

**CHILD RAPE AND DEFILEMENT CASES IN MALAWI: “The Vulnerability of
the Girl Child in Zalengera Village in Ntcheu District.”**

MA (SOCIOLOGY) THESIS

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UNIVERSITY OF MALAWI

CHANCELLOR COLLEGE

August, 2012

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the Girl Child in Zalengera Village in Ntcheu District.”**

MA (Sociology) Thesis

By

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CANDIDATE'S DECLARATION

I the undersigned hereby declare that this thesis is my own work which has not been submitted to any other institution for similar purposes. Where other peoples' work has been used, acknowledgements have been made.

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CERTIFICATE OF APPROVAL

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“ To all victims of child rape and defilement in Malawi”

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ABSTRACT

This study set out to investigate factors that make a girl child vulnerable to child rape and defilement in Malawi. Specific objective of the study were to examine reasons for rape and defilement, explore reasons as to why more girls are raped and defiled than boys and to find out reasons as to why most perpetrators of child rape and defilement are males.

The study was done at Zalengera village in Ntcheu district. The study was qualitative and explorative as it focused on obtaining a detailed and clear picture on issues of child rape and defilement. A total of fifty people were interviewed during data collection. These included forty-two youths and eight key-informants.

The sub-samples were selected using purposive sampling method. This is a method in which respondents with specific characteristics are consciously selected in order to meet the needs of the research question. The study employed individual interviews and focus group discussions (FGDs) as methods of data collection. In both individual interviews and focus group discussion, an in-depth interview guide administered by the researcher was used as a data collecting tool. Qualitative data obtained from both individual interviews and focus group discussions was analyzed manually to establish emerging trends, themes and patterns that were used to interpret the findings of the study.

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LIST OF ABBREVIATION AND ACRONYMS

FGDs; Focus Group Discussions

AIDS; Acquired Immune Deficiency Syndrome

HIV; Human Immune Deficiency Virus

STIs; Sexually Transmitted Infections

Chapter One

Introduction

1.0 Background to the study

Child rape and defilement are among the most serious sexual crimes in Malawi. According to section 132 of the penal code (cap.7:01) of the laws of Malawi, rape is defined as “unlawful carnal knowledge of a male or female without her or his consent or with consent obtained by means of force or intimidation. Defilement on the other hand, is when a person unlawfully and carnally knows any girl or boy under the age of 13 years even with her or his consent.” (The penal code cap.7:01). According to section 133 of the penal code, both rape and defilement crimes carry a maximum sentence of life imprisonment if someone is found guilty of committing these crimes.

In the pre – multiparty era (1964-1993), there was very little reporting by the media on child rape and defilement cases in Malawi (Kakhongwe, 2005:13). For instance, between the period 1964 to 1980, only an average of two child rape and no cases of defilement per month were reported in the media. Between the period 1980 to 1990, an average of four child rape cases and three defilement cases per month were reported. From 1990 to 1994, eight child rape cases and four defilement cases per month were reported (Kakhongwe, 2005:14). The low reporting rates do not entail that people were committing few of such crimes. There are a number of factors that might have contributed to low reporting rates on child rape and defilement issues by the media. One factor that contributed to such low

reporting rate was that many people by then did not know that child rape and defilement were serious criminal offenses worth reporting to the police. Studies have shown that where the perpetrator of rape or defilement was a close relative to the victim, the family treated the case as a private issue which could be settled internally through counseling of both the victim and the perpetrator (Phiri, 2000: Matandika, 2002). But soon after the country embraced democratic system of government, there was a lot of civic education and sensitization of people on several human rights. Consequently, many people have come to realize that child rape and defilement are serious crimes which violate the rights of a child and such crimes are no longer treated as private issues.

The other factor which contributed to low reporting rates during the pre-multiparty era was that there was very limited media freedom in the country such that journalists were afraid of being arrested if they were seen as writing on issues that would damage the reputation of the country. Furthermore, the country had only two newspapers and one radio station. This also might have contributed to limited coverage and reporting on child rape and defilement issues. But since 1994 when the country became a democratic state, there has been an improvement in media freedom and journalists are free to write on such issues which may have led to the increase in media reporting on child rape and defilement (Phiri , 2000:34, Matandika , 2002 : 12,Mataya , 2004 : 65).Furthermore, the country had only two newspapers and one radio station. As a result, there was very limited coverage on such issues.

The introduction of multi-party politics in the country which resulted in to Malawi adopting democratic system of government saw an influx of radio stations and newspapers in the media industry. This also has resulted in increase in reported cases of child rape and defilement cases by the media.. Print media reports seem to suggest that there is an increase in child rape and defilement cases in Malawi. In the year 2000, for instance, from January to December, 39 cases of child rape and 16 cases of defilement were reported in the print media. In 2001, a total of 43 child rape cases and 19 defilement cases were reported while in 2002, 51 cases of child rape and 21 cases of defilement were reported. In 2003, a total of 58 cases of child rape and 26 cases of defilement were reported while in 2004, 63 cases of child rape and 31 cases of defilement were reported.

In 2005, 66 cases of child rape and 35 cases of defilement were reported and in 2006, 69 cases of child rape and 35 cases of defilement were reported. The year 2007 recorded 71 cases of child rape and 37 cases of defilement. By July, 2008 when the researcher was collecting these statistics from the Newspapers, already 76 cases of child rape and 39 cases of defilement had been reported by the print media (The Nation Newspapers and The Daily Times Newspapers – January, 2000-July, 2008). Table 1 below summarizes the above statistics.

Table 1: Reported numbers of child rape and defilement cases in Malawi from the year 2000 to July 2008

Year	Reported number of child rape cases	Reported number of defilement cases
2000	39	16
2001	43	19
2002	51	21
2003	58	26
2004	63	31
2005	66	35
2006	69	35
2007	71	37
2008	76	39

(Source: The Daily Times Newspapers- January, 2000 to July, 2008)

Note: In table 1 above, the figures for 2008 are incomplete. They run from January to July, 2008 because by July, the researcher had already started developing a thesis proposal.

However, it must be pointed out that the actual cases of child rape and defilement might be higher than the figures shown in table 1 above because not all cases are reported by the public to the police or by the media. Since the year 2000, child rape and defilement cases have attracted greater attention from the general public. This is because as statistics above indicate from the year 2000 to 2008 there has been an increase in reported cases of child rape and defilement by the print media. Several civil society organizations have expressed their concern on the rise in reported cases of these crimes. Some human rights groups such as Civil Liberties Committee and Centre for Human Rights Rehabilitation have embarked on civic education and sensitization programmes to alert the general public on negative consequences of child rape and defilement on individuals especially a girl child.

1.01 Context in to which child rape and defilement occur in Malawi.

Child rape and defilement in Malawi occur due to several contextual factors such as social status of the child, for instance, whether the child is an orphan or not; degree of parental care given to the child and the level of security given to the child. Data collected from print media in Malawi on child rape and defilement can be used to show that social status of a child is one of the factors that may put her at risk of being raped or defiled. For instance the Nation newspaper of 24th September, 2000 reported that a 13 year- old orphan girl in Ntcheu district was defiled by her step-father who threatened to stop paying school fees for her if she reported the incident to her mother (The Nation Newspaper, 24th September, 2000: 2).

This shows that some guardians take advantage of the fact that some children are orphans and depend on them for economic survival to sexually abuse them. In another instance, the Daily Times edition of 4th March, 2003 reported that a 14 year- old girl in Kasungu was gang raped by four men when she was returning home from school late in the evening. The men grabbed and dragged her into the nearby bush where they took turns to rape her (The Daily Times Newspaper, 4th March, 2003:1). This incident shows that some girls are defiled or raped because of poor security in some places. In this case, the culprits took advantage of the fact that the girl was alone late in the evening when many people had stopped walking about. So it was unlikely that someone could come to her rescue.

Furthermore, the nation newspaper of 24th July, 2005 reported of a forty-two year old man who was sentenced to five years imprisonment with hard labour for defiling a ten-year old girl in Dedza district. The culprit was employed as a watchman by the victim's parents. On that day, the father to the girl had gone to work while her mother had gone to the market to purchase some food items. The perpetrator took advantage of the girl's parents' absence and followed her into the house where he defiled her (The Nation newspaper, 24th July, 2005: 3). This incident also shows that child rape and defilement in Malawi take place in circumstances where there is poor security for a girl child.

In another case to illustrate how lack of security exposes a girl child to child rape and defilement in Malawi, the nation newspaper of 10th July, 2006 reported that a primary school teacher in Ntcheu district was sentenced to four years imprisonment with hard

labour for raping a fifteen year old standard eight girl and for attempting to defile her nine year old sister. The story said that the two girls were sleeping alone in the house because both their parents had gone to another district for some business. The perpetrator was a neighbour to the family and upon learning that the girls' parents were away from home, later in the night he broke in to the house where he committed the crime (The Nation newspaper, 10th July, 2006:2).

