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A Routine Activity Analysis of Selected Rape Cases during COVID-19 Lockdown in Nigeria

Oludayo Tade

Abstract

Using five popular rape victimisation cases which occurred during COVID-19 lockdown in Nigeria, this paper shows how the mastery of routines of rape victims by sexual predators enhanced the success of rape victimisation. Elements of routine activity theory such as motivated offender, attractive targets and absence of capable guardianship is used to analyse each case to signpost and underscore the importance and centrality of active capable guardianship to dislodge and neutralise rape offenders' routine mastery around attractive targets. The paper recommends mounting capable guardianship to checking growing menace of rape in Nigeria. Attractive target should eliminate risky routines and poisonous relationship which could enhance their chances of sexual violation.

Keywords: rape, sexual violence, sexual abuse, COVID-19, crime

1. Introduction

Rape, an unlawful carnal knowledge of man or woman is assuming a threatening dimension in Nigeria. While Nigeria has no reliable statistics which could show the extent and prevalence of the crime, media reportage and statement from law enforcement agency such as the police provides insight into the magnitude of the problem. Between January and May, 2020, Nigeria's Inspector General of Police stated that the force arrested 799 suspects associated with 717 rape cases. Out of this figure, six hundred and thirty-one of these cases have been charged to court while 55 cases were still being investigated (*The Guardian*, 16 June, 2020). While rape is not a strange criminal act globally, it assumed a threatening dimension owing to the COVID-19 pandemic where both attractive targets (victims) and motivated rapists or sexual predators are trapped under COVID-19 restrictions. While there is no disaggregated data of rape victims, news reportage of rape unpacks the complex reality of this phenomenon. While rape is becoming an epidemic [1], it is generally underreported [2], with the media spotlighting its occurrence [3, 4]. How then can we check growing phenomenon of rape? Against the run of existing works, I examine the importance of active guardianship in checking activities of rapists.

As a global concern, problems associated with rape have to do with how to prevent its occurrence or reduce it to its barest minimum and the challenge of low convictions of rapists [5]. These two problems of rape are exacerbated by the prevailing rape myths supporting attitudes. Kimberly and Fitzgerald [6] define

rape supporting attitudes as beliefs and notions which tend to deny and justify male sexual aggression against women. Of course, this conception favours women and does not capture the interests of males who are also victims of rape from women. Even in Nigeria, the percentage of male victims captured by the media is small [4].

In relation to convictions, behaviours of the Criminal justice actors (police, lawyers and jurors) influence the outcomes of a rape case. Whitey [5] argues that if rape myths are reduced or neutralised, there is the possibility of getting more rape convictions. What this implies is that when CJS actors are influenced by rape myths, their judgement and reactions to rape reduces conviction rates and vice versa. This is true as Whitey [5] notes that such myths legitimises offending behaviour and inhibits women from relating experiences as rape. While not all rape cases get reported to the police, the few ones reported may also suffer attrition [7]. This attrition may be caused by the decision of the handling officer who is to determine how far the case can go, the possibility of securing a conviction, or insufficient evidence. Worse still, the police may decide what should be recorded into the crime record or simply treat what is reported as mere information or intelligence. While rape attrition has been a major cause of concern in the past three decades [8], Stanko and Williams [9] unpacks how context of reported rape could impact on its outcomes. They show how social believability vulnerabilities (mental ill-health, under 18 years, under the influence of drugs/alcohol at the time of rape, were former partners of assailants or mental issues) could affect the outcomes of the rape. In particular, victims with mental health issues may suffer their allegations not being framed as rape and their cases are not likely to result into conviction.

In South Africa, Rumney and van der Bijl [10] found that rape supporting culture exists and this is shared by CJS professionals. Where such rape supporting culture exists, victims of rape do not generally come out to report their victimisation. Indeed, Jewkes and Abrahams [11] describe South Africa has a climate tolerant of violence and rape. Rape is also a social problem in South Africa where significant law reforms have been made to arrest the menace. The reforms were thought as a way of protecting victims of rape. Indeed, South African Courts joins the condemnation of the legal system which fails to protect rape victims. Burt [12] did not absolve the complicity of parents, families and society in exerting pressure on males to discourage rape. Accordingly, Jewkes [11] notes that males are permitted to do anything they can get away with while coercion is only queried if it affects victims of higher social status in the society. Wood et al. [13] also found that women are blamed for their victimisation. They are accused women straying beyond expected boundaries of female behaviour such as being intoxicated. This social attitude and beliefs also influence CJS response to rape and the eventual outcomes. Temkin and Krahe [14], p. 209 argue that social definition of rape narrows the understanding of rape by law enforcement agents. To them: "rape stereotypes affect the judgments made by individuals dealing with rape cases, for example as police officers, judges or members of a jury, and thereby shape the understanding of rape as it is represented and dealt with in the criminal justice system". Consequent upon these attitudes, the CJS utilises stereotypical notions to ascertain if a woman has been raped or not. Certainly, these erroneous assumptions surrounding rape affect the way victims or rape are treated along the Criminal justice system corridor. Shelley et al. [15] contend that the highly gendered nature of law enforcement organisations may have influence the situation where jaundiced notions about males and females influence the norms and practices in the agency. It remains inconclusive in literature whether women officers are more likely to believe the stories of rape victims or whether they will be more hostile to them [16, 17].

