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Women's Precarity in the Late Colonial and Postcolonial Congo

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An abstract of
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Abstract

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By Lauren M. Standifer

This thesis examines how the status and precarity of women changed during the late colonial and early colonial period in the Democratic Republic of the Congo. The first chapter focuses on Congolese perceptions of domestic violence, studied through the lens of colonial scholars who interviewed subjects about their views on marriage. These scholars situated descriptions of violence and fear within colonial ideologies in ways that minimized, concealed and misdescribed violence. The second chapter studies how colonial interventions in and presumptions about plural marriage, sex work and monogamous marriage left many women with fewer rights and protections in intimate partner situations. This study calls for a re-examination of how scholars discuss women's situations and experiences of vulnerability in African contexts.

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Introduction: Marital Chastisement, or Being Beaten with a Lamp

In a colonial courtroom in the southern Congo, in the mining town of Jadotville in 1953, a woman who lived with her husband in a worker's camp told a European judge that she had been beaten by her husband with a lamp as he threatened to murder her. When a colonial official asked the husband if he had indeed threatened to kill his wife, he answered, "Yes, she deserves no better." "You told her you would kill her by beating her with what?" a court official asked. "A baton," the husband answered. "Oh! It was a question of a hammer," the official interjected. "Then, a hammer," the husband conceded.

The court sentenced the husband to pay a fine of 25 francs, and only found him guilty of the actual blows struck against his wife. The death threats were cast aside because "threats can be proffered in a moment of anger...[and] it is possible that the wife N.M. did not conduct herself virginally either."

In a commentary published in the *Bulletin des Tribunaux de Police Congolais*, a European commentator argued that any jail or labor time in the case would have been excessive. "It is obvious that ancient custom foresees the right of the wronged husband to kill his wife or her accomplice when surprised in the act of adultery... The public order defends the exercise of this private vengeance." (Neither party made any reference to adultery, real or suspected, in their recollection of events.) For evidence of this "ancient custom," the anonymous commentator relied not on Congolese history, but on Belgian jurisprudence prior to 1880. The modern Congo, he seemed to reason, must be

representative of the European past.¹

Colonial officials' perception and treatment of violence against women in the Congo throughout the late colonial period was based on this theory: that Congolese traditions followed the most conservative, oppressive policies of bygone Europe. Whether colonial scholars were condemning or encouraging violence by Congolese men against their wives, mistresses or daughters, such violence was viewed as Congolese "tradition," or conversely "primitivism." In the process, however, reality began to resemble European perception. Colonial officials shaped policies, from judicial precedent to wage labor systems, on the assumption that Congolese gender dynamics were identical to European tradition as popularly perceived, where women did not work and had no independence, and violent chastisement, or even murder, of women was a man's traditional right. Those policies created systems where women had no recourse to combat violence and power disparities, even where remedies had once been available outside of colonial systems. By the dawn of independence, many Congolese had accepted this mythos, and portrayed continuing oppression of women as an African tradition. Ultimately, the presumption of women's vulnerability to violence in the colonial Congo heightened women's actual vulnerability, and that increased precarity fundamentally shaped women's lived experiences. The academic exercise of mapping the European past onto the African present was thus complicit with a man beating his wife with a lamp and telling her she did not deserve to live.

Women's vulnerability in the Congo has become a popular topic of media attention since the mid-2000s, as the international community became increasingly aware

¹ Société d'études juridiques du Katanga, "Bulletin des tribunaux de police congolais.," *Bulletin des tribunaux de police congolais.*, 1953, 16-17.

that women in the war zones of the eastern Congo were being raped en masse by members of various armed groups. As Autoserre argues in his 2012 article “Dangerous Tales,” aid organizations have been eager to embrace narratives of sexual violence in the Congo that invoke simple causes – ie, drawing a direct line between conflicts over natural resources and militarized rape.² Autoserre argues that it is the obvious vulnerability of women and children who are victims of the most publicized sexual violence, as opposed to child soldiers and victims of murder and non-sexual torture, which draws media attention.³ I posit that, in addition to ignoring some classes of victims of armed conflict, the international community tends to ignore victims of sexual and gender-based violence that is not related to war. The systemic erasure of suffering related to a marital or romantic relationship, including domestic violence, intimate partner rape, and economic abandonment, was widespread in the colonial era, and is echoed in media discourses that focus on rape only in armed conflict today.

This thesis focuses on how colonial and postcolonial institutions and systems affected the vulnerability of Congolese women, particularly in the context of sexual relationships. As Judith Butler has argued, vulnerability is a fact for all human beings, all of whom can be subjected to physical or other kinds of harm.⁴ However, not all people are equally vulnerable, and people are differently vulnerable at different points in their lives. As Catriona Mackenzie, Wendy Rogers and Susan Dodds note in their introduction to *Vulnerability: New Essays in Ethics and Feminist Philosophy*, vulnerability is not only physical. “As social and affective beings we are emotionally and psychologically

² Séverine Autoserre, “Dangerous Tales: Dominant Narratives on the Congo and their Unintended Consequences,” *African Affairs*, London, 2012. 207.

³ Ibid., 215

⁴ Judith Butler, *Prearious Life: The Powers of Mourning and Violence*, London: Verso, 2004.

vulnerable to others in myriad ways: to loss and grief; to neglect, abuse, and lack of care; to rejection, ostracism, and humiliation," they write.⁵ In examining the lives of women rendered economically dependent, stripped of legal and social protections, often stigmatized (particularly in the case of sex workers) and at risk of being subjected to intimate partner violence, I mean to discuss not only the physical facts of poverty and violence, but also women's subjective experiences of their own vulnerability.

Rape and more recently other forms of gender-based violence in the Congo, such as forced marriage and domestic violence, are a particularly attractive rallying point for Western feminists, who can draw comparisons between violence against women in the DRC and forms of violence that have been at the heart of Western feminist movements since the 1970s and the rise of anti-rape movements.⁶ But, as Chandra Talpade Mohanty argues in her 2000 essay "Under Western Eyes," Western feminists risk drawing false equivalencies that group all "Third World Women" – a euphemism for non-white women in poor countries – into a monolithic group subject to a global and undifferentiated patriarchy.⁷ To remedy false equivalencies, Mohanty calls for scholarship that is more attentive to temporal and geographical conditions. "Male violence must be theorized and interpreted within specific societies, in order both to understand it better and effectively organize to change it," she argues. "Sisterhood cannot be assumed on the basis of gender; it must be forged in concrete historical and political practice and analysis."⁸ In their work on rape and war in the Congo, Maria Eriksson Baaz and Maria Stern examine how this

⁵ Catriona Mackenzie, Wendy Rogers, and Susan Dodds, *Vulnerability: New Essays in Ethics and Feminist Philosophy*, OUP USA, 2014.

⁶ M. Bevacqua, *Rape on the Public Agenda: Feminism and the Politics of Sexual Assault*, Boston: Northeastern University Press, 2000.

⁷ Chandra Talpade Mohanty, "Under Western Eyes," 2000, 304.

⁸ *Ibid.*, 306.

savior narrative plays out in coverage of the Congo, with contemporary Western women re-inscribing colonial narratives of “barbaric oppression of women in the colonies” that allow generous white women to play the savior.⁹

Here I attempt to respond to Mohanty's call by examining how women's economic and physical vulnerability in the Congo, far from being timeless, was historically produced and exacerbated by colonial policies in the 1940s and 1950s, and how postcolonial legal policies perpetuated systems that deepened women's disadvantaged position in marriage and sexual relationships. While I do not claim that colonial policies are responsible for sexual violence in the Congo today, I aim to trouble common presumptions that such violence is rooted in a culture that is ahistorical, in the Congo specifically and the “Global South” in general. Karen Bouwer has demonstrated in her work on the period immediately following independence that many of the institutions set up during colonialism that disadvantaged women were perpetuated by the “big men” who took power in the independence era, including the practice of abandoning their first wives to marry women who better reflected their improved status, in particular women who were more “Europeanized.”¹⁰ I seek to examine in more depth the origins and ramifications of these changing marriage patterns, and bring them into dialog with colonial and postcolonial administrators' anxieties about sex work, as described in Nancy Rose Hunt's 1991 “Noise Over Camouflaged Polygamy.”¹¹

The violence Congolese women and children experienced shaped culture and

⁹ Maria Eriksson Baaz, *Sexual Violence as a Weapon of War? Perceptions, Prescriptions, Problems in the Congo and Beyond*, Africa Now LCNAMES, London: Zed Books, 2013.

¹⁰ Karen Bouwer, *Gender and Decolonization in the Congo: The Legacy of Patrice Lumumba*, 1st edition, New York: Palgrave Macmillan, 2010, 2.

¹¹ Nancy Rose Hunt, “Noise over Camouflaged Polygamy, Colonial Morality Taxation, and a Woman-Naming Crisis in Belgian Africa,” *The Journal of African History* 32, no. 3 (1991): 471–94.

society in fundamental ways. In the edited volume *Violence and Subjectivity*, scholars Veena Das, Arthur Kleinman, Mamphela Ramphele and Pamela Reynolds argue “subjectivity....is produced through the experience of violence and the manner in which global flows involving images, capital, and people become entangled with local logics in identity formation”¹² Katangan husbands' and wives' interactions with violence as perpetrators and victims, and how that violence was “consumed” by colonial officials and scholars outside the domestic sphere, is thus fundamental to understanding how people in Katanga understood themselves and each other in the 1950s. I attempt to show that women in the late colonial Congo inhabited what Das et al. call an “everyday ecology of fear, mistrust, and anxiety,” but that colonial researchers systematically obscured this reality, even when confronted with evidence of its existence, by shrouding it in the language of colonial ideology.¹³

Given both colonial and postcolonial authorities’ indifference to women’s suffering, as demonstrated by European judges’ refusals to punish domestic assault and written comments justifying violence against Congolese women in general, I rely on other forms of sources in dialog with official archives to try to understand women's lives. As Anjali Arondekar notes in her 2005 article about “queering the archive” of colonial rule in India, scholars must look critically at the “fiction-effects” of the colonial archive and put the “truth-effects” of such archives in dialog with materials like literature and other cultural texts to gain a deeper understanding of people excluded from or misrepresented in the archives.¹⁴ I thus place archival materials produced by colonial

¹² Veena Das, Arthur Kleinman, Mamphela Ramphele, Pamela Reynolds, *Violence and Subjectivity*, (Berkeley: University of California Press, 2000): 1.

¹³ Ibid., 6.

¹⁴ Anjali Arondekar, “Without a Trace: Sexuality and the Colonial Archive,” *Journal of the History*

officials alongside anthropological work from the postcolonial period and postcolonial literature to better imagine the experiences of Congolese wives and sex workers.

I hope ultimately that this thesis provides scholars with a fuller understanding, in spite of sparse historical documentation, of how women in the late colonial and early postcolonial Congo lived with violence and the threat of violence. As Joan Scott demonstrates, the ineffable aspects of experience are difficult to capture, but essential for our understanding of the past.¹⁵ In interrogating women's understandings of their shifting position in Congolese society, I hope this thesis renders women and their suffering more real.