In addition to that, the Daily Times Newspaper of 12th February, 2007 reported about a 56 year old man from Wenya, Chitipa district, who was sentenced to six years imprisonment with hard labour for defiling a 12 year old girl from the same district. The girl had been sent by her mother in to the nearby bush to collect some firewood where the culprit met her. The culprit told the girl that he would give her K50.00 if she accepted to have sex with him. However, the girl rejected the offer but the culprit grabbed her and defiled her. He threatened to kill her if she revealed the incident to her parents or anyone (The Daily Times, 12th February, and 2007: 2). This incident shows that the girl was defiled because she was alone in the bush where her life was not safe. This shows that child rape and defilement in Malawi occur in situations where there is little or no security for a girl child.

A few studies that have been conducted in Malawi on these crimes indicate that most of the victims of child rape and defilement are girls (Mkandawire and Chioza, 2003: 51, Mataya, 2004: 43, Banda, 2004: 21, Kakhongwe, 2005: 7).

Studies show that 99.6% of the victims of child rape and defilement are girls and only 0.4 % are boys (Chabwera, 2002; Mataya, 2004; Kakhongwe, 2005). However, these studies have not explained the factors that lead to the vulnerability of a girl child to child rape and defilement. The present study, therefore attempts to explore these factors which explain the vulnerability of a girl child to child rape and defilement in Malawi.

1.1 Problem Statement

Many studies have been conducted on child rape and defilement in other countries (Stanfield, 1986; Sanford, 1989; Russel, 1995; Mwansa, 1999; Malcolm, 2003; Johnstone and Lewis, 2005). In Malawi, very few studies have been done on child rape and defilement (Mkandawire and Chioza, 2003; Banda, 2004; Kakhongwe, 2005). The results of all studies done in Malawi on child rape and defilement show that most victims of child rape and defilement are girls. Police records and newspaper articles on cases of child rape and defilement in Malawi also indicate that the main victim of child rape and defilement is a girl child. Case files obtained from the Ntcheu magistrate court also showed that a girl child is the main victim of child rape and defilement in Malawi.

Despite overwhelming evidence from earlier studies, newspaper articles, statistics from the Malawi Police and case files from the court on vulnerability of a girl child to child rape and defilement, no study has gone further to explore factors that make a girl child vulnerable to child rape and defilement. The present study attempts to explore these factors.

1.1.1 Significance of Study

The significance of this study can be looked at in three different ways. Firstly, as earlier indicated in the preceding section very few studies have been done in Malawi on child rape and defilement. This study therefore adds knowledge to the existing literature on child rape and defilement in Malawi. Secondly, findings from earlier studies done in Malawi reveal that a girl child is more vulnerable to child rape and defilement than a boy child. However, to the best of my knowledge, none of those studies explain why a girl child is more vulnerable to child rape and defilement than a boy child. This study, therefore, is significant in the sense that it fills the knowledge gap that was left by earlier studies in Malawi in the way that it explores factors that explain why a girl child is vulnerable to child rape and defilement. Thirdly, after revealing the factors that make a girl child vulnerable to child rape and defilement, the findings of this study might help to generate more research on the issue of child rape and defilement and perhaps assist various stakeholders in policy making in Malawi to come up with effective mechanisms that would ensure that a girl child is fully protected from the problem of child rape and defilement.

1.1.2 Aim of Study

The aim of the study was to investigate factors that make a girl child vulnerable to child rape and defilement.

1.1.3 Specific Study Objectives

The specific study objectives were to:

- (i) Examine reasons for rape and defilement.
- (ii) Explore reasons as to why more girls are raped and defiled than boys.
- (iii) Find out reasons as to why most perpetrators of child rape and defilement are males

1.14 Chapter Summary

The preceding chapter has given the introductory part of the study. It has defined the key terms in the thesis and has provided empirical evidence of occurrence of child rape and defilement cases in Malawi. In Malawi, the media play a big role in informing the public on cases of child rape and defilement taking place in the country. Reports from print media indicate that there has been an increase in cases of child rape and defilement in Malawi from the year 2000 to 2008. The chapter also has highlighted the contribution of the study to the existing literature on child rape and defilement in Malawi. The chapter also has stated the aim of the study and its specific objectives.

Chapter two: Literature Review

2.0. Introduction

This section presents a review of the literature related to the problem under investigation and the theoretical frame work within which the problem was captured. The literature consists of the general over view of the extent of child rape and defilement cases elsewhere and particularly in Malawi. It highlights the extent of child rape and defilement cases in various parts of the world, the various contexts in which rape and defilement occurs, characteristics of defilers and rapists, characteristics of victims of child rape and defilement and impact of child rape and defilement on an individual victim.

2.1 Characteristics of perpetrators of child rape and defilement

Studies have shown that most perpetrators of child rape and defilement are males. In one study, conducted in Chicago, in the United States of America, on nature of sexual crimes committed by adolescents, Johnstone (1988) found that 99% of perpetrators of child rape and defilement were males. In a related study, conducted in Sydney, Australia, to investigate the characteristics of rapists and defilers, by Feldman and Wilson (1992), respondents reported that cases of child rape and defilement are mainly committed by men. The problem with the findings of these studies is that they did not explain why the perpetrators of child rape and defilement are mostly men.

Apart from that, perpetrators of child rape and defilement are also associated with the history of sexually related offences. In a case study conducted in South Africa, 36% of

perpetrators had been previously convicted of a sexually related offence prior to the current one (Nuyupa and Khamera, 1986: 38). In another study conducted in Abuja, Nigeria, using a sample of 336 prisoners, who were convicted on rape and defilement charges, 58% reported that they had in the past committed other sexually related crimes before the one on which they were convicted (Osegudna and Alishe, 1991 in Hall, 1998).

A survey conducted in Jamaica revealed that police crime records are high on sexual offenses. In their analysis of patterns of crimes committed by convicted offenders in the period 2000-2003, Johnstone and Lewis (2005), found that 15% of the convicts had committed sexually related crimes such as child rape and defilement. Out of those convicted of sexually related crimes, 5% indicated that they had committed more other sexual crimes prior to the one over which they were arrested. The major weakness of this survey is that it did not explain the reasons for the increase in sexual related crimes.

However, this is not to say that all perpetrators of child rape and defilement have had committed similar offences before because other studies have shown that this is not always the case. For example, a study conducted by Malcolm in London established that 77% of the convicts of child rape and defilement reported that it was their first time to commit such offenses (Malcolm, 2003 in Myers, 2005: 120).

Furthermore, studies have revealed that most perpetrators of child rape and defilement are involved in alcohol and drug abuse. In a study conducted by Phillip and Elton (1991) in Limpopo, South Africa, using a sample of 224 convicted rapists and defilers, it was

found that 48% of them were involved in some type of substance abuse primarily marijuana and alcohol. In another study conducted by Macfallen (1998), in Mombasa, Kenya using a sample of 106 prisoners convicted of child rape or defilement charges, 41% reported that they had at one time in their lives abused drugs. But this does not imply that there is a direct relationship between substance abuse and committing rape and defilement since other studies have demonstrated that some perpetrators do not abuse any substance such as marijuana and alcohol. For instance, a study conducted in Addis Ababa, Ethiopia, by Lewis (1999) using a sample of 210 prisoners who were convicted on sexually related crimes, such as child rape and defilement found that only 4% of them had been involved in drug and substance abuse before (Lewis, 1999: 33).

Studies have also found that most of the perpetrators of child rape and defilement have low levels of education. For instance, a study done by Phillip (1981) in Kwazulu Natal, South Africa using a sample of 280 prisoners convicted of child rape and defilement found that 65% of them had not completed high (secondary) school level.

However, this is not to say that low levels of education causes one to commit child rape or defilement as some of the perpetrators of child rape and defilement may be highly educated individuals.

2.1.1 Characteristics of victims of child rape and defilement

A number of studies have revealed that most victims of child rape and defilement are girls. Only a small proportion of victims are boys. Sanford (1989) conducted a

comparative study in London on sexual experiences in children. In a random sample of 175 boys, only 10 boys representing about 6% reported that they had been sexually abused before the age of sixteen while using the same sample size, 133 girls representing about 76% reported having been sexually abused before the age of sixteen.

Agreeing with the findings of Sanford (1989), Russel (1995), in her study conducted in San Francisco on vulnerability of the youth to sexual abuse involving adolescent girls and boys aged between 13 and 16 years found that, 59% of the girls reported that they had been victims of forced sexual acts while only 4% of the boys indicated that they had been subjected to one form or another of forced sexual practices (Russel, 1995 in Mitchella, 1997: 107). The problem is that both studies have not explained why there is a difference between boys and girls in as far as being victims of sexual abuse is concerned. The study also does not show the sample size, therefore, it is hard to determine exactly how many boys and girls respectively were victims of forced sex.

