

Research article

# PREPUBESCENT RAPE: THREAT TO SUSTAINING GOAL 2 OF THE MILLENNIUM DEVELOPMENT GOALS IN NIGERIA

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## Abstract

The Millennium Development Goals (MDGs) did not cover the problems of sexual molestation faced by girls. Sexual molestation of girls by their fathers, brothers, neighbours, school friends, and total strangers is common in Africa. While literature is silent on the effects of sexual molestation on Goal 2 (universal primary education) of the MDGs in Nigeria, this paper locates *prepubescent rape* as a barrier to education of the girl child. Secondary data, from a larger study on children who experienced rape at home, school, farm, garage, terrorist camp, or in an uncompleted building, were analyzed using content analysis to assess how it affects their access to education. Despite the success recorded in Goal 2 of the MDGs by the Nigerian government, *prepubescent rape* poses serious threat to sustaining it. Unwanted pregnancy, sexually transmitted diseases (STDs), HIV/AIDS, rape trauma, high degree of hatred and isolation are some of the challenges that sexually abused prepubescent girls' face. This paper posits that *prepubescent rape* is a major reason for girls not attending school. Based on this, recommendations were made solely on the urgent need for governments, civil societies and international organizations to make rape and sexual assaults of girls' critical subjects in the MDGs post-2015 development agenda. **Copyright © WJESML, all rights reserved.**

**Keywords:** Rape, Prepubescence, MDGs, Gender Equality, Universal Primary Education

## Introduction

Reports on prepubescent rape vary. The latest report from the United States confirms that one in every five girls experienced rape and sexual assault (WHCWG, 2014: 1). This assumption is backed with the findings of Leeners, Stiller, Block, Gorres, & Rath, (2010: 503-510) who estimated that roughly 1 in 4 women have experienced childhood sexual abuse. The situation is not different in South Africa; Funk, Lang and Osterhaus (2004: 13) found out that most of the rapes and attempted rapes reported to the police between April 2003 and March 2004 (41% out of the 52,733 cases) occurred to girls under the age of 12. In spite of the huge number of reported cases, it is estimated that it is only one in twenty cases that is reported. This means that the real number of rape incidents could total more than 1 million per year (Funk, Lang and Osterhaus (2004: 13). The situation in the case of Nigeria could even be more. Unfortunately, report on prepubescent rape in the country is marked with distortion and uncertainty. The number of girls raped daily is not documented as many of those girls have remained silent and have never reported the case to others let alone the police. Worse still, sexually assaulted girls become objects of ridicule in the society; so, assaulted girls usually keep it to themselves and rarely receive any medical attention to help them overcome rape trauma.

In developed countries, there are mechanisms in place to psychologically treat post-traumatic sexual abuse among girls and also punish the perpetrators, such is lacking in Nigeria. In her description of this situation as it is in Nigeria, Amnesty International (2006:1) reported that

The government's response has been, and continues to be, woefully inadequate. Rape is a crime under Nigerian national law and is an internationally recognized human rights violation. Despite this, the government is failing in both its national and international obligations to prevent, investigate and prosecute rape, whether committed by state actors or non-state actors, and to provide any reparations to the victims.

Such attitude and the absence of and the inability to go for treatment has serious implications for the abused girl. The experience of repeated sexual trauma tend to make her become hyper-vigilant, prone to physical symptoms (i.e., pelvic, back, and abdominal pain, headaches, as well as tremors), and dissociate parts of her memory (Welch, 2013:5). Roberts, O'Connor, Dunn, & Golding (2004) are of the view that rape trauma is capable of making the girl-child never to have any trust in humanity, and lead them to withdraw from participation in society. Beyond that, post-rape trauma could lead the girl-child to live in fear, have low-self concept, object to participation in class activities and even refuse going to school.

Specifically, the concern of this paper is centered on how sexual molestation of girls between the ages of 6 and 12 years poses critical challenge to sustaining Goal 2 (universal primary education) of the Millennium Development Goals in Nigeria.