Part I: "Girls Are Afraid Of..."
Psychology and Domestic Cruelty in the Late Colonial Congo

In this chapter I will examine the subjective experience of domestic violence in 1950s Katanga, and how that violence has been concealed and trivialized by both contemporaries and historians. The bulk of this chapter will focus on the work of three psychologists who studied inhabitants of the southern Congo between 1951 and 1957: Maria Leblanc, André Ombredane, and Marie-Thérese Knapen. Based on interviews with people who were believed to be representative of the African population they wished to study – urban women in Leblanc's case, rural women for Knapen and rural men for Ombredane – they sought to inventory systematic differences between African and European mentalities. In many cases, colonial researchers equated psychological characteristics they deemed undesirable with "primitive" mentalities, which they often

of Sexuality, vol. 14, issue 1, 2005, 17.

¹⁵ Joan W. Scott, "The Evidence of Experience," *Critical Inquiry* 17, no. 4 (1991): 773–97.

equated with attitudes from Europe's imagined past. Leblanc and Ombredane both recognized that the communities they scrutinized were affected to varying extents by colonialism. Seeing some of their African subjects' responses as not entirely "African" meant the psychologists claimed certain attributes – whether female empowerment, optimism, or authoritarian male heads of household – as modern and European, and rejected other attributes as "primitive" or African. In categorizing their subjects, they thus reflected a vision of an ideal European mentality and society.

These scholars all imposed various European and colonial ideologies on their subjects, but preserved snippets of original translated interviews, allowing their subjects to speak through the studies in spite of theoretical frameworks that often denied the possibility or importance of individual agency and subjective experience within African societies. Women could and did make references to their suffering in violent marriages in Leblanc's study, and men told Ombredane about the affection and gratitude they felt for female family members who supported them. Reading these sources in conjunction with scholarship about late colonial economic and legal systems in the Congo, we can see how colonial ideologies shaped women's – and men's – affective experiences despite colonial observers' misdirection. Colonialists' misplacement of the African past on a European teleological historical trajectory has continued to color historians' interpretation of the Congolese past, and the placement of gender within it.

Colonial administrators expressed their belief that Congolese subjects should be held to the moral and legal standards of the European past. Jurist Antoine Sohier and missionary Gustaav Hulstaert, both of whom published extensively about Congolese marriage and held significant sway over Belgian policies on the subject, exchanged

correspondence for more than two decades, often discussing colonial policies on marriage. In 1937, Hulstaert sounded an alarm in one such letter about policies he feared would attempt to liberalize Congolese marriage by allowing educated Congolese an alternative to indigenous tribunals. “Do we think that we could reserve this emancipation of 1789 [the French Revolution] to indigenous agents of the state?...Patriarchal societies could never support the civilization of 19th century Europe. They would die.”¹⁶ In a reply in 1937, Sohier lamented to Hulstaert that European law did not formally recognize Congolese men’s right to impose paternal or marital “correction.” In European society, while such violence was not technically permitted, “the theory subsists; moderate blows, given without cruel intention in the name of punishment and conforming in use to the rights of familial authority, do not have an anti-social character and do not fall under the application of the penal code. ...It must be seen if in forgetting this theory one hobbles the functioning of the ‘family tribunal,’ of this family justice that exists among the Nkundo.”¹⁷ Neither official need have worried: in European-run courts in extra-customary centers, European judges dismissed violence between spouses in various cases as “only natural”¹⁸ or, in the case of a woman whose husband kicked her and then threatened to beat her to death with a bicycle chain, “not serious.”¹⁹ Colonial law may have formally held domestic abuse to be illegal, but in practice European judges had the latitude to excuse it, and usually did.

Ombredane, Knapen and Leblanc have thus far received scant attention from

¹⁶ Honoré VINCK, “Société Coloniale et Droit Coutumier. Correspondance G. Hulstaert - A. Sohier (1933-1960),” *Annales Aequatoria* 18 (1997): 35.

¹⁷ *Ibid.*, 37.

¹⁸ Société d’études juridiques du Katanga, “Bulletin des tribunaux de juridictions indigenes *Bulletin des tribunaux de police congolais.*, 1957, 301.

¹⁹ Société d’études juridiques du Katanga, “Bulletin des tribunaux de police congolais.,” *Bulletin des tribunaux de police congolais.*, 1954, 40.

historians. In *A Nervous State*, Nancy Rose Hunt mentions Ombredane's TAT Congo test, but only as background for the work of Dr. Robert Allard, who modified Ombredane's test to explore infertility in Equateur province.²⁰ Ch. Didier Gondola's work on masculinity in Kinshasa references Ombredane's 1949 intelligence tests on Congolese subjects, but not his 1954 monograph including interviews.²¹ While Ombredane's work is available online through the Belgian Royal Academy for Overseas Sciences, Knapen and Leblanc's studies appear to be available only in print form and have not been widely circulated or reissued. A handful of scholars published reviews of the psychologists' works in the early 1960s, but it seems interest in Congolese psychology collapsed with the Belgian empire and its modernizing project. I stumbled across mention of Leblanc's study in the Union Minière archives, and discovered Knapen and Ombredane's studies via Leblanc's citations.

Advocates of Belgium's modernizing colonial ideology both viewed domestic violence through the patriarchal lens of victim-blaming, and through the racial ideology of the Belgian colonial era. In his study of colonial science between the late 19th century and the end of World War II, Marc Poncelet meditates on the instrumental role of Belgian scientists in supporting the colonial administration and ideology. He argues, "colonial scholars are colonists, 'high colonialists,' members of the elite of colonial power. They manage and lead. They are consulted, give their advice, pronounce judgment, and share in the colonial experience as Europeans....In Belgium there was practically no scholarly enterprise on overseas objects that was not inscribed in the apparatus of colonial

²⁰ Nancy Rose Hunt, *A Nervous State: Violence, Remedies, and Reverie in Colonial Congo*, (Durham: Duke University Press, 2016): 199.

²¹ Ch. Didier Gondola, *Tropical Cowboys: Westerns, Violence and Masculinity in Kinshasa*, (Bloomington: Indiana University Press, 2016), 52-53.

power."²² This is true for Belgian psychologists operating in Katanga in the 1950s.

Colonial ideologies as channeled through psychologists served to conceal, trivialize and normalize violence against women in Katanga. While all of the scholars examined here shared certain notions of the past as primitive and the future as modern, how they understood the role of women, violence and race in that modern future varied in ways that were subtle but carried implications for women's embodied and subjective experiences.

Colonial ideologies often determined what recourse victims of violence had for protection and redress. Historians Emily Burrill, Richard Roberts and Elizabeth Thornberry examine this relationship in their 2010 edited volume, *Domestic Violence and the Law in Colonial and Postcolonial Africa*. The authors define "domestic violence" as "all acts of violence which are seen by those who inflict, endure, or regulate them as being justified by a familial relationship." Those who regulate domestic violence include "traditional" authorities like the heads of kinship groups; colonial regimes; and postcolonial states. The volume's contributors examine how evolving legal landscapes have mediated victims' experiences of domestic violence, allowing it to persist in various forms over time.²³ Violence in the colonial era, the authors argue, was part of constant struggles over power relationships within families. In this study, I include marital rape as a form of domestic violence.

These kinds of violence are occluded from view in the colonial record. The subjects interviewed by Leblanc, Ombredane, Knapen and Dibwe dia Mwembu never

²² Marc Poncelet, 2008, *L'invention des Sciences Coloniales Belges*, Paris: Editions Karthala, 2008,

²⁵

²³ Ibid., 3.

discussed intervention by the colonial state in domestic violence through police or court apparatus, but the colonial economic apparatus had a notable impact on women and children's vulnerability to violence. As Jane Parpart demonstrated in her 1983 study of women in Zambian mining towns, women's exclusion from wage labor left them economically dependent on their husbands' good will unless they were willing to engage in sex work.²⁴ AL Epstein's study of kinship on the Zambian Copperbelt claimed that "it seemed to be accepted as a fact of married life that wives could regularly expect to be beaten by their husbands, so much so indeed that if a woman were known not to be beaten, her friends would suspect that she possessed some potent 'medicine' and would ask her to share her secret with them."²⁵ Cultivable land was sparse in mining towns, so women had limited opportunities to support themselves and their families through subsistence agriculture or cash crops, over which they had previously exercised dominion. Economic dependence on male breadwinners made marriage essential for survival and prevented women from leaving men who beat or raped them.

Nancy Rose Hunt's article "In an Acoustic Register" seeks to recover experiences of violence from archives that have tended to muffle them. My work on women in Katanga will follow Hunt in its focus on violence, but while Hunt seeks to excavate physical, graphic, sensory experiences of brutality, I will examine the internal, psychological experience of violence against women. European psychologists working in the Congo in the 1950s took little interest in women and children's experiences of violence, focusing instead on their attitudes and personalities. However, the traces of

²⁴ Jane Parpart, 'Class and Gender on the Copperbelt: Women in Northern Rhodesian Copper Mining Areas 1926-1964' Boston, 1983.

²⁵ AL Epstein, *Urbanization and Kinship: The Domestic Domain on the Copperbelt of Zambia 1950-1956*, London: Academic Press, 1981: 112.

violence told through fear, anxiety and resentment seep through the interviews and into the historical record. While Hunt's article takes flashes of experience without context or any idea of the psychological effect they had on victims, I am interested in how unspoken acts of violence shaped women's everyday realities and interactions with the world.

This study engages at the most length with the work of Maria Leblanc, a psychologist who arranged for and analyzed a series of interviews with Katangan women. Working with the Union Minière du Haut Katanga's Center for Pedagogy and Psychology between 1956 and 1958, Leblanc deputized Katangan nuns and schoolteachers to interview women from the towns of Elisabethville, Kolwezi and Ruwe. Kolwezi was the site of a major copper mine owned by the Union Minière, a mining conglomerate that dominated Katanga economically and socially, while nearby Ruwe was home to a large company-associated religious school that trained female teachers. The company headquarters and provincial government offices were located at Elisabethville, so the population of the "indigenous quarter" there included both miners and clerks. Researchers also interviewed a handful of men using the same questions for the sake of comparison. Leblanc's dissertation project, she claims, examines how well Katangan women are capable of adjusting to the "enclave[s] of modernism" created by the Union Minière in its company towns.²⁶ Most of the interviews included only "sentence completion tests," in which interviewers offered a prompt, such as "Mother likes it when father...." or "When a woman cooks badly...." and asked women to complete the thought. Some interviewees were also asked to offer interpretations of sketches Leblanc produced

²⁶ Maria Leblanc, *Personnalite de la Femme Kataingaise: Contribution à l'étude de son Acculturation*, Louvain: Publications Universitaires de Louvain, 1960, 7.

supposedly representing quotidian events in Congolese life, such as women selling small goods, or a man returning home from work at the mines. (Frantz Fanon attempted the same test on Muslim patients in Algeria, but, rather than concluding his patients' inability to answer questions about the pictures indicated cultural pathology, decided that the test itself must be flawed.)²⁷ Men and women tend to describe gender relations similarly, both noting frequent violence and the inferior status of women. However, excavating the experiences of women from men's interviews involves overcoming a second layer of mediation. By and large, men seem more satisfied with marriage, commenting, for example, that wives were a convenient source of domestic labor.²⁸

Leblanc arranged the interviews on which she based her dissertation in 1956 to 1958 in concert with the Union Minière du Haut Katanga. According to a preface to the book written by a professor at the University of Louvain, Michotte van den Berck, Leblanc taught at the University of Louvain branch in Leopoldville for the 1958-1959 academic year, but was then forced to return to Belgium by an unnamed illness. Leblanc died the following year at the age of 33, before her dissertation was published. Van den Berk depicts Leblanc as a brilliant and saintly figure: "She had the sentiment that her work and her teaching would naturally contribute to the well-being and intellectual ascension of the blacks of the Congo, who she had learned to appreciate and love," he wrote. Leblanc was evidently embedded in Belgium's colonial ideology of paternalism and modernity. It appears that she sought to bring her African students and subjects out of what she perceived as their intellectual darkness and raise them to the level of the enlightened Belgians. She thus participated in a colonial worldview that saw a

²⁷ Frantz Fanon, *Écrits Sur L'aliénation et La Liberté*, Paris: La Découverte, 2015, 364.