Studies have also shown that most victims of child rape and defilement are young girls aged between 10 and 17 (Russel, 1996: 160). This is because many perpetrators believe that girls in this age category look more beautiful and sexually attractive than those who are advanced in years.

For instance, a study done by Russel (1996) in the United Kingdom found that 89.5% of the victims of child rape and defilement were young girls aged between 10 and 17 years.

Although generally most of the victims of child rape and defilement are girls, studies have exclusively indicated that there are variations among girls as regards being victims of child rape and defilement depending on the category to which they belong, with the orphans, domestic workers and street girls being more vulnerable to the problem (Kelly, 1989; Freeman, 1995; Malcolm, 2003).

A study conducted in Chingola, Zambia, found that 1% of the orphan girls had been either raped or defiled by their guardians or step fathers (Mwansa, 1999:37). The study also revealed that some of these victims had been defiled or raped by their guardians more than once. The researcher quoted one of the girls who had been the victim of persistent sexual abuse by her step father narrating her ordeal as follows:

Since I lost my father in 1994, I've been staying with my mother who is now married to another man. My step father had raped me for three times for the past two years (Mwansa, 1999: 41).

The other category of girls who are more vulnerable to sexual abuse such as child rape and defilement are those in the streets. Studies have shown that in case of a girl child on the streets, she may be sexually abused by fellow street boys or adults, (Russel, 1996 in Mac fallen, 1998: 81, Stanfield, 1999).

Furthermore, studies have also revealed that some girls who work as domestic workers have been either raped or defiled by their employers. A study conducted in Kinshasa, in

the Democratic Republic of Congo among domestic workers aged 12 – 16 years established that some of the girls working as domestic workers had been sexually abused by their masters. In a random sample of 60 girls, 18 reported that their masters had attempted to rape or actually raped them. 8 of these 18 victims representing about 44.4% reported having contracted sexually transmitted infections (S T I s) as a result of these unsolicited sexual acts (Petersen, 1991:57).

Elsewhere, research conducted by UNICEF in Maseru, Lesotho, found that 33% of the girls working as domestic workers had been exposed to sexual abuse such as rape (UNICEF report, 2001: 12).

2.1.2 Child rape and defilement cases in Malawi

In Malawi, a few studies have been done on issues of child rape and defilement (Chirwa, 2000: Mkandawire and Chioza, 2003: Banda, 2004: Kakhongwe, 2005). A study done by Chirwa (2000) compared cases of child rape and defilement across the three regions of Malawi.

A study conducted by Mkandawire and Chioza (2003) focused on the extent of child rape and defilement in the northern region while a study conducted by Banda (2004), focused on the effect of child rape and defilement on a victim. A study conducted by Kakhongwe (2005) focused on extent of child rape and defilement in Malawi using statistics as reported by the media.

Efforts to document the real situation as regards reported cases of child rape and defilement in Malawi have yielded alarming statistics. A study conducted by Chirwa (2000) found that there were a total of 120 reported incidents of child rape and defilement throughout Malawi between January and December 2000 (Chirwa, 2000: 28). Of these, 55 cases were in the southern region, 38 in the central region and 27 in the northern region. The study does not however explain the differences in number of cases of child rape and defilement recorded in the three regions of the country. In a related study conducted in 2003, Mkandawire and Chioza (2006), found that there were a total of 240 reported cases of child rape and defilement country wide between 2002 and 2006. The findings were based on the statistics collected from the Malawi Police Service in all the three regions. Of these cases, 96 were recorded in the Southern region, 78 in central region and 66 in the northern region. The study did not give reasons for the differences in number of child rape and defilement cases committed across the three regions

The statistics obtained from the police might not indicate the actual number of cases of child rape and defilement out there. The actual number of child rape and defilement on the ground might be higher than portrayed by police statistics because in Malawi, despite that there have been a lot of effort by Non- governmental Organizations (NGOs) to sensitize people on child rape and defilement issues, there are still some families which regard rape and defilement cases as “private matters” not worth reporting to the police. This happens especially when the perpetrator of child rape or defilement is a close relative to the victim. As a result, some of the cases of child rape and defilement may have gone unreported. An example of such an incident was recently reported in the nation

newspaper in which the magistrate court fined a man for failing to report to police when his daughter was defiled by his brother (The Nation News paper, 5th October, 2010: 2)

In Malawi, studies have also revealed that there are cases where the victim is defiled or raped by more than one person at one time. For instance, a study conducted by Banda (2004) using statistics from the police indicated that some of the victims are molested by more than one person. An example of this kind of sexual assault occurred in Kasungu where a 17- year – old girl was raped by six men. In the same district, a four – months-old baby girl was defiled by two men (Banda, 2004: 67).

2.1.3 Effects of child rape and defilement on an individual victim

Child rape and defilement are serious sexual offences because of their devastating effects on an individual victim. Studies have found that child rape and defilement have physical, psychological and social effects on an individual victim (Freeman, 1985: 54, Simpson, 1986: 96; Kelly, 1989: 63, Banda, 2004: 14).

Among the physical effects, victims of child rape and defilement may acquire sexually transmitted infections including HIV/AIDS. In addition to that, victims of child rape and defilement may become pregnant. On psychological effects, Simpson (1986) reported that victims of child rape and defilement develop fear of being raped or defiled again, distress, feeling of powerlessness and feeling of isolation. In addition to that, a study conducted by Kakhongwe (2001) found that child rape and defilement may result in poor

academic performance. This is because the victim is traumatized and therefore fails to concentrate in class as a result may even fail to pass examination. The long term consequence is that such individuals may eventually withdraw from school.

On social effects, in some cultures which uphold virginity at marriage, a victim of child rape or defilement would have her chances for marriage jeopardized because potential suitors would not be interested in marrying someone who had already been “damaged”. This happens especially where the victim seeks to marry somebody from the same locality where the incident took place. However, if the victim relocates to other places where she is not known, she may get married. The other social effect of child rape and defilement is that sometimes people blame the victim for being raped or defiled. When this happens, victims of child rape and defilement are stigmatized. This causes a lot of pains and regrets in the victim which if not properly handled may result into the victim committing suicide (Simpson, 1986: 47)

The literature that has been reviewed in this section has presented a general picture of the extent and magnitude of child rape and defilement cases in Malawi as well as in other countries worldwide. The reviewed studies have generally demonstrated that, there is a significant gender difference between girls and boys as regards to would be the victim. The studies have concluded that most of the victims of either child rape or defilement are girls. This study therefore is a step further to understanding the problems of child rape and defilement in Malawi as it investigates the factors that make girls vulnerable to child rape and defilement.

2. 1.4 Theoretical framework

There are a number of theories that explain why people commit rape and defilement crimes in society. However, it must be stated that there is no single theory that conclusively explains why some people commit the crimes of rape and defilement. The following are some of the theories that explain why some people commit rape and defilement crimes.

(a) Anger rape theory

The theory was proposed by Radcliff Maston (1974). According to this theory, the rapist or defiler has a natural hatred for the victim. The aim of the rapist or defiler is to humiliate and hurt the victim. He achieves this through physical violence or use of profane language. The rapist or defiler uses sex to defile and degrade the victim.

Rape and defilement are used as the ultimate means of expressing the anger against the victim. The rapist or defiler aims to eliminate the victim from his sight.

(b) Power rape theory

The theory was proposed by Paneliuna Brown (1983). According to this theory, rape and defilement is a way of compensating for the inadequacies which rapists and defilers feel they possess. The power rapist relies upon verbal threats, intimidation with the weapon such as a knife and only uses the amount of force necessary to subdue the victim. The power rapist tends to believe that even if the victim initially resists him, once over

powered, the victim tends to enjoy sex. According to this theory, the rapist or defiler might commit a series of sexual crimes against different victims within a short time.

(c) Sadistic rape theory

The theory was proposed by Mickella Bowklings(1980). According to this theory, there is sexual transformation of anger and power so that aggression itself is eroticized. Rapists and defilers find excitement in inflicting pain on the victim. Sadistic rapists and defilers often plan carefully before they launch an assault on their victims. Most of their victims do not survive the attacks. For some offenders, the ultimate satisfaction is gained from murdering the victim.

(d) Sexual gratification theory.

Richard Felson (1994) proposed this theory. According to this theory, sexual fulfillment is the primary motive for rapists and defilers. Rape and defilement are aggressive forms of sexual coercion and the goal of rape or defilement is sexual satisfaction rather than power manifestation. The rapist or defiler enjoys having forced sex with the victim.

