	315	65.21	68	14.07	100	20.7	483	100

By comparing these three categories of answers presented in the table thanks to the Chi-square test, whose critical value is 9.21 at the threshold of  $\infty 01$  for the degree of freedom which is equal to 2, questions for which we obtained scores higher than those which are critical allowed us to say that in Lubumbashi, the person who presents himself as a victim of sexual violence is the one who has undergone the following facts:

- The introduction of a male sex organ in a superficial manner without consent is the victim of sexual violence;
- The introduction of a part of the body of the alleged torturer into any orifice of the alleged victim, without his/her consent;
- Suffered the obligation of telling his/her sexual intercourse;
- The introduction of any object into any orifice;
- Sexual exploitation;
- Sexual threats;
- The obligation to see or touch the private parts of a third person and
- The exhibition constraint of his/her own sensitive parts.

As for the questions whose calculated score is below 9.21, we got the following responses: according to our participants, to have intercourse before 18 and over does not constitute a sexual abuse. For them this depends on the environment and the culture of people. Finally, the fact of showing videos or images that can lead to sexual intercourse is not a form of sexual violence.

According to the grid of strategic analysis, the actor always has a margin of freedom which allows him/her at the same time to make up strategies for personal needs, but also to fill the concrete deficiencies of rules which cannot concretely assure and predict everything (Crozier and Friedberg, 1977: 85). Thus for our participants, it is without a shadow of doubt that the criterion of majority is not in terms of number of years, but the physiological manifestations are sufficient to be initiated to the adult life then just after this training to get married and finally begins adult life. For them the maturity of a person is observed by:

- a) For the boys: beard, hair in pubic area and armpits and the physiological change related to the secretion of spermatozoa ...

b) As for girls: the appearance of breasts, hair in the pubic area and under the armpits and the appearance of the first menstrual period.

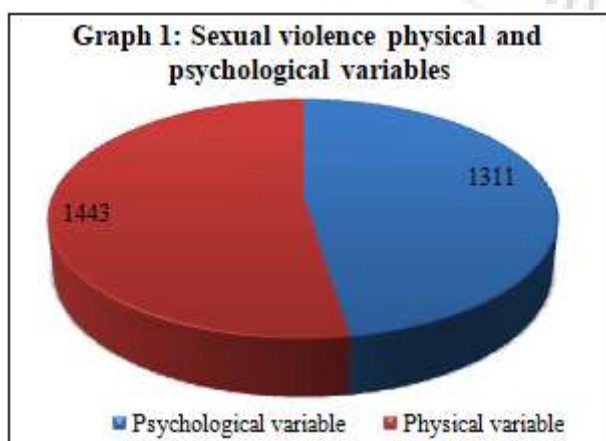
In addition, we have also categorized the indicators of the definition of victims of sexual violence into two variables namely: the physical and psychological variables whose scores are shown in the Chart below:

**Table 3:** Physical and psychological variables of sexual violence

Physical variables	Scores	Psychic variable	Scores
Sexual intercourse before 18 and above	187	Obligation of talking his/her sexual intercourse	235
Introduction of male sex organ superficially without consent	339	Presentation of nude videos or obscene images	159
Introduction of a part of the body of the alleged torturer into any orifice of the alleged victim without his/her consent	387	Obligation of seeing or touching private parts of a third person	287
Introduction of any object into any orifice	283	Pressure of exhibiting his/her own sensitive parts.	315
Sexual exploitations	247	Sexual threats	315
Total	1443	Total	1311

The results of this chart show that the final sum of the two variables are the following: 1443 for the physical variable and 1311 for the psychological variable. The analysis of these results has revealed that rape has many and serious consequences, affecting the woman victim in all dimensions of her life and this, according to the personality of the latter, by the appearance of post-traumatic symptoms: traumatic revival, traumatic avoidance, sleep disorders, anxiety related to the rape event, and some psychosomatic and behavioral disorders.

As the sum of positive responses of indicators that make up our variables gave 1443 respectively for the physical variable and 1311 for the psychological variable according to favorable scores to all questions, the graph below allowed us to compare schematically as follows:



The results of this graph show that physical variable has a total score of 1443 or 52% which is higher than that of psychological variable which is of 1311 or 48% of the positive reactions to related questions. The Chi-square test

allowed us to obtain the calculated value of 6.33. It is less than the critical value of 6.63 at the threshold of:  $\infty.01$  for freedom degree = 1. We accept the null hypothesis according to which the psychological variable would prevail over the physical variable. The latter having a higher score than the former, our research hypothesis is invalidated.

Note that this graph shows that our hypothesis according to which the psychological variable would prevail over the physical one is invalidated because the physical variable has a higher score compared to the psychological one.

In addition, these consequences affect the psychological aspect of the woman. According to our participants, the victims of sexual violence present very different psychological disorders, starting with feelings of shame and guilt, and following depressive states and loss of self-esteem, as well as negative feelings of fear, helplessness, mistrust and hatred. We have also found that the consequences of rape are not limited to the psychological and relational aspect, but also affect the sexual sphere in the form of sexual difficulties manifested through emotional inhibition and decreased libido.