²⁸ Ibid., 364.

teleological progression from primitive to modern.

The Union Minière was tethered to colonial policy and ideology via state investment in the company and a revolving door of personnel between colonial government and company management. The Union Minière had recently established a Center for Psychology and Pedagogy as part of its expanding paternalist apparatus, which also included a network of schools and hospitals. The CPP focused primarily on pedagogy, bringing to bear on Congolese subjects the ideology that Africans needed to be trained to act as Europeans. The center sought to remedy this supposed primitiveness by raising Congolese education to the level offered in Belgian schools, as demonstrated by the use of data from a primary school in Belgium as a control group. Comparing psychology and intelligence tests between sixth-form students at Union Minière schools to sixth-graders from Charleroi, Belgium, Dr. P. Vergaegen wrote, “European children are only superior to the black children in reasoning tests,” and went on to argue that the “deficiencies of the black child in this domain [might] be tied to lack of information: he does not have at his disposal elements on which it would be possible to base his reasoning.²⁹” He thus suggested that Congolese children could be reformed and raised to the level of Belgian children if given the same resources. The center performed fewer studies on the psychology of Congolese adults.

André Ombredane, in contrast to Leblanc, was already a well-established psychologist by the time he turned his attention to the Congo. Ombredane earned his medical license in Belgium in 1929 and worked throughout the 1930s as an experimental psychologist in Belgium and France, though he crossed the Atlantic to work at the

²⁹ Dr. Vergaegen, “Rapports: Centre de Psychologie et Pedagogie,” Union Minière *Archives générales du Royaume 2 - dépôt Joseph Cuvelier*, 1956, 2.

University of Rio de Janeiro during World War II. After the war, he returned to France to found a Center for Psychotechnical Study and Research under the Ministry of Labor. The stated mission of the center was to encourage “rational training of the workforce.”³⁰ This interest in psychology as applied to labor appears to have persisted when he accepted a position as chair of the psychology department at the Free University of Brussels, where he began to show an interest in Congolese subjects. According to an obituary, while he worked at the Free University of Brussels, Ombredane spent every holiday conducting field work with psychology students in the Congo.³¹

Ombredane, like Leblanc, was bound to the colonial and capitalist project in both practical and ideological ways. During his field research in 1951, he was supported by a mining company called Forminière that was interested in surveying for diamond mines in the area. The company was interested in identifying local Africans who would be good surveyors, and in particular would be adept at managing other African workers.

According to Ombredane, the company told researchers that workers’ personality characteristics were more important for selecting managers than intelligence, which seems to have influenced the direction of Ombredane’s project. Ombredane also died relatively soon after publishing his study on Congolese subjects, having passed away suddenly in 1958 at the age of 59.

Less information is readily available about Marie-Thérèse Knapen, who studied Bakongo families in the rural southwest Congo. Like Leblanc and Ombredane, Knapen, a PhD in pedagogy, published her study through the University of Louvain, whose press

³⁰ Pierre-Maxime Schuhl, “André Ombredane (1898-1958),” *Revue Philosophique de la France et de l’Étranger*, 1959, 278.

³¹ Ibid.

published a number of studies on “colonial” or “overseas” science. Knapen described her technique as following the participant-observer model popular among anthropologists. She wrote that she earned her subjects’ trust by participating in communal activities and assisting with some childrearing tasks. During her nine months of field research, she claimed to become fluent in Kikongo, though she also acknowledged the assistance of a village resident with a Western education who took interest in her work.³²

For each of these researchers, aspects of Congolese culture they deemed negative served as a foil for aspects of Belgian culture they deemed modern. Leblanc decided that Congolese women's decisions to marry violent men were a sign of their primitivism, while the Belgian ideal future held feminism and equality. Ombredane, conversely, saw Belgian modernity as an orderly patriarchy, with a man presiding over his family with sometimes violent authority. Congolese men's adherence to this ideal was a sign of their suitability for modern society and the modern workforce, while inability to establish control over women signaled pathological and primitive weakness.

Researchers' conceptions of modernity also shaped what kinds of violence they could see or attempt to explain. For scientists embedded in the colonial project as Leblanc and Ombredane were, Western modernity was an unalloyed good – in fact, it had to be such in order to justify colonialism. Leblanc was therefore unable to simultaneously believe that domestic violence was negative, and that it could be caused or exacerbated by modern colonialism. While Leblanc resolved this conflict by viewing domestic violence as primitive, Ombredane erased it altogether by describing it as “correction” rather than violence. Knapen, like Ombredane, associated family violence – though

³² Knapen, 40.

against children rather than against women – with order and discipline, and therefore with modernity. The modern family in her vision was more violent than the rural Congolese families she observed, but she erased that violence by re-inscribing it as discipline.

The fourth source I rely on for this study is a set of interviews conducted by Donatien Dibwe dia Mwembu. Dibwe dia Mwembu, a notable Congolese historian at the University of Lubumbashi, sought to trace changing family structures in Union Minière du Haut Katanga mining camps between 1910 and 1997. His interviews are invaluable sources for understanding how women and men viewed their relationships in the colonial era, both at the time and retrospectively. Dibwe dia Mwembu and his subjects also demonstrate how myths about the immutability and backwardness of African culture invented by colonial scholars continue to have cachet. Some of Dibwe dia Mwembu's subjects, despite having denounced gender inequality and violence, describe their rejection of domestic violence as a rejection of African tradition, and the historian follows his subjects in associating gender equality with Europeanness. The tenacity of these associations continues to have profound impacts on how gender equality is discussed in Africa today.

In her attempts to determine how well Katangan women were able to adjust to “modern” life in mining towns, Leblanc devised a list of questions aimed at divining informants’ views on sterility, gender segregation, taboos and rituals, sexual equality and marital understanding.³³ Leblanc posits that Africans who failed to leave behind “customary” ways of conceptualizing themselves would express “negative” ideas, such as

³³ Leblanc, 107.

“zones of conduct defined by customs and subjected to ritual,” beliefs that women were inferior to men, and discord ('mesentente') with their spouse.³⁴ The women Leblanc interviewed never directly described being beaten by husbands, or witnessing another woman being beaten. Leblanc's interviewers never asked them – at least on the record – whether they had been beaten. However, the ubiquity of references to violence and fear of men in women's responses suggests that domestic violence was a daily reality for women in Katangan mining towns

Fear and violence were pervasive in Leblanc's interviews with women. When an interviewer prompted Mbemba, a woman from the regional capital of Elisabethville, with the fragment, “Girls are afraid of...” she responded, “Her father and mother taught her well. And good! For women, it is good to have fear”³⁵ Another interviewee answered, “[girls fear] boys, because they cause problems.”³⁶ An Elisabethville woman named Ngoser answered the prompt “A woman refuses to cook a meal...” with “because her husband beat her for being bad”³⁷ Mama, a Kolwezi resident, told an interviewer that if a woman cooked a bad meal, “her husband will throw her out”³⁸. Women's expressions of fear, powerlessness and worthlessness were more likely responses to domestic abuse rather than, as Leblanc presumes, evidence of primitiveness. While this risks taking Western models as universal, I would argue the coexistence of violence and feelings of powerlessness in these interviews suggests the universal power of violence to shape subjectivity.

³⁴ Ibid., 107

³⁵ Leblanc, 328.

³⁶ Ibid., 352.

³⁷ Ibid., 338.

³⁸ Ibid., 345.

Men too were witnesses to domestic violence, even if they did not admit to engaging in it themselves. A male named Kapa from Elisabethville told interviewers that girls feared “men, because they hit them.”³⁹ Penste, a man from Kolwezi, mentioned to an interviewer, “My mother cooks very well, [but] the other day she made a bad meal and my father hit her”⁴⁰ References to men's anger and women's fear run through nearly all of the interviews, particularly those with women who have not had access to Western education or paid employment.

Women and men were also both aware that women were economically dependent on men's wages. One woman, who in other questions mentioned being beaten by her father and stressed that women must obey their husbands, claimed that women all wanted to be married so that they could wear beautiful clothing.⁴¹ Tshipi, an Elisabethville resident, said that women feel inferior to men “because she receives nothing except from the man.” Mama of Kolwezi answered the same question, “the man is the one with many riches.” Perhaps this is linked to Mama's answer to the question, “A girl is mocked if...” to which she replied “if she refuses marriage.”⁴² If men were the only source of material wealth, women had little alternative to marriage in order to support themselves. Material dependence on men, feelings of inferiority and fear of violence seem to be bound together in women's responses.

Outside of the interviews, Leblanc's observations of mothers' interactions with their daughters could also suggest widespread trauma. Leblanc observed that expressions of affection between mothers and their children in general and daughters in particular

³⁹ Ibid., 354.

⁴⁰ Ibid., 348.

⁴¹ Ibid., 363.

⁴² Ibid., 354.

were rare. Mothers' primary interactions with their daughters were to teach them how to help clean, and, if the daughter failed to live up to expectations, the mother “punishes her by hitting her or depriving her of food,”⁴³ Leblanc wrote.

In her study, Leblanc gave each woman or man a score that she claimed could measure their adjustment to “modern” ways of life. Answers were scored the least “negative” if they expressed believe in women's equality with men, free mingling of the sexes and “conjugal understanding.” Responses expressing belief in women's inferiority or marital “misunderstanding” were graded as the most negative.⁴⁴ For example, for the sentence beginning “Men want their women....” Leblanc assigned the least negative scores to responses like, “to love them” or “to be happy.” The lowest-scored responses were “to be their slave” and “to eat from the floor because she is a beast.”⁴⁵

Among women respondents, the most “negative” score – 139 – was assigned to someone named Ange. Ange openly admitted that she feared her father because he beat her, and said she would cry if she saw her father beat her mother “because that makes me suffer.” She also said women feel inferior to men “like their servants” and described her body as “something to be destroyed by sin.” Leblanc argued that negative self-images would lead someone like Ange to an “authoritarian” man who would beat her, but her reference to suffering violence at the hands of her father would suggest to most modern psychoanalysts in the US that early experiences of violence damaged Ange's perception of her place in society as a woman and of her own body, which had proven to be a liability as a target of violence.⁴⁶

⁴³ Ibid., 74

⁴⁴ Ibid., 107.

⁴⁵ Ibid., 114.

⁴⁶ Debra Umberson et al., “Domestic Violence, Personal Control, and Gender,” 1998.

The lowest “negativity” score – 57.4 -- was awarded to a woman named Kigo of Elisabethville. Kigo, according to the psychologist's transcript, gave no answer to the question of what would happen if she saw her father beat her mother, and, unlike respondents who said a woman would be beaten if she didn't cook, concluded a woman would not cook if she did not have money to buy ingredients. Aside from her response to the question, “If the husband hits his wife....” violence was entirely absent from Kigo's responses. Asked what girls feared, she answered, “Have fear of what?” And unlike the battered Ange, she told her interviewer, “In marriage the man must listen to his wife and the woman must obey her husband because it's the love of God; there is no superior or inferior.”⁴⁷ Rather than claiming her (modestly) egalitarian ideas protected Kigo from violence, as Leblanc argues, I posit a more likely conclusion is that Kigo perhaps had the luxury to believe in her own personhood and equality because it had not been beaten out of her.