2. Rape and routine activity theory

Since its birthing by Cohen and Felson [18], routine activity theory (RAT) has been variously deployed to explain how time and space are important factors in criminal victimisation. Their basic idea was that the convergence in time and space of a motivated offender, suitable or attractive target in the absence of capable guardianship would result in criminal victimisation. According to Cohen and Felson [18], p. 589 “the lack of any one of these elements is sufficient to prevent the successful completion of a direct contact predatory crime”. In other words, no criminal victimisation will take place if there is a motivated offender and there is no attractive target and vice versa. We are also unlikely to have a criminal victimisation take place where there is capable guardianship and attractive target because the presence of capable guardianship will neutralise any victimisation instinct. This is rightly captured by Pratt and Turanovic [19], p. 2, when they averred that “one gets victimised if the three key elements converge, if any of the three are missing victimisation does not happen and the probability has little or nothing to do with it”. In deploying this theory to understand how selected cases of rape occurred in Nigeria, I argue that rapists are masters of the routines of their victims, sufficiently knowledgeable of when their attractive targets will be unprotected and more vulnerable for their sexual predation. It follows therefore that rapists’ understanding of the routines of their victims and when they will be more vulnerable to attack makes sexual violence of rape to be successful.

3. Methods

This paper adopts exploratory design and utilised secondary sources of data collection. Purposively, rape cases reported by the media during the COVID-19 lockdown in Nigeria formed the cases adopted for this study. During this lockdown, schools, offices and markets were shut down. While street crimes reduced, domestic violence and rape surged. Five cases of rape were selected for their uniqueness and the concern they generated both online and offline. They occurred between April 27 and June 6, 2020. They unveil different dimensions of victimisation and offenders’ use of space or mastery of routines of the victims and/or their guardians. We relied on the reported account of Nigerian national newspapers which covered the rape stories. In particular, *The Punch*, *The Nation* and the *Vanguard* newspapers provided account of relatives, parents and guardian of the victims on how the rape occurred. In analysing the data, I utilise the basic elements of routine activity theory: Motivated offender, attractive target and absence of capable guardianship.

4. The sexual predator as routine master

Under this section, attempt is made to analyse the data concerning each of the five cases and situated within the analytical framework of the routine activities theory. While studies have been looking for the personality of the rapists, looking for how rape occurs is capable of unveiling how to keep attractive female/male targets safe from motivated sexual predators. Felson and Cohen had maintained that crime could still occur even without the traditional notion of criminogenic factor like economic deprivation. Indeed as noted by Felson and Boba [20], crime and victimisation feature in everyday life of leaving home and going to work. Just like properties can be victim of motivated offender attacks, rape victims also become objects of sexual predators. It means that the dispersal of capable guardian from suitable target could provide a loophole for the motivated offender lurking around

to strike. This is why Cohen and Felson [18], p. 591 posits that “daily work activities separate many people from those they trust and the property they value”.

Everyday activity that takes one away from the protective custody of guardians to the waiting or monitoring hands of motivated offenders could include being alone at home, visiting ‘evil’ peers and selling on the streets around motivated offenders. Case 1 is the case of Jennifer which happened on April 27 when she was joined a male friend who had called him to meet him at a place where she would later be gang raped by those whom her sister said ‘she trusted’. She would later drink alcohol, lost self-guardianship to resist sexual assault and was gang raped. It follows therefore that the ‘gang’ had planned to remove their victims from the location where she could be saved from being raped to a location where all three elements of rape victimisation was sure. While we could analyse how ‘trust’ could make one vulnerable to being raped, not leaving and staying back when the other girls were leaving was itself a risky choice. Pratt and Turanovic [19] posits that people tend to self-select into the risky behavioural routines such as behaving in such a way that makes them vulnerable to attacks. This includes falling for the trick to drink alcohol, a tool to make her lose consciousness and self-guardianship. It shows how being at home or outside can both expose one to victimisation in the absence of capable guardianship. What this implies is that anyplace can be site for victimisation provided the elements of attractive targets, motivated offender and the absence of capable guardian converge to make rape victimisation a success.