## Conceptualizing Prepubescent Rape

A prepubescent girl is one who is yet to reach puberty (generally 12 years). Many dictionaries agree that prepubescence relates to the period before a child is capable of sexual reproduction (See Oxford, 2014; Collins, 2009; and Cambridge, 2005). As opposed to *pubescence*, which is the period at the beginning of adolescence (mostly 12 years) when the sex glands become functional and the secondary sexual characteristics emerge (Zuckerman, 2009), prepubescent girls do not have the sexual characteristics of adolescents or adults. In simple terms, they are sexually innocent. This makes the case of prepubescent rape the greatest crime against children.

Section 282 (1) of the Penal Code (Nigerian Laws Cap 89), applicable in the northern parts of the country, defines rape as follow:

A man is said to have committed rape when he, save in the case referred to in subsection (2), has sexual intercourse with a woman in any of the following circumstances – (a) against her will; (b) without her consent; (c) with her consent, when her consent has been obtained by putting her in fear of death or hurt; (d) with her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married; (e) with or without her consent, when she is under fourteen years of age or of unsound mind.

In Section 357 of the Criminal Code Act (Nigerian Laws Cap 38), applicable in the southern parts of the country, rape means:

Any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent, if the consent is obtained by force or by means of threats or intimidation of any kind, or by fear of harm, or by means of false and fraudulent representation as to the nature of the act, or in the case of a married woman, by impersonating her husband, is guilty of an offence which is called rape.

The two definitions of rape above reflect the cultural division between the Muslim north and Christian south of Nigeria. While they provide the legal framework for the definition of rape, they are however limited in scope as they only confine their definitions of rape to penetration of the girl. But rape is beyond mere penetration and it must be noted that not only girls suffers sexual violence or sexual assault, boys too are raped.

Rape is a serious crime in Nigeria. In fact, when it involves the rape of girls under 13 years of age (*Defilement*) its punishment is severe both under the Criminal and Penal Codes which is life imprisonment or sometimes death by stoning as evident in the Kano Sharia Penal Code Law.

Focusing on girls who are yet to fully enter into puberty, this paper therefore defines *prepubescent rape* of the girl-child as:

The unwanted sexual penetration of a girl between 6 and 12 years by a man, boy or another female, who violently or forcefully penetrate the girl through the vagina, anus or mouth with the use of penis, finger or objects.

This definition is not in contrast to the ones prevalent in the Criminal Code and the Penal Code which equally sees forceful penetration of the girl as rape. However, it differs in context as the scope covers, not only the forceful penetration of the girl by a man or boy, but also by other females. It also differs not only in the penetration of the girl's vagina, but also the forceful penetration of the girl's anus or mouth with penis, finger or object. This definition therefore becomes the framework in analyzing the threats *prepubescent rape* has on achieving universal primary education and women empowerment in the 21<sup>st</sup> century.

## Millennium Development Goals (MDGs)

The Millennium Development Goals (MDGs) are eight international development goals that were established following the Millennium Summit of the United Nations in 2000, together with the adoption of the United Nations Millennium Declaration. All 189 United Nations member states at the time and at least 23 international organizations committed to help achieve the Millennium Development Goals by 2015 (see UN, 2014). The goals are as follow:

1. To eradicate extreme poverty and hunger
2. To achieve universal primary education
3. To promote gender equality and empowering women
4. To reduce child mortality rates
5. To improve maternal health
6. To combat HIV/AIDS, malaria, and other diseases
7. To ensure environmental sustainability
8. To develop a global partnership for development

Currently, the MDGs constitute vital elements of national policies in Nigeria. It formed the bedrock of President Musa Yar'dua's Seven Point Agenda in 2007 as well as the Transformation Agenda of President Goodluck Jonathan. Thus, the MDGs have become the benchmarks by which Nigerians hold the government accountable.

## Goal 2: Universal Primary Education

According to the United Nations (UN), education is a right to which all human beings are entitled. The target of Goal 2 is to ensure that, by 2015, children everywhere, boys and girls alike will be able to complete a full course of primary education. Since 2000, Nigeria has been committed to the Goal 2 of the MGs and has achieved at least 80.0% in all the three indicators – net enrolment rate, gross enrolment rate and primary six completion rate (FGN, 2014: vii).