Kigo told her interlocutor that the level of violence between wives and husbands in her generation was unprecedented. “In other times,” she claimed, “husbands and women had to love each other very much, and stayed in the same house and talked without disputes and such. But at the moment, no, it's very difficult to be able to make oneself understood to the husband. I don't know why, if it's the times that have changed, we don't know.”⁴⁸ There is always the danger of revision and nostalgia in interviewees' recollections of the past. We can also acknowledge though that Kigo could be correct in observing that domestic violence and conflict had changed in the previous generation as colonial impact on Congolese marriages percolated through the country. She does not

⁴⁷ Ibid., 321.

⁴⁸ Ibid., 322.

posit any claims as to why married life was more difficult for the women of her era, admitting simply that “we don’t know.”

Leblanc, I would argue, misrecognized the results of domestic violence as the cause. While Leblanc presumed feelings of inferiority, based in women's “primitive” worldviews, caused them to choose abusive marriages, feminist studies on battered women in America, Europe and Australia have found that abusive relationships cause depression and low feelings of self-worth, and can disrupt women's perceptions of their fundamental identities.⁴⁹ It does not seem a great leap across historical and cultural boundaries to think women who were beaten in Katanga suffered comparable emotional effects.

Donatien Dibwe Dia Mwembu's study includes women's direct descriptions of being beaten by their husbands in interviews reflecting on the colonial era. One woman who lived in a Union Minière mining town during the late colonial era, Marie-Anne Shasha, told Dibwe dia Mwembu, “I feared my husband; I was terrified of him.Every time I offended him, my husband scolded me, and sometimes he even hit me.” However, Dibwe Dia Mwembu continues to associate domestic violence with African tradition, and egalitarian relationships with European culture. This assumption demonstrates the power of colonial-era ideologies about the ahistorical nature of violence against women in Africa.

In Dibwe dia Mwembu’s interviews, we also find glancing references to sexual violence. An elderly retiree of the company called Simba ya Bulaya told the author that

⁴⁹ See Walker, O’Doherty, Lorna Jane, Angela Taft, Ruth McNair, and Ruth Hegarty, “Fractured Identity in the Context of Intimate Partner Violence: Barriers to and Opportunities for Seeking Help in Health Settings.” *Violence Against Women* vol. 22, 2016, 225–48.

“at the beginning of their marriage, real love, ‘romantic love,’ did not exist between his wife and him. The woman did not love him. She was sent to him like a package. But time eventually overcame her aversion (love by resignation?) and they had many children.”⁵⁰

Dibwe dia Mwembu seems to suggest the presence of children indicates Simba’s wife ultimately consented to sex. However, it is also possible, perhaps even probable, that her impregnation took place through violence.

Interviews with a man named Baba Felix Yungwe and his wife (referred to by Dibwe dia Mwembu only as “Madame Felix Yungwe”) are more explicit about non-consensual sex. In 1957, Felix joined the Christian “Jamaa” movement, a charismatic sect of Catholicism started by Belgian missionary Placide Tempels in the 1950s. Felix recalled that before he converted to Jamaa, his wife “was for [him] a machine that took care of the children, made food and was above all an instrument for sexual pleasure. She had no right to impose her will over me, nor her point of view.” He told Dibwe dia Mwembu that it was only after he joined the sect that sex with his wife “became the result of mutual consent and not the result of my sole volition.”⁵¹ Similarly, his wife alluded to physical domestic violence that took place before the couple’s conversion, saying that after they joined Jamaa, “My husband didn’t dare hit me anymore or injure me.”⁵²

These changes did not sit well with her husband’s relatives, who, Madame Yungwe said, saw Felix’s new loyalty to his wife as “betrayal” and a “violation of custom.” If Madame Yungwe’s reading of her relatives were correct, it would suggest

⁵⁰ Dibwe dia Mwembu, 58.

⁵¹ Ibid., 100.

⁵² Ibid., 101

violence against women was the culturally acceptable norm in the mining camps rather than the exception. Her assumptions could be viewed as a temporally unmoored version of Kigo's comments decades earlier that, while she may not have suffered marital violence herself, marital conflict was more common than not in the Union Minière camps of the late colonial period. Kigo described pervasive marital discord as a new phenomenon in the 1950s, while Yungwe describes it as a continuation of African tradition. While Kigo could remember an age before the colonial state began its social engineering project in earnest, Madame Yungwe relied on perceptions of the African past that were widely accepted in the 1990s, Kigo had memories of an earlier era that didn't fit into colonial or postcolonial ideologies.

Madame Yungwe's newfound equality under Jamaa went hand in hand with control over the couple's finances. After joining Jamaa, her husband, she said, began consulting her before granting other relatives' requests for money, and allowed his wife to distribute the cash. In her words, she was "revalorized and rehabilitated by [her] husband and by the members of his family because they passed their requests through [her]."⁵³ Her very conception of herself as a person seems to have been restored by her control – albeit dependent on her husband's goodwill – of financial resources.

While Dibwe dia Mwembu is more attentive to women's experiences of violence than Leblanc, he falls into a similar trap of associating women's subjugation with African tradition, and equality with modernity and whiteness. Commenting on Shasha's terror of her husband and copious housekeeping responsibilities, he wrote, "The housewife remained for a long time objectified, and considered a machine.... Her condition was no

⁵³ Ibid., 101.

different from that of a woman in the village.”⁵⁴ In contrast, Tempels’ religious movement “made the wife who was a member of Jamaa a veritable ‘white lady’ who discussed the budget with her husband, and expressed her point of view on any subject that affected the family.”⁵⁵ His selection of words implies that he saw increasing equality and freedom for women in an inexorable upward trajectory, without admitting the possibility that women’s suffering in fact increased as they moved from the village to the industrialized town. This view seems to reflect the assumptions of his subjects that oppression of women in Africa was timeless and unchanging before colonization. Yungwe, the Jamaa convert, prefaced his tale of Christian redemption by saying, “I’m an African. As such, the woman is always inferior to the man.”⁵⁶

Dibwe’s adoption of his subjects’ assumptions about African tradition demonstrate the porous boundaries between historical scholars and historical actors. Just as colonial psychologists and anthropologists unwittingly allowed ideological stances about the benefits of modernity or traditionalism to color their observations, Dibwe dia Mwembu’s writing uncritically adopted popular perceptions of African history. He and his subjects both operated within the same historical discourse, even as they all attempted to understand the changes they observed in family structures.

A Luba proverb reported in a colonial journal illustrated the affective impact of men’s reliance on women’s agricultural labor: “In the dry season they hate her, because there is no cultivating, but they love her in the rains when she is useful.”⁵⁷ The effect of

⁵⁴ Ibid., 67.

⁵⁵ Ibid., 101.

⁵⁶ Ibid., 100

⁵⁷ *Bulletin*, 1957, 17.

colonialism on Congo's economy and culture was uneven and heterogeneous. While the colonial state shaped life in mining towns by determining who could earn wage labor, who could access a European education, what imported goods were available for sale and how police officers and security guards were deployed on a daily basis, colonialism impacted rural areas primarily through taxation. Precolonial patterns of production persisted in many places, but failure to pay a portion of that product to the state could result in arrest. As the colonial state conceived of men as heads of households, however, only men would be punished for a failure to pay. In other words, the colonial state was weaker in rural areas than urban ones, and increased men's vulnerability rather than women's. Ombredane and Knapen, through interviews with rural Pende and Kongo villagers, and their own observations, offer a glimpse of rural families in the 1950s Belgian Congo, and how they differed from families in Katangan mining towns. They also offer, through their questions, choice of words and analysis, windows to the authors' visions of modernity – a more violent vision than that held by Leblanc.

Ombredane's interviews illustrated men's economic dependence on their wives. One of his subjects described an imagined argument between a husband and wife in which the wife refused to tend the fields, pleading exhaustion, and dared her husband to go work the fields himself. Ultimately, after a few days off, the imagined wife returned to the field, thinking, "If I do not do so, my husband will be arrested. So I have to work for him not to go to prison."⁵⁸ Presumably, the interviewee referred to state taxes levied on male heads of households. The husband thus depends on the beneficence of his wife both for their food and their freedom. A widower told the psychologist, "I would be happy to

⁵⁸ Ombredane, 71.

get married with another woman, because if my sister dies, I won't know how to get by.”

⁵⁹ In multiple interviews, men imagined women threatening to abandon their husbands in the midst of a quarrel – a threat that is totally absent in Leblanc's interviews. The potential consequences thus seemed much higher for men in rural areas whose violence exceeded their wives' tolerance.

There is some evidence in the interviews that women's increased bargaining power in rural relationships extended to matters of sexual consent. At least one of Ombredane's interviewees suggests that men in villages viewed women's consent in sexual relations as important, if perhaps not a moral imperative. The interviewee told the psychologist that it is better to have a young and strong wife because “when a woman is still strong, the husband can ask to sleep with her. When she is not strong, he cannot ask.” When the interviewer asked why the husband could not ask, he replied, “The woman will not accept, because she will say ‘I am not strong.’ When the woman is strong, liquid arrives and it feels better for the man. If she is not strong, liquid does not come.”⁶⁰ In contrast to pre-conversion Felix Yungwe, the rural subject believed that not only consent but also mutual arousal was necessary for sex to be enjoyable.

There are glimpses of domestic violence in these interviews. While Leblanc and Ombredane's studies do not provide enough data to conclude with confidence that domestic violence was more common in Union Minière towns than rural areas, the incidents described in Ombredane's interviews were qualitatively different in that the violence does not go unpunished. Leblanc's interviewees never raise the possibility of invoking an outside protector or arbiter. Most of the cases Ombredane's informants

⁵⁹ Ibid., 161.

⁶⁰ Ibid., 68

imagined, however, ended with the man paying restitution to his wife. One unnamed interviewee invented a dispute in which a man tried to stab his wife because she stole fabric from another woman. In this case, a village authority, noting that the husband stabbed his wife after she had turned over the stolen fabric, ordered him to pay her a fine of one chicken. While this seems like petty restitution for attempted murder, the fine still serves as official acknowledgement that the wife had a right to safety from her husband.⁶¹

Absence of violence is perhaps most notable in cases of adultery. In Ombredane's study, women who admitted to cheating seem to get off lightly. In one interview, the man examining the picture provided by his interviewer decided the scene portrayed a dispute between a couple because the woman has been absent for ten days, and her husband guessed she has been with a lover. The woman, in the interviewee's imagination, first claimed she has been with no one else and threatened to divorce her husband for accusing her. She then relented, and, rather than attacking her, the husband tracked down her lover and demanded payment in the form of a goat. Ombredane expressed surprise that violence against adulterous women was not treated with the nonchalance he expected from non-Westernized Africans. He wrote, "We even see a striking phenomenon, in contrast to what we normally see in black culture: the lover does not pay the woman and the aggressive husband is punished."⁶²

In some instances Ombredane seemed to view men's violence against women positively. One of his interviewees, viewing a picture of a woman, said that she was crying because "She was beaten [*frappée*]. She ignored an order from her husband. Perhaps the husband told her to make food at the proper time, when he returns from

⁶¹ Ibid. 101

⁶² Ibid., 190

work, for example. She did not do it.”⁶³ In a paraphrase of the interview, however, Ombredane’s language erased the violence of the incident. Instead he wrote, “A husband *corrects* [‘corrige’] his wife who did not obey the order of her husband: she had to prepare food” (my emphasis).⁶⁴ In his subsequent psychoanalysis of the interviewee, he gives a positive assessment, calling him a “good husband, loving toward his wife and children, confident, able to teach them by putting them in their place, but firm and authoritative.”⁶⁵ The interviewee, he reports, had worked as a surveyor for Forminière for two months and been positively assessed by the company. The person most suited for modern wage labor, it seems, was the one who believed he could beat his wife without remorse or consequences.