In view of my study, the above theories help to understand the underlying causes of child rape and defilement in Malawi. However, these theories do not explain the vulnerability of a girl child to child rape and defilement in society. Hence the need to focus on feminist theories which offer a great insight into the vulnerability of a girl child to child rape and defilement.

(e) Feminist theories of rape

The feminist theory of rape is summarized by Susan Brownmiller's statement which says that "rape is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear" (Brownmiller, 1984:188). The theory asserts that male domination of females in socio- political and economic domains is the ultimate cause of all rape and considers male- female rape to be a crime of power that has nothing to do with sex itself. Feminism theorists believe that societies have created what they call "rape culture". Rape culture is when rape and other sexual violence, usually against women are common and in which prevalent attitudes, norms, practices and media condone, normalize, excuse, or encourage sexualized violence.

According to Catherine Mackinnon (1983), rape and defilement occur in society because of the way in which males are socialized within the patriarchal system. She argues that boys are brought up to be sexually aggressive, dominant and conquering as a way of affirming their masculinity. According to Checks and Malamuth (1983), men are taught to take the initiative and persist in sexual encounters while women are supposed to set the limits. This implies that men should persist even beyond a woman's protest and women should say "no" even if they desire sex. For this reason, many men do not believe that a woman means "no" when she says no and they feel entitled to continue pressurizing her and ultimately force her in to sex.

Studies done in Cambodia, Peru, Mexico and South Africa reveal that many men who participated in incidences where girls were coerced in to sex such as gang rapes did so as a way to prove their masculinity to their friends (Mackinnon, Checks, Malamuth, 1983 in Wagget, 1987: 65).

However, since the study is being done in Malawi, which is largely a patriarchal society, this thesis will draw much of the insight to understand the vulnerability of a girl child to rape and defilement from one strand of feminist theories which blame patriarchy system for all social problems faced by women in society. This strand is called radical feminism theory. Radical feminists attribute the vulnerability of girls to child rape and defilement to unequal gender relationships that exist between males and females in modern patriarchy societies (Saunders, 1981: Russel, 1985: Kelly, 1988 in Putnam, 1998: 67).

The theory of radical feminism explains that social problems girls and women are facing in society including rape and defilement are due to patriarchy system. The theory argues that patriarchy system gives men superior powers over women so that they remain under the control of men. In terms of sexual relationships between men and women, the theory argues that such relationships are about male domination and female subordination setting the stage for sexual assault such as rape and defilement. (Glassier and Frosy, 1988: 81). The theory further contends that since males have total control over females in as far as sexual relations are concerned, they look at girls and women as sex objects whom they can use and exploit any time in any way, and where there is resistance from a woman to participate in sex, men are meant to believe that they are justified to use

coercive means such as rape and defilement to satisfy their sexual desires. According to this theory this makes girls and women to be vulnerable to the problem of rape and defilement since men view them as people who were designed by nature to satisfy the sexual needs of men.

The theory of radical feminism is appropriate for my study because this study is being done in Malawi, which is largely a patriarchal society. Specifically, in Zalengera village which is mostly occupied by the Ngoni people, men dominate over women in all areas of life including control of important resources such as land and livestock in homes. When a man marries a woman, she is expected to perform the role of satisfying the needs of her husband in particular, sexual needs. As a result of this, women and girls are viewed like sex objects. The insight from radical feminism will direct the study by examining the impact of patriarchy on child rape and defilement in Malawi.

However, the major limitation of radical feminist theory is that it does not offer us the immediate and practical solution to the problem of vulnerability of a girl child to rape and defilement. The theory of radical feminism suggests that in order to free women from men's oppression, which in this case includes rape and defilement, patriarchy must be dismantled and be replaced by matriarchy. This suggestion is not practical considering that it may not be as easy as the theory suggests to overhaul the present social order and bring in the desired change. Perhaps the solution lies with liberal feminism which advocates for equal rights between men and women through political reforms.

The anger rape, power rape, sexual gratification and sadistic theories of rape are useful to my studies because they all point to the fact that rape and defilement involve an element of power relations that exist between the perpetrator and the victim. In this case the theories offer a good basis for understanding the vulnerability of a girl child to the problem of child rape and defilement in a patriarchal society like Malawi where male supremacy is over emphasized while females are viewed as inferiors.

However the major shortfalls of the theories is that they concentrate too much on the element of unequal power relations as the main cause of child rape and defilement while ignoring other factors such as biological, psychological and environmental factors which can equally explain the occurrence of child rape and defilement in society. Furthermore, the theories do not inform us about the extent to which the element of unequal power relations can influence the occurrence of child rape and defilement in matrilineal societies.

2.2.0 Chapter Summary

The preceding chapter gave an over view of the extent of child rape and defilement in Malawi and other countries. Specifically the chapter has highlighted the characteristics of people who are likely to commit the crimes of child rape and defilement and characteristics of those who are likely to be victims of child rape and defilement. The chapter also consists of the theoretical perspectives that were employed by the study in an attempt to explain the research problem. The chapter concludes by highlighting the strengths and shortfalls of the theories that have been used in this study.

Chapter three: Methodology

3.0 Introduction

This section presents the research methodology of this study. It discusses the following: research setting, research design, target population, sample size, sampling procedure, data collection methods and tools, data analysis procedure and ethical considerations.

3.1 Research Setting

The study was conducted at Zalengera Village in Ntcheu District. Ntcheu district was chosen because it is among the districts in Malawi which records the highest incidences of child rape and defilement according to official statistics. The table 2 below shows the reported average numbers of child rape and defilement in selected districts of Malawi as recorded between the year 2000 and 2007.

Table 2: Reported average numbers of child rape and defilement cases per year in selected districts of Malawi between the years 2000 and 2007.

DISTRICT	REPORTED AVERAGE NUMBER OF CHILD RAPE CASES PER YEAR	REPORTED AVERAGE NUMBER OF DEFILEMENT CASES PER YEAR
BLANTYRE	22	14
LILONGWE	13	8
BALAKA	23	18
DEDZA	25	18
NTCHEU	44	22
MZIMBA	4	11
KARONGA	12	9

Source; Kanyuka and Mwale, (2005); “Safety of a Girl Child” in Child Abuse in Malawi (2006; 31).

Ntcheu district is located in the central region of Malawi. The district is boarded by Dedza to the north, Mangochi to north- east, Balaka to the south and Salima to the west. The district has a mixture of tribes but it is dominated by the Ngonis. Specifically, within Ntcheu district, the following places were my sources of data;

A Zalengera Village

Zalengera village is located at Sharpe Vale trading centre, about 1.8 km from Bwanje. The village is under Traditional Authority (T/A) Ganya. Zalengera village was the main study site within Ntcheu district. It was at Zalengera village where six focus group discussions involving 42 youths who were the main target of the study were held at Sharpe Vale Primary School Hall. Individual interview with 1 traditional leader also took place at the same study site.

B Sharpe Vale Police Post

Individual interview with 1 police officer who was part of the key informants was held at Sharpe Vale Police Post. Sharpe Vale Police Post is located within Zalengera village in Ntcheu district.

C Ntcheu Prison.

Individual interviews with five male inmates who were convicted on charges of child rape and defilement were conducted at Ntcheu Prison. Ntcheu Prison is located on the outskirts of main trading centre of the district popularly known as “Mphate”. It is specifically located at the district headquarters. At the time of data collection, the prison had a total population of 280 inmates of which 67 representing about 14% of them were convicted of rape and defilement crimes.

D Ntcheu Magistrate Court.

Ntcheu magistrate court is located on the out skirt of the main trading area. It is specifically located at the district headquarters. At Ntcheu magistrate court, the researcher had a chance to look at case files which contained information on child rape and defilement. One magistrate was also interviewed to get more information on child rape and defilement to compliment what was written in the case files.

3.1.1 Research Design

The study was qualitative and explorative as it focused on obtaining a detailed and clear picture on child rape and defilement issues as understood by both males and females. The study specifically tackled the research question “why” on several issues on the subject of child rape and defilement.

3.1.2 Target population

The target population comprised of the youth (boys and girls), and some key informants. The key informants included 1 police officer, 1 magistrate, 1 chief and 5 male inmates who were convicted of rape and defilement. The youth constituted a larger part of the study sample because they are the main victims of child rape and defilement. The police officials were involved because after arresting the suspect, they interrogate him or her and during this interrogation, the suspects reveal the motive behind raping or defiling a certain victim. The police officer also provided a lot of information on the circumstances

in which child rape and defilement occur in the country. Much of his information was supported by what was reported in the print media and what other key informants said regarding the circumstances in which child rape and defilement occur in Malawi. As such the police were the useful source of information which helped the researcher to achieve the specific objectives of the study.