However, this is not without shortcomings. Nigeria's net enrolment ratio in primary education, which stood at 68.0% in 1990, increased significantly to 95.0% in 2000. But by 2004 it dropped to 80.0% and only picked in 2008 to 88.80%. By the end of 2009, it decreased to 80.0% and has remained so till 2014 (FGN, 2014: vii). The two reasons put forward by the government is (i) the problem of insecurity in the north-east and (ii) the cultural bias against girls education. Beyond this, we submit that *prepubescent rape*, which goes along with child marriage, child labour, child pornography, kidnapping of girls for baby factory, etc., account for the major reason in the decline of girls attending schools nationwide.

## Prepubescent Rape and Universal Primary Education

Prepubescent rape has been defined as the unwanted sexual penetration of a girl between 6 and 12 years by a man, boy or another female, who violently or forcefully penetrate the girl through the vagina, anus or mouth with

the use of penis, finger or objects. Rape is the worst form of sexual violence committed against school girls. Perpetrators include fathers, brothers, uncles and family friends who silence the girls after involving in intrafamilial prepubescent sexual abuse. Other perpetrators include school mates, peers in the neighbourhood, and other adults including lesbians who forcefully rape girls for pride, sexual gratification, rituals or initiation into homosexuality or lesbianism.

Empirical studies carried out by the Federal Ministry of Education (FGN, 2007: 10) indicate that physical and psychological violence, rather than sexual violence, affect school attendance and most likely threaten access to primary education. In other words, prepubescent rape is not seen as a major threat to school attendance or access to primary education. In its *Assessment of Violence against Children at the Basic Education in Nigeria*, the government reported that

The existing types of violence in schools are physical, psychological, sexual, gender and health based violence. However physical violence (85%) and psychological violence (50%) accounted for the bulk of violence against children in schools. Other types of violence reported among learners in basic education level in Nigeria included gender – based violence (5%), sexual violence (4%) and health-related violence (1%).

I view, with suspicion the results of FME on unlikely threat of sexual violence to universal primary education. In fact, the common types of physical violence in primary schools which includes scratching, pushing, shoving, throwing, grabbing, biting, choking, shaking, slapping, kicking, punching, etc., would only account for very low reason for pupils to drop out of school. On the other hand, prepubescent rape of girls cause them to have loss of self-esteem, depression, anger, risk of suicide, unwanted pregnancy, HIV infection and fear of victimization; the combination of which force them to drop out of school (AI, 2004: 4).

The FME's report, in its limitations equally acknowledged that reporting of acts of sexual violence among learners was generally low, ranging from 4% for sexual violence compared to 40% in the case of physical violence. The report also confirmed that with the culture of silence on rape which is prevalent in most Nigerian societies; more pupils are aware of rape cases in school than their teachers. By implication, cases of rape were underreported and represent minor issues in their study when compared to physical violence which is highly reported by learners.

The study also did not account for cases of prepubescent rape that occur at home, in the farm, on the road, and in many places outside the school environment. Most of these rape cases are not reported for several reasons. Oral interviews collected by the researchers from older women who have either experienced rape or have a girl that has been raped shows that death threat, humiliation from family members, fear of rejection, social stigma, peer pressure and inability to acknowledge the experience as sexual assault were among the reasons for not reporting rape.

Non-reporting of prepubescent rape cases however does not mean that it has no effect on access to education at the primary school level. Prepubescent rape frequently occur to girls who are forced into early marriage, child labour and child pornography. Girls who are forced into child marriage often drop-out of school. Married children are considered as adults and therefore no longer eligible' to enjoy the rights they should have as children, including the right to education. Child marriage, in some traditions, legally gives the man rights to 'rape the girl' with or without consent. It is the most dangerous dimension of prepubescent rape as the girl is not seen to be sexually abused. The committee on the Rights of the Child (2004) highlights the dangers of early marriage, noting that, as well as denying girls access to education, it is detrimental to their mental and physical development and deprives them of control over their reproductive health.

Through early marriage, girls of primary school age are not only precluded from school, they also lose their rights as children. Child marriage transforms a school girl into an adult, even if she is only seven years old. It is commonplace in northern Nigeria for a family to remove a girl from school and engage her in tasks to prepare for marriage and caring for a family, such as smallholder farming and household chores. As a long-established traditional practice, most parents and communities do not consider this a problem. According to Bello, and Annabel (2007), it is alleged that girls regard early marriage as a way to improve their economic status and gain social recognition' and to escape their family and domestic responsibilities. Early marriage forces girls out of school, making them vulnerable to all kinds of sexual assault.