Case 1: JusticeforJennifer in Kaduna [21]

A case of gang rape was reported in Kaduna state. The sister of the victim narrated what happened to the Punch reporter. “On April 27, 2020, one of the victim’s male friends called her to come and meet him somewhere. When she got there, she met two other girls and six boys. One of the boys had previously asked her for an intimate relationship and when it was time for the other two girls to leave, the victim also stood up to go, but one of the boys asked her not to leave yet that they wanted to talk to her on behalf of the young man asking her out. She trusted them and stayed back; they offered her alcohol, which she declined, but they coerced her into taking it after which she lost consciousness. Five of the boys raped her, while the sixth kept threatening his friends to stop or he would report them, but he never did. After they had raped her, the boys dropped her around 7 pm by the bridge close to the house and called her friends to come and get her, alleging that she had been sleeping since morning. As soon as she got home, she was taken to hospital, because she was unconscious and all necessary tests were conducted and the matter was reported at the Barnawa Police Station that same night. The case was transferred to the State Criminal Investigation and Intelligence Department and since then, the police have not arrested the three other boys or invite their parents to the station. The police are making no effort at all to arrest the suspects or question their parents. The police have been frustrating the case to the extent that the mother of the victim is already contemplating dropping the case. The parents of the two boys in custody are offering N15,000 each as damages for what their sons have done to the victim and the police have decided to release them on bail

5. Raped and murdered inside church: Uwaila’s case study

Period of uncertainty or crisis could also provide opportunity for rape victimisation. Just like the case of Jennifer, Uwaila (see Case 2 narration) innocently moved away from home where she could have benefitted from the protective custody of relations who were at home during COVID-19 lockdown. However, her routine of going to the church to read had been mastered by her rapists. This is also made possible because the church did not have night guard to guide the church facility and to the victim, the church was a sanctuary where criminals ought not venture into but she was wrong. The rapists were sufficiently motivated by a woman who paid them money to get the blood of a lady for alleged ritual. From the narrations of the offenders after they were arrested, they positioned themselves to ensure that their operation was successful.

They entered the church, initiated a conversation with their target, attacked her, raped her, cleaned her blood and escaped before they were later arrested. Certainly, the mastery of routine of the victim and the absence of capable guardianship within the precinct of the church made the motivated rapists successful with their victimisation.

Case 2: Uwaila Vera Omozuwa.

Late Uwaila Vera Omozuwa was a 22-year old microbiology student of University of Benin in Edo state. Following the lockdown of higher institutions due to coronavirus 2019 (COVID-19), Uwa had to go back home to her family to continue to hold up while the COVID-19 pandemic is expected to reduce before returning to school. She was studious and a choir of the Church where she was raped and murdered. Due to the lockdown which brought many people home, Uwa had complained about the disturbance of family members to her reading because of their noise and sought to continue using the Church to read. This became a normal way to her. On May 27, she was met inside the church in the pool of her blood. She was raped, beaten and hit with fire extinguisher on her head. She would later die in the hospital. The church security officer had gone to collect the key to the church from its keeper when he was told someone was in the church already. The security officer was to alert them of the incident in the church. The police paraded her killers on August 26, 2020. They confessed to raping and killing Uwa since they understood her movement. They were paid one million naira to kill her by suspected woman ritualist to use white handkerchief to clean her blood. The Police stated that post-mortem showed she was raped. (Vanguard newspaper June 12, 2020: How 22-year old UNIBEN student was raped inside church, murdered. <https://www.vanguardngr.com/2020/06/how-22-year-old-uniben-student-was-raped-in-church-murdered/>)

6. Home alone: the rape and murder of Barakat Bello

Site of victimisation can be home or outside the home on the street. Pratt and Turanovic [19] posited that it is theoretical to assume that home is a safe location for victimisation. They argue that victimisation such as child abuse, domestic violence, intimate partner violence all occur within the home.

Case 3: Barakat Bello [22]

On June 1, 2020, 18-year old student of Federal College of Animal and Production Technology in Ibadan was raped and murdered for suspected ritual purpose. Her father narrated "I was not at home when the incident happened. The victim's younger sister was not at home too; she went for Quranic lessons, but when she returned home, she saw Barakat at the back of the house with deep cuts all over her body. She had been raped and killed. Somebody called me on phone that I should come home but he refused to tell me what happened. When I got home, I saw that my daughter had been raped and hacked to death." The victims' mother too was not at home while the incident happened. She was the only one at home in an isolated and bushy environment where the incident occurred

In the case of Barakat, the victim was home alone with no one around her. They also live in isolated place where help was far. The house was surrounded by bush. Understanding this terrain, the motivated offender would later attack her, raped her and killed her.

7. Odd hours: underage defilement

Case 4 presents another dimension to dangerous spaces where motivated offenders lurks and awaits attractive targets before they strike. For sexual predators, timing of attack is vital. What set the capable guardianship apart from the attractive target is the time the guardian is away from the attractive target. Therefore, leaving home to eke out a living on the streets becomes a risky routine which increases the susceptibility of the hawker to be attacked.