The magistrate was involved in order to access case files that contained data on child rape and defilement. The researcher also interviewed one magistrate official to get more information on issues of child rape and defilement to compliment what was written in the case files. The chief was involved because she is a custodian of culture and as such she provided valuable information on causes of child rape and defilement from a cultural perspective. The male inmates were interviewed because they were the certified rapists and defilers and as such, they were the primary source of data on child rape and defilement which assisted the researcher to achieve the objectives of the study.

3.1.3 Sample Size

The study comprised 3 sub – samples as follows:

(a) A sub – sample of 28 girls and 14 boys were selected from the study area. The number of girls in the sample was greater than that of boys because more girls are raped and defiled than boys.

(b) A sub – sample of 5 male inmates convicted of rape and defilement from Ntcheu prison

(c) A sub – sample of 1 police officer, 1 magistrate and 1 traditional leader (chief). The ultimate sample size was 50. The sample size was based on the fact that since this was a qualitative research, 50 people were enough to give the researcher adequate and relevant information to achieve the study objectives.

3. 1.4 Sampling Procedure

The sub samples were selected using purposive sampling method. This is the method in which specific respondents with certain characteristics are consciously selected in order to meet the needs of the research questions. The youths who were the main target of this study were divided according to gender and age. The targeted youths were those between 13 and 18 years of age comprising both girls and boys. The age range of 13-18 years was chosen because the youth in this age category were mentally capable of understanding the questions and responding to them . The police officer, the magistrate official, the chief and the five male inmates were all purposively selected.

3.2.0 Data Collection Procedure

The researcher sought permission from the chief before starting to collect data since she is the one in –charge of the village. The researcher also sought permission from the youths and their parents and guardians before interviewing them. After establishing all

contacts, focus group discussions were arranged at the time which was convenient to both the researcher and the respondents.

Before interviewing the key informants, appointments were booked in advance in form of written communication to the authorities in the affected institutions seeking permission to interview their personnel.

3.2.1 Data Collection Methods and Tools

The study employed two data collection methods. These were individual interviews and focus group discussions (FGDs). The focus group discussions were a useful method of data collection in this study because being a sensitive topic, it allowed the researcher to collect a lot of data due to a large number of participants in all discussion sessions. Individual interviews were used to generate data from key informants while focus group discussions were used to generate data from the youths. Six focus group discussions were arranged. The first four involved girls only who were divided into four sub-groups consisting of seven participants each while the other two involved boys only who were divided into two groups also consisting of seven participants each. The number of participants in each focus group discussion was restricted to seven in order to ensure that each participant had higher chances of contributing to the discussion.

The number of focus group discussions was restricted to six because being a qualitative study; it happened that by the time the sixth focus group discussion was being conducted, a saturation point had been reached. This means that participants gave the

same responses as those given by other participants in the previous five focus group discussions. In both individual interviews and focus group discussions, an in-depth interview guide which was administered by the researcher was used in order to allow the researcher to probe in to the respondents' answers so as to obtain more details since this was a qualitative study.

3.2.2 Data Analysis Procedure

Qualitative data from both individual interviews and focus group discussions (FGDs) was analyzed manually to establish emerging themes, trends and patterns of responses that were used to interpret the findings of the study.

3.2.3 Ethical consideration

The researcher sought permission from the respondents and other relevant authorities such as traditional leaders before conducting interviews. Furthermore, the information which was captured from the respondents was treated with maximum confidentiality as the topic under study was a sensitive one. The researcher also used the data collected for academic purposes only.

3.2.4 Limitation of the Study

The main limitation of the study was that at first it was difficult to convince some parents and guardians to allow their children to participate in focus group discussions since this was a sensitive study as it focused on a topic related to sex which some parents and guardians consider a taboo for young people especially children to talk about. However, after explaining to them on the significance of this study, they finally allowed children to participate in focus group discussions.

3.2.5 Chapter Summary

The chapter has presented an over view of the research design, research setting, and target population. It also includes sample size, sampling procedure, data collection methods and tools, data analysis procedure, ethical consideration and limitation of the study. The chapter has given a comprehensive picture on how the study was conducted, the place where it was done, participants in the study, nature of data collected and how the data was analyzed.

Chapter Four: Results and Discussion

4.0. Introduction

This section presents the results of investigation and their discussion on child rape and defilement in Malawi. The results are based on 6 focus group discussions held with the 42 youths who were the main target of this study and individual interviews with 8 key informants who included 1 police official, 1 magistrate, 5 male inmates from Ntcheu prison and 1 traditional leader from Zalengera village. Access to case files of inmates convicted of rape and defilement charges also provided valuable information on child rape and defilement issues in Malawi.

A total of six focus group discussions were conducted among the youth. The first four involved girls only while the other two focus group discussions involved boys only. Girls were separated from boys to ensure maximum participation from each gender. Each focus group discussion session involved seven youth participants. The venue for all the focus group discussions was Sharpe Vale primary school hall which is located within Zalengera village. Although boys and girls were not combined during the discussions, it is worth noting that most of the responses which they gave to the questions were similar.

4.01 Background of inmates convicted of rape and defilement cases at Ntcheu

Prison

The five male inmates were purposively selected from Ntcheu prison of which three were defilers while the other two were rapists. The age range for these inmates was 22- 36 years. Three inmates came from Ntcheu district while one came from Mangochi and the other one came from Machinga district. For the purpose of confidentiality, the real names of these inmates were not used when entering data during the interviews but instead, alphabetical letters **A, B, C, D** and **E** were used to represent them.

Inmate A

The inmate came from Kalonga village in Mangochi district. He was 22 years old and single. He defiled a 12 year old girl who was a daughter to his former employer where he was working as a house boy. According to him, he committed the crime under the influence of alcohol. He was serving a four year jail term at Ntcheu prison.

Inmate B

The inmate came from Chiwudya village in Machinga district. He was 28 years old and single. He defiled a 10 year old girl who was by then a daughter to his work mate at Khonje tea estate in Mzuzu city. He claimed that he defiled the girl because she was very beautiful and as such, he wanted to become the first person to have sex with her. He was serving a six year jail term at Ntcheu prison.

Inmate C

The inmate came from Zalengera village T/A Ganya in Ntcheu district. He was 25 years old and single. He defiled a six year old girl who was his step daughter. The inmate explained that he defiled the girl in order for his small scale business to prosper following the advice he received from the traditional healer.

He claimed that he had sex with his step daughter with full consent from her mother. He was serving a five year jail term at Ntcheu prison.

Inmate D

The inmate came from Mwaalo village T/A Ganya in Ntcheu district. He was 28 years old and married with three children. The inmate raped a 14 year old girl. He raped the girl due to frustrations after his several attempts to propose love to her were turned down. He said that one day after he had taken a lot of alcohol, he met the girl as she was returning home from the market. He grabbed her in to the nearby bush where he raped her. He was serving a seven year jail term at Ntcheu prison.

Inmate E

The inmate came from Chawanje village T/A Makwangwala in Ntcheu district. He was 36 years old and divorced. He raped a 15 year old girl when he met her in the bush where she had gone to collect some firewood. The inmate explained that he committed the crime under the influence of alcohol. He expressed regrets over what he did and vowed never to drink alcohol once he was freed from prison. He was serving a six year jail term at Ntcheu prison.

4.1 Factors which make girls vulnerable to child rape and defilement

The results of the study show that there are a number of factors that make a girl child vulnerable to child rape and defilement. The first one is patriarchy system which accords inferior status to females as compared to males. Participants in focus group discussions reported that generally in Malawian society, girls and women are viewed like sex objects by boys and men. As a result of this many girls and women are subjected to the problem of child rape and defilement. Participants further said that boys and men think that the main role of girls and women in society is to satisfy the needs of boys and men in particular sexual needs.

This results in cases where some boys and men defile and rape girls. The findings agree with what was stated in the theoretical framework section that according to radical feminists, the vulnerability of a girl child to child rape and defilement can be attributed to unequal gender relations that exist between males and females in modern patriarchal societies (Saunders, 1981: Kelly, 1988 in Putman, 1998:67). The findings imply that since girls and women are viewed like sex objects, boys and men expect them to conform to this role. The superior status which patriarch system gives to males makes them to assume total control over females in all spheres of life including sexual relationships. In terms of sexual relationships, males have more powers than females when it comes to decision making. This means that if a girl or woman does not want to participate in sex, boys and men feel that their authority in the relationship is being undermined. In order to re-affirm their authority, boys and men resort to rape or defile girls.

In addition to that, the results of the study revealed that girls are vulnerable to child rape and defilement due to their biological make-up. Participants in both focus group discussions and individual interviews reported that generally most girls are physically weaker than boys. As a result of this physical weakness, girls find it most difficult to resist and defend themselves against perpetrators of rape and defilement especially in situations where there is nobody around to come to their rescue.