While Ombredane associated violence against women with order and modernity, pedagogist Marie-Thérèse Knapen saw the absence of violence against children as a sign of disorder. The hostility between mothers and children described by Leblanc seemed to be absent among the Kongo studied by Knapen. In the 1950s – primarily 1956 and 1957 – Knapen collected observations and interviews regarding mothers’ interactions with children under the age of five. Corporal punishment is strikingly absent from Knapen’s descriptions. In fact, Knapen seems surprised by the level of patience some mothers demonstrated with their children. In one 1956 vignette, she described how a mother tried to calm a sulky two-year-old by gently stroking her. When the girl continued to whine, Knapen wrote, “Nevertheless, [the mother] did not become angry or try harder to distract her. After 10 minutes, she brought the child inside the house.”⁶⁶ In contrast to Leblanc’s

⁶³ Ibid., 95
⁶⁴ Ibid., 237.
⁶⁵ Ibid., 239.
⁶⁶ Knapen, 70.

descriptions of violence and estrangement, Knapen's description is notable for the seeming tenderness of the mother's attempt to calm her daughter. In another scene, she describes a three-year-old having a temper tantrum after his mother gently pries his health records from his hand. "He even hits his mother...who does not react. She does not scold either."⁶⁷ Reflecting on her findings, Knapen says she observed "during the first stage of life, an attitude of the adult toward the child of total indulgence."⁶⁸

Rather than commending these mothers' patience and refusal to use violence to discipline their toddlers, Knapen read it as a source of pathology among Africans. Citing an earlier study by Leblanc, co-authored with a P. Vergaegen, she quotes, "If it is true that the black adult lacks possibility for inhibition and is characterized by primary reactivity....is it possible to seek an explanation in the absence or insufficiency of this primary conditioning that did not provide the black child with a tool to channel his aggression?"⁶⁹ While Leblanc seems to view women's violence toward their children as pathological and primitive, Knapen views their absence of violence as signs of the same.

A host of scholarship on Western families indicates that people, both men and women, who grow up in violent domestic environments are more likely to inflict violence on their children. While it may be impossible to draw a direct link, we can at least suggest that the violence against children observed by Leblanc in Union Minière towns is not an artifact of rural tradition, but an outgrowth of more widespread acceptance of men's violence against their wives in industrial towns. As intimate partner violence became acceptable, the family in general may have become a more violent institution.

⁶⁷ Ibid., 126.

⁶⁸ Ibid., 123.

⁶⁹ Ibid., 137.

Knapen's endorsement of violence against children, like Ombredane's approval of intimate partner violence and Leblanc's dismissal of domestic violence in urban households as remnants of primitiveness, served once again to conceal and trivialize family violence.

Conclusion

Historians have struggled to define and examine violence that is considered normal by the communities in which it occurs. Here I have attempted to demonstrate that violence considered "ordinary" by both the Africans who suffered it and the Europeans who observed it can still leave traces in the archival record, and I argue that "ordinary" suffering is no less crucial for understanding an era's milieu than spectacular public violence. The pervasive nervousness and malaise produced by widespread domestic violence in 1950s Katangan mining towns – arguably the sites most affected by Belgium's paternalist and peaceful post-war colonial policies – demonstrates that private violence could create terror. I have attempted to describe violence against women and children as intense, socially powerful and historically constructed – in other words, as extraordinary. When thinking about violence and peace in any region or period, historians would do well to remember that our subjects may be affected and transformed by types of violence systematically obscured by the archival record.

I have chosen Katanga in the 1950s for this study because I believe the paradox of seeming peace and hidden violence is extreme. But other colonizing regimes, including France and Britain, were laden with gendered ideologies that trivialized and concealed violence against women and children as well, both in the metropole and their overseas

holdings. Women and children in all colonized societies found themselves navigating foreign ideas about their rights or lack thereof in the age of empire. I suggest our current perceptions about eras of peace and violence should be reconsidered with attention to forms of violence that were obscured by the colonial archive, and continue to be obscured by masculinist states in the postcolonial era.

Part II: “For you, there was only marriage”

The increasing vulnerability of female romantic partners under colonialism

In Valentin Mudimbe's 1976 novel *Before the Birth of the Moon*, the main character, Ya, slides between roles as a sex worker, a concubine, and an unofficial wife. Having rejected a proposal to become one of a polygamist's junior wives in her home village, she opts for the life of a “femme libre” in the city. In the village, the narrator reminds Ya, “For a woman, for you, there was only marriage, the only possibility in what was a completely nonexistent future. The city had seduced you with its liberties: a strange upward mobility that had carried you to the sidewalks of Kinshasa...”⁷⁰

Her politically powerful lover first meets her as a sex worker as she plies the streets and bars of Kinshasa. Ya attempts to leave her lover when he becomes too constricting. Her female lover, in breaking the news to her male client, reminds him that

⁷⁰ Valentin Mudimbe, *Before the Birth of the Moon*, trans. Marjoljin de Jager, New York: Simon and Schuster Inc. 1989, 71.

he could never take Ya as a legitimate wife, even if he divorced his existing wife, because of Ya's ethnic background and her history as a sex worker.⁷¹ Ya does not seem to want the politician to propose, but she uses the impossibility of legitimizing their relationship as an excuse to end it.

However, Ya's freedom is suddenly and violently curtailed, both by her kinsmen, who threaten to murder her if she does not exploit her politician client-turned-lover for information, and by the lover who has her girlfriend murdered and ponders killing Ya as well should she leave him. Instead of accepting the politician's money for sexual and emotional services but returning to her own shared room during the day, she is forced to live in a furnished apartment paid for by the politician, while he returns to his wife and child by day. When the politician visits her in the evening, he makes decisions for her and expects her to listen to him silently like "a good little wife."⁷² This new position comes with all the precarity of their client-sex worker relationship – the politician acknowledges that he may not always love her,⁷³ yet he could still murder her for leaving him – it also robs her of the freedom she had as a sex worker to have other lovers and live on her own. Only the politician's death restores her freedom.

In her 1991 article "Noise Over Camouflaged Polygamy," Nancy Rose Hunt examines the changing status of polygynous marriage from the colonial standpoint. Hunt argues that Belgian writers who discussed Congolese families, most of whom were missionaries or government officials, fretted over the immorality of plural marriage, which defied European and Catholic standards of relationships the Church and colonial

⁷¹ Ibid., 109.

⁷² Ibid., 151.

⁷³ Ibid., 155.

state tried to encourage. However, many officials also worried that outlawing plural marriage would encourage women to engage in sex work and men to engage in adultery and concubinage. Conversely, colonial officials presumed that women, particularly in cities, who were not officially attached to a male guardian were sex workers by default, labeling them with the euphemism “women theoretically living alone.”⁷⁴ Taxes instituted in the early 1930s targeted women living in urban areas who were not officially affiliated with a male guardian.

According to Hunt’s interviews with postcolonial residents of Bujumbura, where similar taxes were instituted under Belgian rule, Africans understood the tax was meant to target “malaya,” or prostitutes.⁷⁵ Hunt's article explores the lived experiences of these women, and in particular their resistance to colonial taxes in cities. She acknowledges, however, that neither her work nor previous historical scholarship up to that point, had examined how women or men dealt with changing definitions of marriage in local contexts.⁷⁶ In this paper, I hope to explore the experiences of women who were defined by the state as concubines through accounts of “customary tribunals” rulings on adultery, anthropological studies of women living in Leopoldville/Kinshasa, and literature from both the colonial and post-colonial eras.

I will argue here that the legally and socially ambiguous status of sex work, concubinage and marriage, as depicted in Mudimbe's novel, contributed to precarity for many women living in the colonial and postcolonial Congo. Hunt’s article demonstrates that as women, men and families moved from rural areas where non-European authorities

⁷⁴ Nancy Rose Hunt, “Noise over Camouflaged Polygamy, Colonial Morality Taxation, and a Woman-Naming Crisis in Belgian Africa,” *The Journal of African History*, vol. 32, no. 3, 1991, 482.

⁷⁵ Ibid., 484.

⁷⁶ Ibid., 477.

were dominant to colonially administered cities with laws designed to encourage European ways of life, they faced laws and taxes that strongly discouraged polygamy and, by 1950, outlawed new polygamous marriages completely.⁷⁷ Writings by colonial administrators and anthropologists show that changing legal regimes sometimes stripped women of protections non-European judges in “customary courts” often afforded them, leaving them more vulnerable to abandonment. And descriptions by anthropologists and tales told by Congolese novelists indicate that Congolese independence in 1961 did not turn the clock back to restore “customary” protections, such as property rights or entitlements in case of divorce, for both junior and senior wives. Instead, men's relationships with multiple women, only one of whom had any legally recognized status, has become normalized in the intervening decades, pushing women without legal status to find new ways to combat their vulnerability.

I attempt to capture an understanding of women in the Congo, and particularly sex workers and concubines, that recognizes constraint and agency, material conditions and embodied experience. Too often sex workers are portrayed as either empowered entrepreneurs or rape victims and slaves, with little acknowledgement that as historical actors they can be both agents and victims. This dichotomy has played out in African historiography in past decades. In his 1969 work on urban Hausa migrants in Ibadan, Abner Cohen divided his female subjects into “wives,” who were isolated within their households under the domination of their husbands, and the “free, mobile” prostitute – defined as any Hausa women who were divorced and left their homes -- who enjoyed freedom and respect and was “in almost every respect her own master.”⁷⁸ The most

⁷⁷ Hunt, 476.

⁷⁸ Cohen, *Custom and Politics in Urban Africa: A Study of Hausa Migrants in Yoruba Towns*,

thorough work in this vein is Luise White's study of sex-workers in colonial Nairobi, which describes sex work as one of the few avenues that allowed women to accumulate capital and become powerful economic figures in either Nairobi or upon return to their home villages. Ch. Didier Gondola describes a similar process playing out in Leopoldville after World War II, claiming that most of the women in Leopoldville under the colonial regime had no other way to make a living besides sex work, and that some accumulated enough capital through sex work to open their own businesses, such as bars.⁷⁹ Other scholars, such as Jane Parpart in her 1983 study of women in Zambian Copperbelt towns, have described sex work as a desperate last resort of women rendered dependent on their husbands by gendered wage labor systems.⁸⁰

Scholars remain divided on the question of how common sex work is in the Congo, either currently or under colonialism. In her 1982 essay on women and work in postcolonial Zaire, Francille Rusan Wilson portrayed sex work in Congolese cities as common but stigmatized.⁸¹ While she did not venture any quantitative guesses about the size of the sex work industry, she claimed that urbanization, prostitution and sin were linked "in the popular mind."⁸² Ch. Didier Gondola's 2005 article on sex workers in the 1950s to 1970s portrays sex workers and "femmes libres" as challenging sexual hierarchies and control.⁸³ However, Jane Freedman's 2015 book argues that scholars'

Berkeley: University of California Press, 1969, 54-65

⁷⁹ Ch. Didier Gondola, "Popular Music, Urban Society, and Changing Gender Relations in Kinshasa, Zaire (1950-1990)" in *Gendered Encounters: Challenging Cultural Boundaries and Social Hierarchies in Africa*, ed Maria Luise Grosz-Ngaté, Psychology Press, 1997.