Case 4: 17-year old girl gang rape in Ekiti State [23]

A 17-year old sachet and soft drinks hawker was attacked by three hoodlums around 7 pm and raped her. She was threatened with broken bottles and was with them for 45 minutes.

Timing of economic activity contributed to the victimisation. Selling at odd hour in the neighbourhood of anti-social elements presents opportunities for defilement since guardianship and visibility to poor.

8. 'We are being monitored': defilement of 12-year old

The fifth case for our analysis is that which also happened during the lockdown of Lagos state which is the epicentre of Coronavirus 2019 (COVID-19) infections in Nigeria. Children and their parents were restricted to their residence except for those on essential services duty. Schools had started series of online classes to keep their pupils busy learning. The father was at home as a capable guardian, at least with potential to protect her daughter against attacks. However, that the rapists could attack their victim while the father (guardian) rushed to buy fuel for his daughter to continue online learning unpacks and lay credence to the important of routine activity in understanding sexual predation.

Case 5: 12 year old defiled in Lagos [24]

A 12-year old girl was defiled while playing alone in her compound. Her parents were not around when the masked men came in to defile her. Her mother narrated that 'I went to the office and was called (on the phone) and told that my daughter was raped in our house. I learnt she was having her online class when suddenly, there was a power outage. My husband rushed out to get fuel at a filling station so that she could participate in the class seamlessly. Blessing (not her real name) told us that while she was in the compound, four masked men jumped into the house through the fence. They took her inside and took turns to have sex with her, leaving her with multiple injuries. Immediately I received the call, I became so mad. I headed for the hospital where my daughter was rushed to. When I got there, I was told she suffered 'vaginal trauma'. The underneath of her clitoris was bruised and she had a deep tear that made her bleed severely, She could have passed out if not that her dad got back home early. She lost a lot of blood. The bleeding stopped after the tear was stitched; although, she is still experiencing very severe pain. I do not think we are secure anymore because it seems like we are being monitored. They perpetuated their evil within the few minutes it took my husband to buy fuel. They could not enter through the gate because of an ongoing construction at a building opposite ours. The site was crowded and that made them avoid entering through the front door. They scaled the fence. Some policemen followed us to the house and saw how the attackers scattered our things around

The rapists scaled the fence, avoided where crowd was and violated the underage before the father returned. This rape defilement follows this order: motivated offender, absence of capable guardian, attractive target attack and defilement and disappearance after the defilement. This finding aligns with the Cohen and Felson [18] who explained how dispersion for legitimate activities away from home could lead to the victimisation of valued object or material.

9. Discussion of findings and conclusion

Maume [25] posited that inequality may contribute to rape indirectly through lifestyle. This partly explains the rape of the 12-year old where the father had to

rush to buy fuel for generating power. It is assumed that if generating set were to be available without having to wait for a time to buy fuel, victimisation would not have been possible. This undoubtedly contributed to the victimisation since the guardian had to move away from the attractive target of the rapists, his daughter.

In terms of target suitability, Franklin and Menakar [26], p. 2 posited that individual variation in routine activities may enhance or diminish the chances that someone will be viewed as vulnerable and be selected as target. This is useful in explaining Jennifer's exposure to sexual predatory gang who pulled her away from safe zone to their territory. Scholars [27] underscore how women's selective routine may heighten their victimisation by sexual predators. They list 1) increasing sexual vulnerability through target attractiveness and exposure to would-be perpetrators and 2) decreasing the capacity to avoid unwanted sexual contact by limiting self-guardianship. It follows therefore that self-guardianship is important regulate movement in and to dangerous places. Target suitability, according to Shwartz and Pitts [28] includes availability, vulnerability, intoxication, and friendship or relationship with men who use alcohol to extort sex. Jennifer's intoxication reduced self-guardianship and paved way for rape. Studies have shown how being present at alcohol events impairs self-guardianship and increases target attractiveness and sexual assault [27]. According to Felson [18], men would deploy physical force only when other methods fail. This may explain why they lured her to their comfortable space.

Understanding how rape victimisation occurs may be helpful in checking its future occurrence by simply increasing guardianship and neutralising distractions which may displace the guardian from protecting the vulnerable attractive targets. The five cases we examined showed how the mastery of routines by the rapists contributed to successful victimisation of their targets. Home is also not safe where predators are lurking around. Spontaneous behaviour like buying fuel could remove guardianship from a treasured human being who becomes victimised in the absence of the guardianship. It is important that attention is paid to issue of guardianship, self or social guardianship which would be active and capable of dislodging sexual predators from actualising rape victimisation. Mounting capable guardianship may be one of the possible ways of reducing rape victimisation at individual, family, communal and societal levels.

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