Rape and defilement often involve the use of violent means by the perpetrator to force the other person into unwanted sex. As a result, the ability of would be the victim to defend oneself against the perpetrator depends largely on the amount of physical strength one possesses. In view of this respondents asserted that most girls do not have enough physical strength to fight against defilers and rapists who are usually strong men. The physical strength factor probably explains why most victims of rape and defilement are small girls. This is because such girls are powerless and defenseless against these perpetrators. On the other hand, very few adult women are raped as compared to small girls because most adult women have the ability to fight back and defend themselves against perpetrators.

It must be pointed out that in most cases rapists and defilers threaten their victims before raping or defiling them. But even in such cases, those who are physically weak are more vulnerable than those who are physically strong. This is because the stronger ones have

the capacity to fight back despite being threatened. However, this is not the case with most girls. They do not have enough physical power to fight back the perpetrators of child rape and defilement, hence their vulnerability to the problem.

The study also found that girls are vulnerable to child rape and defilement due to inadequate security provided to them by their parents and guardians. Participants in focus group discussions said that some parents send their young girls alone in dangerous places without an adult person to accompany them. Participants in the focus group discussions gave an example of some parents and guardians who have the tendency to send a girl child in to the bush to collect firewood without being accompanied by an elderly person. They asserted that such a girl is exposed to rape and defilement because in the bush, there is no one to protect her if someone wanted to rape or defile her. Participants in the focus group discussion also gave an example of cases where some parents and guardians send a girl child alone at night to fetch water at a distant place or to buy some goods from shops which are located far away from her home. Perpetrators take advantage of darkness to rape or defile a girl because they realize that it would be difficult for other people to identify them or catch them should the victim scream for help. A recent newspaper article carrying a story about a 14 year old girl who was gang raped by five men in Mbayani, Blantyre illustrates how lack of security renders girls vulnerable to child rape and defilement. Part of the story was as follows:

A 14 year- old girl was gang raped yesterday by five men in Mbayani township- Blantyre at night when her mother sent her to fetch some water (Reported in the Nation News Paper, dated 12th January, 2010:1).

Furthermore, the study found that girls are vulnerable to child rape and defilement because of parental negligence. Participants from focus group discussions reported that nowadays with the rising number of women employed in the formal sector, parental care for children is on the decrease. They observed that many working class women in Malawi are now employing either house maids or house boys to take care of the children while they are away to work. Respondents said that in cases where a girl child is taken care of by a house boy, she is left vulnerable to defilement because there have been instances where the same house boys who are supposed to protect the girl actually defile her. At Zalengera village where the study was done, some women are working in various institutions such as the police, schools and a clinic. During individual interviews with a police officer at Sharpe Vale police post, the officer revealed that one of the female nurses who work at Sharpe Vale clinic had reported to police that her 5 year old daughter had been defiled by a man who was working in her house when she had gone to work. This clearly shows that the tendency to leave a girl child in the hands of male “strangers” exposes her to sexual abuse such as rape and defilement. The Daily Times News paper also reported about a 9 year old girl who was defiled in Nsanje district under similar circumstances. Part of the story was as follows:

Police in Nsanje district have arrested a 21 year- old man for defiling a 9 year old girl. The suspect was working as a house boy in the victims' parents' home. On the morning of 9th June, 2006 when the parents had gone to work, the suspect called the girl to his bedroom where he defiled her (Reported in the Daily Times, dated 10th June, 2006: 2)

4.1.1 Reasons for rape and defilement

The results of the study revealed that there are a number of reasons why people commit rape and defilement cases. Respondents in focus group discussions gave the following as reasons for rape and defilement. The first reason is that some men deliberately rape and defile small girls with the intention of infecting them with HIV/AIDS virus. These men are usually HIV positive and they deliberately rape or defile girls to spread the virus to them. One of the girls who participated in the focus group discussions had this to say in support of the above assertion:

Some HIV positive men who have bad manners deliberately choose to rape and defile innocent girls with the aim of sharing the virus. Such men say that they would not want to go to grave alone.

Participants in focus group discussions and respondents from the key informant category said that this malpractice is encouraged by the myths that having unprotected sex with small girls or a virgin is a cure for HIV/AIDS. The police officer who was one of the key informants also stated that some suspects of child rape and defilement do indicate during

interrogation that they raped or defiled a small girl in order to get rid of the virus from their bodies. However, by looking at the results obtained from individual interviews with five inmates who were convicted of rape and defilement charges, there is very little evidence to support the view that some men deliberately rape or defile girls with the aim of infecting them with HIV/AIDS Virus since none of the inmates indicated that they raped or defiled the victim in order to deliberately spread the virus to her. This is a new development which perhaps requires a different study to prove it.

The other reason why people commit rape and defilement according to the findings of the study is abuse of alcohol and drugs such as marijuana. This finding of the study supports what was reported by earlier studies as indicated in the literature review section that most perpetrators of child rape and defilement are involved in alcohol and drug abuse (Phillip and Elton, 1991: 30). Results from focus group discussions involving the youths and individual interviews with the police officer and the five male inmates from Ntcheu prison respectively support the above assertion. The police officer said that during interrogations most suspects confess that they committed the crimes of rape and defilement under the influence of either alcohol or some drug especially marijuana. The statement from the police officer was further supported by information obtained during individual interviews with the 5 male inmates of which 3 representing (60%) of them reported that they committed the crimes of rape and defilement under the influence of alcohol. This clearly indicates that alcohol and drug abuse is strongly contributing towards cases of rape and defilement in Malawi.

However, it must be stated that there was no evidence from the results obtained from both focus group discussions and individual interviews with key informants to show that women who abuse alcohol and drugs are also perpetrators of rape and defilement. This also supports what was earlier stated in the literature review section that most perpetrators of rape and defilement are males (Johnstone, 1988; Feldman and Wilson, 1992).

Apart from that, the study found that the other reason for rape and defilement in our society is failure by some men to control their sexual desires. During focus group discussions, participants said that there are some men who are so sexually addicted that if they cannot convince a girl or a woman to have sex with them in a normal way, they resort to forced sex thereby committing rape or defilement just to satisfy their sexual desires.

The study also found that sometimes girls who are usually the victims of rape and defilement are to blame for being raped or defiled by men. Respondents reported that there are some girls who deliberately wear mini- skirts that expose their sensitive body parts to attract the attention of men. This creates a scenario where some men are tempted to rape or defile such girls.

In addition to that, the findings of the study showed that some traditional healers have contributed towards cases of child rape and defilement by advising business people seeking help from them to have sex with their young daughters as magic to have their

business prosper. Evidence to what the respondents said can be given from the story which appeared in the Daily Times dated 27th May, 2003. In this story, a 54 year business man in Ntcheu district was sentenced to 7 years imprisonment with hard labour after being found guilty of defiling his seven year old daughter. The man had earlier told the court that he committed the crime after being told by the traditional healer to do so if he wanted his business to prosper.

Further evidence in support of the view that traditional healers are contributing towards cases of child rape and defilement in Malawi can be obtained from what one of the convicted male inmates said as to why he committed the crime of defilement. The inmate had said that he defiled his step daughter because the traditional healer had advised him to have sex with his daughter if he wanted his business to prosper. The researcher quotes one of the inmates as follows:

The victim I defiled is my step daughter who was six years by then.
I owned a small shop where I was selling various commodities. One day, I and my wife agreed to visit the traditional healer for medicine which could make our business to prosper. The traditional healer advised me to have sex with my daughter as part of magic to prosper my business. My wife gave me an okay to sleep with our daughter.
However, the following morning, when she noted that the girl could not walk properly because of deep cuts in her private parts, she went to report to police who came to arrest me.

In agreeing with what the inmate had said, as quoted above, the police officer also admitted that sometimes there have been cases where the suspect reveals that he committed the crime of rape or defilement after being instructed by the traditional healer whom he had consulted for help on how to boost his business to do so. The police officer said that under such circumstances the traditional healer is also arrested as an accomplice.

Furthermore, the study found that another reason for child rape and defilement in our society is the tendency by some people to watch sex films and browse pornographic pictures on the internet. Some respondents reported that such tendencies corrupt an individual's mind to the extent that one may be tempted to experiment what they watch in these films or what they saw in the pornographic pictures there by leading them to committing sexual offences such as child rape and defilement. In support of this statement, the police officer had this to say during the interviews:

Technological advances are also contributing to rise in sexual offences in our society. Some people browse pornographic material on the internet. Watching pornographic material has potential to drive someone to commit sexual crimes such as rape or defilement since one would like to experiment whatever they saw in that pornography.