⁸⁰ Jane Parpart, *Class and Gender on the Copperbelt: Women in Northern Rhodesian Copper Mining Areas 1926-1964*, Boston, 1983.

⁸¹ Francille Rusk Wilson, "Reinventing the Past and Circumscribing the Future: Authenticity and the Negative Image of Women's Work in Zaire" in *Women and Work in Africa*, ed. Edna Bay, 1982.

⁸² Ibid., 155.

⁸³ Gondola, "Amours, Passions et uptures dans l'âge d'or de la chanson congolaise," *Africultures*, 2005.

interest in Congolese sex workers, particularly the argument that sex workers challenged the colonial patriarchy, is misplaced because “these women formed such a small minority that it would be hard to say that they could be held up as an example of the liberation of women under colonial rule.”⁸⁴

Most existing work examining prostitution in Africa in general, and the Congo in particular, seems to presume there is a clear distinction between sex work and marriage – though, as in Cohen's study, women could switch between the two over the course of their lifetimes. Theorists like Carole Pateman and Andrea Dworkin have disputed that distinction, arguing that prostitution and marriage are both forms of sexual servitude.⁸⁵ The salient difference between them is merely the form of the bargain that allows men access to women's bodies. Shifting norms of marriage in the Congo demonstrate the hazy boundary between sexual labor within a marriage and sexual labor as sex work. Prostitution thus cannot be dismissed on the grounds of its supposed rarity because the conditions under which women became sex workers were inextricably linked to the terms under which other women became wives.

As the terms of marriage changed, women often either chose to forego marriage, or entered relationships that would have once been recognized as marriage, but had been re-defined as concubinage or sex work. This does not, however, mean the distinction between marriage, concubinage and sex work was unimportant. Each status was accompanied by different legal rights, financial autonomy and social stigma, all of which were also subject to change over time. Women in the colonial and postcolonial Congo

⁸⁴ Jane Freedman, *Gender, Violence and Politics in the Democratic Republic of Congo*. Gender in a Global/Local World, Farnham, Surrey, England ; Burlington, VT, USA: Ashgate Publishing, 2015, 26.

⁸⁵ See Carol Pateman, *The Sexual Contract*, Stanford: Stanford University Press, 1988, and Andrea Dworkin, *Right Wing Women: The Politics of Domesticated Females*, 1983.

thus had to position and re-position themselves in an ever-changing landscape of power surrounding sexual labor.

To explore the legal and social regimes that surrounded women's marriages and sexual relationships in the middle of the 20th century, I rely primarily on ethnographies. Most of the ethnographies I analyze from the colonial era were written by colonial administrators, such as Antoine Sohier and F. Grévisse, or missionaries, such as Gustaav Hulstaert. As many historians of the Belgian Congo have noted, the church and colonial administration were closely intertwined, so missionaries had interest in and influence over colonial policies. The monographs these men produced – of which I will analyze Sohier's *Le Mariage en Droit Coutumier Congolais*, Grévisse's *La Grand Pitié des Juridictions Indigenes*, and Hulstaert's *Le Mariage des Nkundó* – were based on observations they made in their regular interactions with African subjects or parishioners, and illustrate the analytical framework of empire that the men imposed on their observations. The work of Haitian anthropologist Suzanne Comhaire-Sylvain spans the late colonial and early postcolonial periods, and is based on her interviews with both women and men in Leopoldville/Kinshasa, though her primary interest is in the lives of urban women. Guy Bernard, a sociologist, examined the marital and romantic lives of male teachers in Kinshasa in the early 1960s via interviews and surveys for his 1965 doctoral thesis at the University of Paris. To imagine aspects of sex workers' lives not captured by factual documentation, I draw on the fictional portrayals of Mudimbe and Marie-Louise "Bibiche" Mumbu's *Samantha à Kinshasa*, which includes passages from the point of view of an unidentified streetwalker.

While I argue that women who engaged in sex work or concubinage were more

vulnerable to economic uncertainty than legal wives, I hope to avoid casting either sex workers or wives as objects or victims devoid of agency. That agency should not, however, make us think they did not suffer. As self-described prostitute Pluma Sumaq wrote in a 2015 essay, “Prostitution is what you do to stay afloat, to swim rather than sink, to defy rather than disappear.”⁸⁶ Sex workers like Mudimbe's Ya and Bibiche's unnamed streetwalker could accumulate money, form alliances with other sex workers, take pride in their craft or fall in love. Wives and sex workers alike experienced violence from their intimate partners, and had to grapple with their economic vulnerability, cases of abandonment, or slow business. The intimate, embodied nature of sex makes sex work – and marriage – productive of both physical and psychological vulnerability; as Sumaq writes, “intimacy, sex and sexuality not only activate some of our deepest fears, but also some of our deepest woundings.”⁸⁷ In examining the material and cultural conditions that pushed women into increasingly vulnerable positions in the late colonial era, I aim to provide clues as to how women experienced and lived with their precarity.

While this work focuses on women who became sex workers, the subject of adultery is ubiquitous in global history and fiction. Usually, adultery is portrayed as something kept secret from the first, legitimate partner. But in Congolese history and literature, women are often portrayed as being aware of their sexual partners' other partners. In Congolese literature, I hope to find a greater understanding of women who realize they are secondary partners and, for whatever reason, accept that status. The novels I focus on here are Mudimbe's *Before the Birth of the Moon*, originally published

⁸⁶ Pluma Sumaq, “A Disgrace Reserved for Prostitutes,” *LIES: A Journal of Materialist Feminism*, 2015, 13.

⁸⁷ *Ibid.*, 19.

in French in 1976 and describing the period of political turmoil in the 1960s; and Bibiche's *Samantha à Kinshasa*, which imagines the lives of several Congolese women in Kinshasa during the cycles of warfare since the turn of the millennium. I seek to use these novels to suggest how women experienced their changing statuses and vulnerability.

Under Belgian Rule

Customary courts were a source of consternation for many colonial officials. Perhaps the most prolific scholar of “customary” or “traditional” Congolese law was Antoine Sohier.⁸⁸ The Sohier family had a presence in the Belgian Congo for multiple generations, and Sohier founded a journal, the *Bulletin of Indigenous Tribunals and Congolese Customary Law*, in which European observers described and commented on customary tribunal proceedings. His work was cited frequently in the relatively small circle of administrators and missionaries who published monographs about Congolese communities and practices in the colonial Congo, including G. Hulstaert, whose writings I will also discuss. Other scholar-administrators, such as F. Grévisse, lamented younger administrators' lack of familiarity with Sohier's bulletin on customary law, which suggests it was one of the few publications available on the subject at the time.⁸⁹ Sohier was particularly interested in law in the Congolese colonial context, and his published works included monographs on marriage law and tradition in the Congo, criminality in urban areas, and the practice of “customary” law in courts run by Congolese officials.

⁸⁸ Hunt described him as “an influential jurist.” 1991, p 477.

⁸⁹ F Grévisse, *La grande pitié des juridictions indigènes*. Institut royal colonial belge, Section des sciences morales et politiques, Mémoires. Collection in-8o t. 19, fasc. 3. Bruxelles: Falk fils, 1949, 43.

Sohier argued in his writings on Congolese marriage that polygamy was not “foundational” to Congolese marriage customs and could safely be eliminated without damaging marriage as an institution in the colony. In a 1942 monograph on marriage customs in the Congo, he wrote, “*On peut la [polygamie] détruire sans altérer en rien la famille, tout au plus en causant certaines difficultés au point de vue économique, pour lesquelles la coutume, dans sa richesse, fournit parfois des remèdes.*” (Polygamy can be destroyed without altering the family at all, except by causing certain economic difficulties, for which custom, in its richness, may furnish remedies.)⁹⁰ In a way, I argue, custom did adapt to colonial attempts to discourage polygamy by making room for unofficial relationships described by colonial officials as concubinage or adultery. However, customary courts' rulings on adultery and unofficial relationships often served to make women more vulnerable to abandonment, losing custody of their children, and other legal and economic hardships. Colonial observers noted that in “customary” courts administered by African judges, women in divorce cases were typically awarded half of the property the couple held in common.⁹¹ During the marriage, men were considered responsible for providing clothing for their wives, and after a divorce, customary judges tended to rule that women had a right to keep these gifts.⁹²

On this subject, there are many parallels between the rulings of customary tribunals in colonial Congo and the customary courts in postcolonial Zambia described by Karen Tranberg Hansen. In her chapter “Courtyards, Markets and City Streets” in *Urban*

⁹⁰ Antoine Sohier, *Le mariage en droit coutumier congolais*. Institut royal colonial belge. Section des sciences morales et politiques. Mémoires. -. Collection in - 8° ; t. 11, fasc. 3 et dernier. Bruxelles: Gvan Campenhout. 1943, 22-23.

⁹¹ Société D'études Juridiques Du Katanga, *Bulletin Des Juridictions Indigènes Et Du Droit Coutumier Congolais*, 1958, no. 10, 298.

⁹² *Ibid.*, 316.

Women in Africa, Hansen describes how women in disputes with their husbands and lovers were treated in the 1980s by customary courts created by the post-colonial state. African judges in these courts often drew distinctions between official marriages and couples they described, euphemistically, as “just friends.” In these cases, Hansen says the courts transformed the concept of *lobola*, or the payment of bride wealth, from a process to a single payment that legitimated the union⁹³. If lobola had not been paid, the court determined that the two lovers, regardless of the number of years they had been together or how many children they had had, were “just friends”.⁹⁴ This sometimes worked to women's advantage in making divorces easier to obtain, or obviating any responsibility new lovers might have to pay damages to their old husbands. Where marriages were declared formal and binding, the local courts enforced the obligation of “support,” which Hansen argues was not a traditional requirement of husbands.⁹⁵ However, the label of “just friends” could be used to justify rulings finding the man had no obligation to support his lover's children if lobola had not been paid.

Bridewealth was similarly used as a standard for judging unions official and legally binding in Congolese customary courts. Often, this standard was deployed in adultery cases. If a woman accepted a gift from a man other than her husband, she could be viewed as being unfaithful, regardless of whether she was shown to have had sex with the other man. But at other times, judges ruled in adultery cases as though a man's unofficial, unpaid partners were additional wives. In cases where they did not demand acknowledgement that a bride price had been paid to establish whether a couple was “tied

⁹³ Kathleen E. Sheldon, “Courtyards, Markets, and City Streets” in *Urban Women in Africa*, Boulder, Colo.: Westview Press, 1996.

⁹⁴ Ibid., 115.

⁹⁵ Ibid., 123.

by marriage,” former Elisabethville administrator F. Grévisse accused judges of failing to do due diligence or follow customary precedent, thus allowing room for behavior described by Grévisse as moral license.⁹⁶ F. Grévisse, in his tract condemning customary tribunals, pointed to a customary court ruling in which the judge had required the husband to pay damages after his wife and alleged mistress got into a physical fight. Rather than condemning the man's second relationship altogether, however, Grévisse says he told the husband, “The next time, go sleep with your mistress, but don’t bring her to your house anymore.”⁹⁷ Grévisse views this as evidence that customary courts “authorizes all forms of license, on the condition that they give rise, at some time or another, to the perception of amends.”⁹⁸ For Grévisse, the fine the man was forced to pay was insufficient as a deterrent, and demonstrated that the judge did not take adultery seriously as a moral evil. Grévisse does not specify whether the court, the wife, or the assaulted woman received the money the husband in question was forced to pay.