Girls also experience prepubescent rape during conflict. Boko Haram attacks on schools in Adamawa, Borno and Yobe, have led to the abduction of girls. The Boko Haram case, where about 276 school girls were abducted from the Government Girls Secondary School, Chibok, Bornu State, North-Eastern Nigeria on April 14, 2014 is a case in point. The girls are not only deprived of schooling but are serially raped by the terrorists. According to Human Rights Watch, cited by NigerianEye (2013):

Commanders of the Civilian Joint Task Force, working with security forces, said that they had rescued 26 abducted women and girls from a Boko Haram stronghold in Maiduguri and later in Sambisa Forest. Some of the women and girls were pregnant; others had babies. The commanders told Human Rights Watch that a number of the girls had been abducted while hawking wares on the street or working on farms in remote villages. Many girls who were rescued or had escaped were sent off by their families to distant cities like Abuja and Lagos to avoid the stigma of rape or pregnancy outside of marriage .

The radical Boko Haram members not only rape girls but also use them as domestic workers. Cultists too have been reported to have raped prepubescent girls, film the act on their Smartphones and posted it online (ChannelsTv.Com, 2014). Amnesty International (2006) equally investigated how some soldiers and members of the police force used rape as a weapon against girls particularly those that have their parents in detention. According to the Nigeriapolicewatch.Com, several police officers have been dismissed having been found responsible for prepubescent rape (NigeriaPoliceWatch, 2014). In the end, the abused girls are forced out of school.

There is also linkage between child trafficking, child labour and prepubescent rape. Poverty has been held responsible for these heinous crimes against the girl-child. Girls in the rural villages and recruited sometimes by neighbours under different guise and are trafficked to destinations like Lagos, Abuja and other important cities where they are sexually abused for the enrichment of their so-called benefactors. According to Nicola, Elizabeth, Nicholas and Banke (2012: v)

Girls are trafficked primarily into domestic service, street trading and commercial sexual exploitation. There are an estimated 15 million working children in Nigeria, most of them in the informal or semi-formal sectors.

These girls work long hours and are denied their educational rights. They depend on being 'defiled' to survive. They have lost their sense of childhood and no longer think of education. They are invisible to the larger community and wholly depend on sex to make a living.

## Conclusion

Prepubescent rape hinders girls' access to education. It deprives them of their right to education and this is a major threat to achieving Goal 2 of the Millennium Development Goals. The paper has shown that rape have severe physical, psychological and reproductive consequences for the girl-child, including death, unwanted pregnancy, complications in childbirth, and sexually transmitted infections, including HIV/AIDS.

It has been shown that prepubescent rape is one of the major factors responsible for the decrease in the number of girls attending school. The paper argues that at the root of early child marriage, child trafficking and child labour lay prepubescent rape. As more girls are trafficked and forced into early child marriage, so does the number of abused girls out of school increasing. This invariably makes prepubescent rape a serious threat to achieving Goal 2 (universal primary education) of the Millennium Development Goals.

## Recommendations

Since prepubescent rape threatens the success and sustainability of Goal 2 (of the MDGs) recorded by the Federal Government of Nigeria, the following are suggested to curb the prevalence of prepubescent rape of girls.

- i. Political leaders, particularly the policy makers should continue to promote girl-child education through the provision of free and compulsory 9-year basic education and prosecute parents/guardians who refuses to enroll their girls in school;
- ii. The Federal Government should ensure that all states in the federation adopt *The Child Rights Act*. The Act has been adopted by 24 of Nigeria's 36 states, remaining 12 states to follow suit. Proper implementation of the Act will be critical to combating all forms of child abuse;
- iii. The National Agency for the Prohibition of Traffic in Persons (NAPTIP) should work in partnership with UN agencies and other governmental and non-government organisations to create awareness, arrest and prosecute perpetrators of child trafficking for sexual exploitation;
- iv. Nigerian Federal Ministry of Employment, Labour and Productivity should raise awareness against child labour as it remains one of the means through which prepubescent rape occurs.
- v. There is an urgent need for Federal, State and Local Governments, as well as civil societies and international organizations to make prepubescent rape and sexual assaults of girls' critical subjects in the MDGs post-2015 development agenda.

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