Although it is a fact that the internet is one of the sources of pornography, the extent to which pornography causes one to commit rape or defilement is not certain. While it is true that watching pornographic pictures may lead to moral decay in some people, there

is no evidence at least in Malawi to suggest that it automatically makes such people to commit sexual crimes such as rape and defilement. Moreover, the study was conducted in the village which is not connected- where internet does not exist. The respondents' point on the internet was probably based on what they hear from other people or what they read from various sources rather than experience. Furthermore none of the five convicted male inmates pointed out that they committed the crimes of rape or defilement as a result of being exposed to pornographic material. It requires a different study to establish the extent to which watching pornography motivates an individual to commit sexual crimes such as rape and defilement.

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The findings of the study also revealed that another reason for rape and defilement is frustration arising from one's failure to propose a girl for a love relationship. Respondents reported that if some men are rejected by a girl whom they are so sexually attracted to, they become frustrated and eventually may decide to rape or defile her as an alternative means of achieving what they want from that girl. During individual interviews with the traditional leader of Zalengera village, the chief said that in her 16 year reign she had so far presided over two defilement cases in her village. In one of the cases, a woman had gone to the chief to complain that her 12 year old daughter had been defiled by one of the boys who was also resident in the same village. The chief then summoned the suspect to appear before the traditional court so that he could defend himself. During the trial, the suspect admitted that he had indeed defiled the girl. When the chief asked him why he had committed the crime, the suspect said that he defiled the girl because he was frustrated that after so many attempts of proposing her to be his girl

friend, she kept on rejecting him. But because he wanted to have sex with her so much, he decided to defile her as a last option. The chief then reported the incident to police who came and arrested the suspect.

During individual interviews with the five inmates convicted of rape and defilement charges, one of them reported that he raped the girl as a result of frustrations after being rejected by her on several occasions. The inmate was quoted as follows:

The victim I raped was a 15 year- old girl. I had known this girl since my childhood as we were brought up in the same village. She is very beautiful and I was attracted to her. So one day I proposed love to her but unfortunately, she rejected me. I became frustrated as I realized that I could not get what I wanted from her. So one afternoon, I met her in the nearby bush where she had gone to collect some firewood. I raped her and she reported the incident to her mother who later went to inform the police. The police then arrested me.

The results of the study also showed that people commit the crimes of rape and defilement because there are no effective punishments that would deter would be perpetrators of defilement or rape. Participants from focus group discussions reported that in most cases the courts give lenient custodial sentences to people found guilty of committing the crimes of rape and defilement.

They further said that such lenient sentences do not deter others who have similar evil intentions of raping or defiling girls. One of the male participants in the focus group discussions commented as follows:

Sometimes the courts are not serious enough when it comes to punishing those found guilty of rape or defilement crimes. For instance, some culprits are only given four years of custodial sentence. This is too lenient as it does not match the physical, social and psychological damage inflicted on the victim. Even where there is enough evidence from the medical personnel that the suspect has infected the victim with a sexually transmitted infection (STI), the sentence is still very lenient. This does not stop others from committing the crimes of rape and defilement.

Lenient sentences undermine the fight against child rape and defilement as potential rapists and defilers are not afraid to commit these crimes. The best punishment should be life imprisonment as stipulated in the country's penal code regardless of whether one is first offender or not if rape and defilement cases are to be reduced in our society. The findings of the study that custodial sentences given to perpetrators of child rape and defilement are too lenient support what is happening on the ground as reported in various newspapers. For instance, the Nation News Paper dated 26th August, 2004 reported that the Kasungu magistrate court had sentenced a 46 year old man to four years

imprisonment with hard labour after being found guilty of raping a 15 year old girl in the same district (The Nation News Paper, Thursday, 26th August, 2004:1). Another evidence to show that the courts give lenient sentences to those found guilty of rape and defilement appeared in the Nation News Paper dated 17th February, 2001 which reported that the Dowa first grade magistrate court had sentenced a 32 year old man to 3 years imprisonment with hard labour for defiling a 10 year old imbecile girl (The Nation News Paper, Tuesday, 17th February, 2001: 2).

Furthermore, by looking at the custodial sentences given to the five inmates who were convicted of rape and defilement charges, the average sentence was 5.6 years which is too low. This is yet another evidence to support the assertion that perpetrators of child rape and defilement are given lenient custodial sentences. Of course, there are certain factors which the courts consider before they come up with the final verdict. These factors include whether one is a first offender or not, the nature of rape or defilement (attempted or actual rape or defilement), and what the suspect says in mitigation. But considering the pain and suffering through which the victim goes, it is justifiable to hand perpetrators of rape and defilement maximum custodial sentence, which is life imprisonment. Any reductions in the sentences simply undermine the fight against rape and defilement in society.

After the interviews, the researcher managed to collect information based on reasons for rape and defilement as recorded by Sharp Vale police post from 45 suspects who were arrested between February, 2000 and April, 2008. Table 3 below shows this information.

Table 3: some reasons for rape and defilement

Influence of drugs and alcohol	21
Failure to control sexual feelings	8
Frustrations	5
Advised by traditional leader	11

Source: Sharpe Vale Police Post.

From table 3 above, it can be deduced that the main reason why people commit the crimes of rape and defilement is abuse of drugs and alcohol. The statistics obtained from the Malawi Police confirms what some earlier studies found on causes of child rape and defilement that most perpetrators of child rape and defilement are involved in alcohol and drug abuse (Phillip and Elton, 1991:30). The statistics are also supported by findings from individual interviews with convicted inmates in which 60% of them reported that they committed the crimes of rape or defilement under the influence of alcohol.

4.1.2 Reasons why more girls are raped and defiled than boys

The findings of the study based on both focus group discussions with the youths and individual interviews with key informants showed the following as reasons why more girls are raped and defiled than boys. The first reason according to the respondents is

indecent dressing on part of some girls. Respondents gave the example of wearing a mini-skirt which they said exposes the girl's inner sensitive parts which sexually attracts men. As a result, some men who fail to control their sexual desires resort to rape or defile such girls. On the contrary, respondents reported that if boys dressed in a way that exposes their inner parts, it would be more difficult for females to be sexually aroused. Consequently, it is very unlikely for boys to be raped or defiled.

The findings of the study also revealed that differences in terms of physical strength between boys and girls is another reason why more girls are raped and defiled than boys. Respondents said that the physical strength factor becomes critical in circumstances where a victim has to resist rape or defilement attempts by the perpetrators. Respondents further reported that girls are generally weaker than boys. As a result, they are less capable of defending themselves against perpetrators of rapists and defilers. On the other hand, if perpetrators were females, it would be easier for most boys to overpower them and avoid being raped or defiled. This explains why more girls are raped and defiled than boys.

The study also showed that more girls are raped and defiled than boys because naturally sexual feelings in males are stronger than in females. This idea is also reinforced by cultural factors such as one in which open manifestation of one's sexual feelings and experiences is normal and socially acceptable in males but not in females. As a result, males tend to be more of perpetrators while females tend to be more of the victims of rape and defilement.

Furthermore, the results of the study showed that the media and other advertising agents contribute to cases where girls are exposed to the risk of being raped and defiled by depicting them like sex objects. Respondents gave an example of a picture of a female portrayed half naked on the packets of some brands of condoms as one way in which the media and other advertising agents portray females like sex objects. This practice results in more girls being raped and defiled by men.

4.1.3 Reasons why most perpetrators of child rape and defilement are males

The findings of the study on this objective confirm what was earlier stated in the literature review section that most perpetrators of child rape and defilement are males. Focus group discussions with 42 youths and individual interviews with 8 key informants produced the following as reasons why most perpetrators of child rape and defilement are males. It must be pointed out that these reasons are related to factors that account for the occurrence of rape and defilement in society.

According to the findings of the study, the first reason why most perpetrators of child rape and defilement are males is that more males abuse drugs and alcohol than females. Since drug and alcohol abuse was found to be one of the factors that contribute to cases of child rape and defilement, it follows that males commit more rape and defilement crimes than females.

Furthermore, respondents reported that since males are physically stronger than females, it is inevitable that males tend to be more of the perpetrators than females. This is why in most cases it is males who commit the crimes of rape and defilement. Respondents reported that in some cases, when a girl refuses to have sex with a boy or man, males use their physical strength advantage to overpower and force her into sex.

The other reason why most perpetrators of child rape and defilement are males according to the findings of the study is differential socialization on sex issues given to boys and girls respectively. Participants from focus group discussions asserted that in Malawian culture boys are socialized in the way that it is culturally and socially acceptable for them to openly discuss and manifest their sexual feelings and experiences while on the contrary, girls are expected to be passive on issues of sex. This differential socialization in turn results in to differential attitudes and behaviours between boys and girls where by boys tend to develop aggressive sexual tendencies while girls develop a conservative attitudes and behaviour towards sex. The aggressive sexual tendencies developed in boys result in to more males than females committing sexual offences such as child rape and defilement. Glassier and Froisy (1988) also noted that in most cultures the tendency to encourage males to be more sexually active than females has resulted in more males committing sexual crimes such as rape and defilement (Glassier and Froisy, 1988: 10).