However, viewed in light of precolonial and extra-colonial Congolese practices – ie, practices that may have been influenced by colonialism, but were not directly regulated by European officials-- I would argue that the judge Grévisse describes was merely admonishing the husband to follow accepted practices for keeping multiple spouses as described by previous European observers. The fine levied may not have been large enough to deter the husband from continuing to have extramarital relationships, but it could have been intended only to deter him from breaking the etiquette of plural marriage. According to missionary Gustaav Hulstaert's description of marriage practices

⁹⁶ F Grévisse, 1949, *La grande pitié des juridictions indigenes*, Institut royal colonial belge, Section des sciences morales et politiques, Mémoires. Collection in-8o t. 19, fasc. 3. Brussels: Falk fils. 86.

⁹⁷ Ibid.

⁹⁸ Grévisse, 59.

among the Nkondo ethnic group (referred to by other scholars as the Mongo polity), each wife in a polygamous relationship had her own dwelling, often within the same compound. Men did not have their own private homes, but rather slept in the house of whichever wife they were visiting for the night.⁹⁹ The judge seemed to be ordering the husband to continue this practice by seeing his mistress at her own home, rather than bringing her into the house of his more senior wife, which evidently led to violent conflict between the two women. It would thus seem that, in at least some cases, judges adapted customary law to acknowledge that plural relationships were possible and navigable even in the absence of official recognition as long as practitioners adapted the rules for polygamy accordingly.

On the other hand, the ruling, at least as described perfunctorily by Grévisse, does not allow the women involved any of the prerogatives Hulstaert describes for wives in plural relationships. According to Hulstaert, in order to take a new wife, a man had to get approval from his senior wife.¹⁰⁰ The senior wife had an incentive to permit these marriages because she could benefit from the labor of her junior wives.¹⁰¹ Judged by the fact that the two women came to blows, it seems the senior wife did not approve of her husband's other partner, at least in the existing living situation. The senior, officially recognized wife had a right to keep her husband's other partners out of her house, by force if need be, but she did not have the right to forbid her husband from being in a relationship with her. Nor was it suggested that the man should have fulfilled his

⁹⁹ Gustaav Hulstaert, *Le mariage des Nkundó*, Mémoires, Collection in-8° (Institut royal colonial belge. Section des sciences morales et politiques); t. 8, Bruxelles: Librairie Falk, Georges van Campenhout, 1938.

¹⁰⁰ Ibid., 343.

¹⁰¹ Ibid., 342.

husbandly duties by providing a home for his mistress. Ultimately, it seems the man retained his right to have multiple partners as long as he did not force them to share a roof, but women had no access to the senior wife's right to accept or reject the man's other partners, and junior partners had no right to demand the economic support from husbands to which they would have been entitled as legal wives.

At least some women were aware of and incensed by the limited rights they seemed to have before indigenous tribunals. In one of the rare articles written by a woman in a magazine called *La Voix du Congolais*, written mainly by male Congolese authors and for a Congolese audience, guest columnist Louise Efoli complained about courts that were biased against wives seeking to leave their husbands. She argued that it was absurd that a woman leaving her husband after 20 or 30 years would be forced to reimburse the husband's bride price, while a male cook who worked for a European employer would never be forced to return the salary he accrued over the years. For Efoli, the question boiled down to one of representation. "Why aren't women represented in the opinions of indigenous tribunals?" she asked. "Why are only men allowed to be judges?...I am convinced that we, Congolese women, have the right to more justice because we are human beings."¹⁰² Efoli claimed that women would be better served by European "civilization" than "the nefarious customs of our ancestors." I would argue, however, that the system of indigenous tribunals represented neither Congolese "tradition" nor European "civilization," but a hybrid of the two whose unstable content was determined overwhelmingly by men, both European and Congolese, to the detriment of Congolese women.

¹⁰² Louise Efoli, "Le Sort des Femmes Africaines," *La Voix du Congolais*, Oct. 1954, trans AR Bolomba, 740

The work of ethnographer Suzanne Comhaire-Sylvain demonstrated the impact European “civilization” had on Congolese women’s lives in stripping them of both legal protections and economic independence. In 1945, Comhaire-Sylvain spent several months examining the lives of women she met in Kinshasa, at the time the name of a suburb of the colonial city Leopoldville. Comhaire-Sylvain occupied a fraught position as the first female Haitian ethnographer. Hailing from a postcolonial nation and conducting research in a colonial state as an African-descended woman of color, she had to navigate the ideologies of colonialism in the Congo under which she conducted her research in a time when Belgium continued to enforce race-based laws governing even what times of day African people were permitted to be present in neighborhoods designated for whites. Further, she worked as a woman in a state where women were required to have their identities inscribed in the documents of their guardians or be presumed to be sex workers by the state.

Even more complex, based on photographs, Comhaire-Sylvain appeared to be a light-skinned woman identified as black. As she describes in her ethnography, people of Euro-African descent existed in the Belgian Congo, often the result of relationships with “housekeepers,” which Comhaire-Sylvain maintains was a euphemism for the black concubines kept by European men who were unmarried or whose wives did not accompany them to the Congo. This sometimes left Comhaire-Sylvain in an awkward position during interviews. For example, she notes one interviewee – whom she calls Pauline and describes as an “ex pin-up,” though her autobiography makes it clear her real name was Victorine Ndjoli, the first woman to earn a driver's license in the colonial Congo in 1955 – noted she did not have any biological children by her marriage, but did

not offer any information on the teenage son, clearly predating her marriage to another Congolese person, who appeared to be of mixed descent. Comhaire-Sylvain in her description hypothesizes that Ndjoli did not offer any information on the boy because she did not know what Comhaire-Sylvain might think of childbearing outside of wedlock.¹⁰³

Throughout most of the period Belgium ruled the Congo, marriages between interracial couples were illegal, and Belgians were often at a loss at how to deal with the progeny of these relationships.¹⁰⁴ For several years, she notes, boys who were known to be of mixed descent were forced to attend Belgian boarding schools. One Belgian-owned company, the Union Minière du Haut Katanga, faced with the question of how to educate the nine children in company towns acknowledged as being of mixed descent, resolved the question by sending them to boarding schools in Angola, where mixed-race couplings were seen as part of Portugal's civilizing mission.¹⁰⁵ Inability to obtain legal status in interracial relationships thus appeared to leave women vulnerable to having their children taken from them.

Comhaire-Sylvain's sources included both colonial officials and African elites, but we might presume her complex identity gave her access to African women that may not have been either available to or sought by other scholars of the colonial Congo, most of whom were white men. Based on her various interviews and other information available during her time in the Congo, such as articles that appeared in the local press, she describes continuing debate and misunderstandings between colonial officials and

¹⁰³ Suzanne Comhaire-Sylvain, 1968, *Femmes de Kinshasa hier et aujourd'hui*, Monde d'outre-mer passé et présent. Troisième série, Essais ; 8. Paris, La Haye: Mouton, 27.

¹⁰⁴ Ibid.

¹⁰⁵ Rapport sur le Main d'Oeuvre Indigène, 1947, Union Minière du Haut Katanga, Elisabethville, 67.

Congolese women about the terms of their relationships with men. "Every concubine, nearly without exception, is inscribed in the [identity] booklet of some man, or in rare cases some woman, as a 'dependent.' She often debuted on the sidewalk as a prostitute for Europeans, but the brother, father or tutor, taking further steps to prevent an accident, in lucky cases finds a man and concludes an arrangement with a view toward a more or less temporary union."¹⁰⁶ Thus, as in the case of Mudimbe's Ya, sex work could lead to situations viewed by outsiders, including Comhaire-Sylvain, as concubinage.

Concubinage in turn, Comhaire-Sylvain argues, could lead to marriage. However, she describes significant barriers in some cases to that transition. In European cases, for example, even if both parties were willing, a marriage could never be legally recognized because of racial segregation laws. In other cases, the man was already married and took on the concubine as an additional lover, often with the understanding that the arrangement would only last a matter of months or years. Sometimes that concubine could replace the more senior partner. "If the man is married but without children," she wrote, "he can repudiate his wife or divorce her to replace her with a former concubine. If he has other children, there is no change in the situation of the wife or the concubine."¹⁰⁷ In yet other cases, even if both partners were single, ethnic identity kept them from engaging in a legal marriage. In addition to facing possible disapproval from their families, they faced discouragement from Church officials, who, until very late in the colonial period, tended to frown on such unions on the grounds that they would break down Congolese traditions and create strife and chaos.¹⁰⁸ By adopting the woman's

¹⁰⁶ Ibid., 24.

¹⁰⁷ Ibid., 25.

¹⁰⁸ Ibid., 26.

viewpoint in her analysis of Congolese relationships, it appears Comhaire-Sylvain was able to accept more complexity and fluidity than her male-focused counterparts. She portrays Congolese women as using a variety of strategies in sexual partnerships to earn a living and try to achieve economic and social stability. The colonial state often threw up roadblocks to their efforts through policies discouraging some people, like partners from different ethnic groups, from marrying, and forbidding other marriages, like interracial ones, altogether. Women accepted labels like “prostitute” and “concubine” to build lives around these restrictions.

After Comhaire-Sylvain's first period of fieldwork, the Belgian government instituted laws even more hostile to polygamous marriage. While the laws in place from the earliest years of colonial rule (rather than Leopoldian rule) had levied additional taxes on men for each “supplemental” wife, a 1950 law stated that, while existing polygamous marriages would continue to be recognized, no new ones could be formed after Jan. 1, 1951. Further, families with multiple wives were not permitted to settle in major cities like Leopoldville, Elisabethville and Stanleyville, and men with multiple wives could not hold positions as clerks, one of the few jobs where educated Africans could make use of their literacy skills.

Some male Congolese writers – who, as Hunt notes, often echoed colonial discourses – argued that the 1951 law caused an increase in “secret polygamy.” One correspondent for *La Voix du Congolais*, Gabriel Baelenge, described how he imagined men could convince their first wives to agree to such an arrangement:

“[H]ere is how he uses caring, sweet and flattering talk accompanying the scene [of the negotiation]: 'We've been married for 15 years and we haven't been able to have children, but I beg you for your goodwill in allowing me to take a young wife who can perhaps give us children to lighten our poor foyer.

Don't forget that we are in the service of the colony, which strictly forbids us from being polygamous. We will keep this a secret and the new wife will have neither the prestige nor the advantages that you have: if I want to have one, it's to give us children. I will have her registered in the identity book of my brother who is not employed by the state and, if she gives us a child, I will have it registered in my own booklet as if you had given birth to it."¹⁰⁹

Baelenge recounted an anecdote about a chief who had only one official wife, but an additional eight unofficial wives registered as belonging to his brothers. While official wives would be permitted to remarry after their husband's death, when the chief's widows attempted to take new husbands, the deceased chief's brothers successfully brought complaints against both the widows and their new husbands as adulterers. "Neither the territorial administrator nor his assistants knew the secret and, despite their review, the ruling was always in favor of the brother of the deceased," Baelenge recounted.¹¹⁰ Thus, in both the imagined and real cases, unofficial wives were stripped of legal rights they might have been able to invoke in court, including their rights to their children and their rights to remarry after their husband's death.