The consequences of rape are ignored and denied, and the raped woman hides herself forever behind her victimization, this negative attitude on the part of the victims due to social indifference, prolongs their suffering and their pain as well as that of their families. As a result, the responsibility for disclosing rape is a shared responsibility of the victim and those around him. That is to say, the role of the entourage is still crucial.

## 5. Discussion

The victimization of women to sexual violence in Lubumbashi is both physical and psychological. From a physical point of view this is evident through the contact of a female sexual organ by a torturer, either superficially, or by a complete sexual intercourse without consent of the alleged victim. It can also be the introduction of any object in any orifice or a sexual exploitation. Some participants (187/483) estimate that the person who had sex before 18 and above is a victim of sexual violence although not 136 do not agree and 160 are uncertain. Kombe Oleko and Murhega (2009) found that most Lushois focus not on age but on a morphological change, likely to allow a woman to be able to manage a home, get married and be ready to procreate.

In this same ways, sexual exploitation evoked by 247 participants on 483 goes in the same direction as the Criminal Code of the D.R. Congo promulgated IN 2006 by the President which states that a rapist is every man, regardless of his age, who has introduced his sexual organ, even superficially into that of a woman or any woman, regardless of her age, who will force a man to introduce superficially his sexual organ in hers; every man who has penetrated, even superficially, the anus, the mouth, or any other orifice of the body of a woman or of a man by a sexual organ, by any other part of the body, or by any object; any person who has introduced, even superficially, any other part of the body or any object into the vagina; anyone who has forced a man or a woman to penetrate, even superficially,

into her anus, her mouth or any other orifice of her body or by any object. The penalty is five to twenty years and the fine cannot be less than one hundred thousand Congolese francs. Sexual violence is classified as an offense under Congolese criminal law.

Psychologically, sexual violence against women is visible through the obligation of talking of their sexual intercourse (235/483), the suffered sexual threats (315/483) and the presentation of obscene images (159/483). Crozier and Friedberg (1977) found that the behavior of a human being has always a meaning or a sense. This statement also finds its meaning in questions N° 9 whose score is 287 and 10 whose score is 315 out of 483 are of the opinion that the person who has faced the obligation of seeing or touching private parts of a third person and also the pressure of exhibiting his/her own private parts is the victim of sexual violence.

The peculiarities which constitute the focus of this work are the following: it has addressed the issue of victims of sexual violence, which is almost a taboo subject in the Democratic Republic of the Congo, it also has an interdisciplinary characteristic, that is to say, it falls into three disciplines: psychology, criminology and law. This study allows other researchers to consider some criticism of our work in order to advance science, but also to provide the future generation with appropriate documentation which is likely to respond to their scientific needs and if necessary to open other avenues of research.

Without claiming to have discussed ultimately and in depth all axes that characterize the ins and outs of the identification of actual victims of sexual violence in Lubumbashi, this study presents some weaknesses. First, having worked with both genders (men and women) who cannot express themselves in the same way as far as the sexual violence in concerned, then the age of participants was not specified whereas it may impact the representation of sexual violence. We wanted to allow to all our participants who may be torturers or victims of sexual violence to express themselves in our investigation. In view of the above, our hypothesis that the psychological variable would prevail over the physical variable is invalidated. This study has allowed us to reach our goal, that of identifying the real status of a victim of sexual violence in Lubumbashi.

## 6. Conclusion

In conclusion, our work has focused on identifying who is really the victim of sexual violence in Lubumbashi. Therefore we asked ourselves the following question: "What is the most prevailing variable between psychological variable and physical variable?" Before checking our hypothesis, we got the results thanks the questionnaire, Chi-Square test and the percentage that indicated us that the actual victim of sexual violence in Lubumbashi is the person who have suffered or experienced the following facts: introduction of the male sexual organ in a superficial manner without consent, the introduction of a body part of the alleged torturer into any orifice of the alleged victim, without his/her consent, the imposition to recount his/her sexual intercourse, the introduction of any object into any

orifice, sexual exploitation, sexual threats, the obligation to see or touch the private parts of a third person and the exhibition constraint of his/her own sensitive parts. Then we invalidated our hypothesis according to which the psychological variable would prevail over the physical variable, this was done on the basis of the results obtained. This is justified by the fact that the psycho-traumatic disorders are normal and universal consequences of the violence which is explained by the setting up of neuro-biological and psychic mechanisms of survival in the face of an extreme stress, at the origin of a traumatic memory. The specific attacks, very well documented at present, are not only psychological, but also neurological with major dysfunctions of the emotional circuits and memory. Thus, to deepen this research, in the current studies we address the questions related to secondary victimization of people, victims of sexual violence in the Lubumbashi criminal system on the one hand, and the psychosomatic traumas of survivors of sexual violence in the criminal system in Lubumbashi, on the other hand .

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