After Independence

When Comhaire-Sylvain returned to the Congo five years after Belgian rule expired, she noted that much of colonial legal policy regarding wives, concubines and sex workers had remained unchanged. Most women still had to be listed in the identity booklets of men and still had difficulty traveling without their own documentation. The economic situation that had encouraged men to take multiple partners and women to tolerate their status as "illegitimate" partners had changed, but polygamy was no more

¹⁰⁹ Gabriel Baelenge, "La polygamie clandestine," *La Voix du Congolais*, Jan. 1955, no. 106.

¹¹⁰ *Ibid.*, 108.

accepted or encouraged under the postcolonial government than it had been under Belgian rule. Many government officials after independence had been clerks or other government employees under Belgian rule, and thus had come of age under a regime that did not recognize their relationships with second or third wives. "In practice, polygamy not only continues to exist in the capital, but there has been an increase since independence, the extra spouses being considered under law as concubines and their progeny as children of adultery, which enormously torments certain men of the state. A minister even confided that he discussed the question with his colleagues and they envisaged legislation restoring minor polygamy to its place in Congolese society."¹¹¹ One might imagine that the women who raised these children without being afforded any kind of legal status as partners to such powerful men may have been even more "tormented."

In addition to Mudimbe's fictional Ya, Comhaire-Sylvain provides examples of real women who suffered from this lack of legal status with their political lovers in the years following independence. In fact, the story of a woman Comhaire-Sylvain refers to as Camille bears some striking resemblances to Ya's. Like Ya, Camille entered a relationship with an important politician in her youth, at the age of 22 in 1962 (a mere three years before the real political speeches Mudimbe appropriates for his novel were pronounced). Camille, described by Comhaire-Sylvain in a subheading as a "Femme Libre," lived with this man for a year until he was appointed as a provincial governor. She declined to join him at his new provincial residence because both his wife and a foreign mistress also lived in his house there, and eventually the relationship fell apart.

¹¹¹ Ibid., 139.

Camille's friends helped her find a job as a radio announcer in Kinshasa. But again – in Comhaire-Sylvain's estimation because she was unhappy with her meager radio salary – Camille fell into a relationship with another married government official and soon became pregnant. Like Ya's lover, Camille's politician fell afoul of the regime, though he was merely imprisoned rather than assassinated. While the man was in prison, Comhaire-Sylvain writes, Camille went to see him regularly and sent him something to eat every day. However, when he was released, he returned to the home of his legitimate wife and abandoned poor Camille, who was expecting a second child by him.”¹¹²

The first politician with whom Camille became entangled thus had a de facto right to have not just two but three partners, all of whom appear to have known about one another, while Camille found she had insufficient leverage to demand her own residence in the province where she could see her lover without seeing his other partners. With her second lover, she played the part of the devoted wife, but without any legal status, despite having two children by him. The minister likely could have chosen to abandon his first wife in favor of Camille, but instead Camille was abandoned and left with no recourse to demand support for herself or the two children she was left to raise alone.

Comhaire-Sylvain's portrayal of the slippery boundaries between sex work, concubinage and marriage in postcolonial Kinshasa is echoed by sociologist Guy Bernard's study of male teachers after independence. Bernard queried his subjects both about their marital histories and their opinions on polygamy and divorce. His subjects were trained primarily in religious schools where divorce was discouraged and polygamy was considered unacceptable. Many of his subjects continued to teach at religious

¹¹² Ibid., 313.

institutions after the Congo became independent. These teachers, Bernard pointed out, could be fired from their positions if their employers discovered they had taken a second wife. However, they openly maintained mistresses and visited prostitutes or “femmes libres.” Widespread tolerance of extramarital relationships and divorce by religious institutions brings to mind the passage from Mudimbe’s novel in which Ya’s lover introduces her to an archbishop who supports his government. The Monseigneur comments on the politician’s “change” of wives, but treats Ya tolerantly nonetheless, calling her “my daughter.”¹¹³

While most of his subjects told Bernard that they rejected polygamy as a backwards custom, they also responded to his hypothetical questions about divorce by admitting it as a possibility if it turned out a woman they married were sterile. Bernard subjected 283 teachers to a questionnaire asking what they would do if their wife failed to produce children. About 100 said they would stay with their wife without taking another, but 76 said they would divorce her, while only 29 said they would stay married with their first wife and take a second. Two teachers said they would attempt to have a child with a concubine without either divorcing their old wife or marrying their new lover.¹¹⁴ In small villages, Bernard claimed, infertility would induce the husband to take a second wife with the permission of his first wife,¹¹⁵ but for most of these “modern” Congolese men, abhorrence of polygamy meant ties with the first wife would be severed completely.

Bernard commented that, even though the church frowned on divorce, it was seen by the Congolese teachers as more acceptable than polygamy, and thus became the only

¹¹³ Mudimbe, 165.

¹¹⁴ Ibid., 86.

¹¹⁵ Guy Bernard, 1968, *Ville Africaine, Famille Urbaine: Les enseignants de Kinshasa*, Paris: Éditions Mouton, 83.

reasonable course of action if a wife failed to produce children. He quotes the director of a Protestant school who, Bernard claims, “was a sincere believer, and had never touched a glass of alcohol,” but dismissed his first wife because she was infertile, saying, “We Congolese, we need to have children; the pastors don’t understand.”¹¹⁶ The form of Christian ethics adopted by the Congolese educated middle class and perpetuated after independence thus increased infertile women’s vulnerability to abandonment by forbidding polygamy without effectively discouraging divorce.

Bernard notes one divorce case he found remarkable because it awkwardly, if tenderly, tried to reconcile the spirit of polygamy with the formalities of divorce. The case was one of 30 divorces documented in the Kinshasa tribunal archives in 1962 and 1963 that were examined by Bernard. In one case the petitioner asked for a divorce from his wife of 20 years because she had not yet had a child, and the husband had recently had a child with another woman he wished to marry. “I promise you that I will always care for the defendant,” he told the judge. “I will give her a room in my household, because she is a member of my family.” Bernard concluded the arrangement did not qualify as “proper polygamy” because the complainant said he would no longer have a sexual relationship with his first wife, but noted it kept with the tradition of Congolese polygamy that required the first wife’s approval of the second marriage. However, in spite of the complainant’s assurances, the first spouse would have no legal assurance of the husband’s support. The system of divorce liberated the husband from any obligation to his first wife, making his offer to care for her and house her an act of beneficence rather than a fulfillment of responsibility.¹¹⁷

¹¹⁶ Ibid., 85.

¹¹⁷ Ibid., 133.

As long as women were excluded from wage labor and property ownership, whether under the colonial regime or after independence, they were dependent on men's support in exchange for sexual and domestic labor. The line between men and women's work was particularly strong among the urban middle class and elite. Under colonialism, this meant wage laborers who worked for mining companies and as colonial functionaries, as well as the teachers examined by Bernard. After independence, the same set of gender and economic norms continued to apply to teachers and wage laborers, as well as to the new political class described by Comhaire-Sylvain and Mudimbe. But the economic decline that took place under the reign of Mobutu Sese Seko contracted the class of formal labor. That in turn shifted the economic balance of power between men and women in urban areas.

From the 1980s to 2000s, especially after the end of the Cold War and America's subsequent loss of interest in supporting the Mobutu regime, the Congo experienced a lengthy economic collapse. As Janet MacGaffey has described in her work on entrepreneurs in Kisangani, salaried jobs that had been primarily available to men evaporated under the Mobutu regime and subsequent wars. This stripped men of one of the main characteristics that enticed women into unofficial and even illicit relationships with them: their wealth. If there were fewer rich politicians and government employees with a sufficient income to house and clothe multiple women, women had fewer reasons to participate in relationships with lopsided economic and political power dynamics. MacGaffey argues that female entrepreneurs in particular stepped into the economic breach left by state collapse.¹¹⁸ These women have not returned to pre-colonial economic

¹¹⁸ Janet MacGaffey, *Entrepreneurs and Parasites*, Cambridge: Cambridge University Press, 1987.

systems that focused on agricultural production, but rather invented new modes of economic accumulation through capitalism. They also continue to use sexual labor to accumulate wealth, but without relying on legal protections of marriage that were weakened under colonialism.

Recent authors, like Marie Louise “Bibiche” Mumbu, have begun to re-inscribe the roles of women without official partnership statuses in Kinshasa. Her descriptions extend dignity to both sex workers and concubines. She gives voice to a sex worker's defense of her profession in a chapter where the woman gets into an argument with a street kid. When she accuses the child of being a thief, he responds by calling her a whore. “Me at least, I get paid for my ass,” she retorts. “Your mother fucks for free and that's the history of your life, because you came into the world that way.”¹¹⁹ In the words of this sex worker, having sex for money is at least productive and saves women from the dishonor of becoming thieves, unlike having sex for free, which saves a woman from nothing. Later, another character complains that men “have become phantoms without money and thus without authority. Our houses are empty, our furniture and even our children desert our homes.”¹²⁰ If men do not have the economic power to provide for either their wives or their concubines, sex work appears to Bibiche to be the only reasonable alternative. Further, women like the sex worker who sets up a “foyer” for her colleagues seem to use their economic power to claim social leadership positions.

Bibiche also works to revalorize the status of concubines through language by describing them as both legitimate and powerful. Instead of calling them concubines, mistresses, or lovers as colonial officials did, Bibiche describes them as occupying

¹¹⁹ Marie Louise Mumbu, *Samantha à Kinshasa: roman*, Montréal, Québec: Recto-Verso, 2015, 52.

¹²⁰ *Ibid.*, 64.

“offices,” like appointments for politicians or at large companies. One seventeen-year-old girl, described by Bibiche as occupying a minister's “fourth office,” is capable of bringing the politician to his knees by the powers of sex and secrets, and uses the information at her disposal to procure a literal office for her uncle.¹²¹ Perhaps one could say that through Bibiche's revalorization of illegitimate women, Congolese culture, “in its richness” and endless adaptability, has finally found a way to cope with the economic problems caused by eliminating polygamy that Sohier predicted in 1943, but in ways Sohier never would have expected or approved of.

¹²¹ Ibid., 62.

Conclusion

The purpose of this thesis has been to combat the systemic erasure of women's experiences from the colonial and postcolonial archive. During both the colonial and early postcolonial eras, most researchers have described women's lives in ways that elided the ways vulnerability shaped their experiences of the world and their place in it. The men who ran the colonial state, including missionaries, administrators and judges, minimized and excused violence against and impoverishment of women. They alternately invented ideologies, like capitalist modernization with male wage-earners, that encouraged violence against women, and advocated supposed systems of tradition, often divorced from the reality of the precolonial African past, that naturalized violence against and male control of women.

While Africanist scholars since the 1970s have contested presumptions that the African past was more repressive than 20th-century Europe, scholars continue to make subtler assumptions that color their descriptions. Contemporary scholars have presumed more public forms of violence committed against women by strangers in warfare have a greater impact on women's experiences of their lives than concealed violence within the household, as evinced by their focus on the early colonial "red rubber" period and rape associated with warfare in the 1990s and 2000s. American and European scholars have tended to presume bright and clear distinctions in African society between sex work, concubinage and marriage that are inappropriate in historically polygynous societies.

This thesis suggests that scholars should more thoroughly examine assumptions about marriage, relationships and violence embedded in existing studies of the Congo, and African history more generally. Greater attentiveness to women's descriptions of

their own lives that complicate those assumptions will increase our understanding of the past.

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