4.1.4 Chapter Summary

The preceding chapter presented the results of the study. The results of the study were obtained from participants in focus group discussions and respondents who participated in individual interviews. The youth were the participants in the focus group discussions while the key informants were the participants in individual interviews.

The chapter also contains a detailed discussion of the results in relation to the objectives of the study. Being a qualitative study, there was cross referencing between data from focus group discussions with data from key informants. The chapter also showed the extent to which the theoretical perspectives were useful in understanding the findings of the study.

Chapter Five

5.0. Conclusion

The study set out to investigate factors that make a girl child vulnerable to child rape and defilement. The study drew its findings on literature from previous related studies done in both Malawi and other countries on rape and defilement and the responses which were obtained from different participants during focus group discussions and individual interviews with selected key informants. The study found that in Malawi, child rape and defilement are well known crimes among many people and they are considered to be among the most serious crimes in the country.

Although there are earlier studies that were conducted in Malawi on child rape and defilement, this study has contributed largely to the existing literature on this topic through its new findings on the subject of child rape and defilement. The study found that a girl child is vulnerable to child rape and defilement mainly due to impact of patriarchy system which is deep-rooted in the socio-cultural structure of the society. Patriarchy system results into unequal power relations between males and females where by males are accorded a superior status while females are accorded an inferior status. In terms of sexual relationships between men and women, patriarchy system has reduced girls and women to sex objects whom men can exploit and use any time to satisfy their sexual desires. This has made a girl child vulnerable to the problem of child rape and defilement.

In relation to these crimes, there were two key issues that need to be re-emphasized.

The first one is that the main victim of child rape and defilement is a girl child. The second one is that the perpetrators of these crimes are males (men and boys). These two facts are supported by statistics obtained from the Malawi Police Service, related literature from earlier studies and responses from the respondents who participated in the study. However, what is unique about this study is that it has managed to unearth factors that make a girl child vulnerable to child rape and defilement in Malawi. This is its major contribution to the existing literature on child rape and defilement in Malawi. The study came up with the following as factors that make a girl child vulnerable to the problem of child rape and defilement.

Firstly, the study found that patriarchal system in Malawian society is one of the factors that make girls vulnerable to child rape and defilement. Secondly, the study found that girls are vulnerable to child rape and defilement because of their biological nature which makes them physically weaker than boys. Since rape and defilement involve use of force, many girls find it most difficult to defend themselves against perpetrators of rape and defilement who are usually strong men.

The study also found that inadequate security in society is another contributing factor to the problem of vulnerability of a girl child to rape and defilement in Malawi. The study found that in most cases child rape and defilement occur in situations where there is

inadequate security because in such situations, there is no one to protect a girl child from rapists and defilers if they wanted to rape or defile her.

Fourthly parental negligence is another factor that is contributing to the vulnerability of a girl child to rape and defilement in Malawi. The study found that some parents and guardians send small girls in dangerous places such as the bush to collect firewood without being accompanied by an elderly person which exposes such girls to the risks of being raped or defiled.

Finally, the study found that declining parental care especially on part of working mothers is also contributing towards the vulnerability of a girl child to rape and defilement. Some working mothers leave their small daughters in the hands of males who are not related to them at all. Usually, these males are employed as caretakers of the children. There have been cases where these caretakers or houseboys have raped or defiled young girls while their mothers are away to work.

These findings lead to the following conclusion. Child rape and defilement in Malawian context is not just a crime which shows lack of morals among some people but is also a manifestation of unequal gender relations that exist between men and women in our society. These unequal gender relations are reflected in the general attitude of men towards women where most men view women as sex objects. The result is that women in particular girls are subjected to rape and defilement. The perception of girls and

women as sex objects by men is reinforced by both social and cultural factors which work to promote the status of males while females are looked down upon as inferiors.

The patriarchy system which exists in many parts of Malawi works to the advantage of men in the sense that it gives men superior powers over women in all areas of life including sexual relationships. As a result, men assume total control over women and the role of a woman is assumed to be that of complying to the wishes of a man.

This has resulted in cases where if a woman refuses to participate in sex after being asked to do so by a man, it is viewed as defiance of the male authority by a female. In order for a man to assert his power over a woman, some men have resorted to raping or defiling women and girls as an alternative means to satisfy their sexual desires.

From the findings of the study on vulnerability of a girl child to child rape and defilement, it is clear that some of the factors that render a girl child vulnerable to child rape and defilement can easily be dealt with to minimize cases of child rape and defilement in our society. These factors include lack of adequate security to protect a girl child from rapists and defilers, parental negligence especially in cases where working mothers choose to leave a girl child in the hands of males who are not related to them at all and cases where some parents or guardians send a girl child alone in the bush to collect firewood or send her at night to fetch water at a borehole which is located far away from home.

All these factors can be controlled by ensuring that the best practices are observed in order to reduce the risks of exposing a girl child to child rape and defilement

However, there are other factors such as impact of patriarchy system which are not easy to deal with in short term. These factors are deep-rooted and they seem to have a strong backing which lies in our socio-cultural system of our society. However, with civic education and sensitization programmes on the negative effects of child rape and defilement, it can help in the long run to change the attitude of those men who look at girls and women as sex objects and may start to view them as equal partners who are equally important in society. This might take a long time but after men have realized the significant role women play in the socio- economic and political development of this country, it would help change the mindset so that women would be treated with high dignity just as men. This will ensure that girls and women are respected by men there by reducing cases of rape and defilement

5.1 Recommendations of the Study

The following are the recommendations of this study as part of the solution to the problem of vulnerability of a girl child to child rape and defilement in Malawi. The first one is that society must change its perception of women from being that of objects destined by nature to serve men to that of equal partners in all areas of life.

This requires that more efforts are made to uplift the status of women in society so that they are equally valued and respected just like men. Society should stop viewing girls and women like sex objects.

The second recommendation is that government, the civil society, parents and guardians must provide adequate security in all places to protect a girl child from rapists and defilers. This requires collective effort to ensure that girls are given full protection in places where they would be potentially raped or defiled. This will ensure that defilers and rapists do not find the opportunity to defile or rape girls.

Thirdly, parents and guardians should avoid sending their female children at odd hours such as at night to distant places such as market without an elderly person accompanying them to avoid exposing them to the danger of being raped or defiled. Parents and guardians need to ensure that small girls are accompanied to such places by an elderly and responsible person preferably males who would be able to defend them against rapists and defilers.

The fourth recommendation is that parents and guardians must ensure that while leaving a girl child in the hands of male care takers, a close relative or a family member must be present at home to monitor how such males are interacting with the girl child. This is necessary as it reduces cases of child abuse such as rape and defilement.

Government, through the judiciary must give stiff penalties to perpetrators of child rape and defilement to deter would be offenders. This recommendation has been made following the findings of the study that sometimes the judiciary give lenient sentences to people found guilty of rape and defilement crimes which does not help to deter would be the perpetrators of this malpractice.

Finally, the general public needs to be sensitized on issues of child rape and defilement and how they affect the well being of the victim (the girl child), the family and the society at large. Special attention has to be paid to the fact that we are now living in an era where our society is plundered by HIV/AIDS which is killing many people. Child rape and defilement is just worsening the situation as it further exposes the victim to the risk of contracting HIV/AIDS virus. It is for this reason that there is need for collective effort to fight against child rape and defilement in Malawi so that it becomes a safer place to live in for all people including a girl child.

5.1.1 Areas of further investigations

The study has managed to come up with factors that make a girl child vulnerable to child rape and defilement and other related issues such as reasons for child rape and defilement. However, as part of future research the study suggests the following areas for further investigation.

- (i) If patriarchy were to be replaced by matriarchy as proposed by radical feminists as a way of freeing girls and women from oppression, would it help solve the problem of vulnerability of a girl child to child rape and defilement?
- (ii) Are there significant differences in as far as vulnerability of a girl child to child rape and defilement is concerned between paternal and maternal communities?

5.1.2 Chapter Summary

The concluding chapter of the thesis highlighted the major findings in relation to the factors which make a girl child vulnerable to child rape and defilement. It also shows the recommendations of the study as well as areas of further investigations.

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APPENDIX A

INTERVIEW GUIDE FOR THE YOUTH'S FOCUS GROUP DISCUSSIONS

1. (a) What do you understand by the following terms?
 - (i) Rape
 - (ii) Defilement
2. (a) Have you ever been raped or defiled before?
 - (b) If yes, can you explain what happened?
3. Media reports suggest that there is an increase in cases of child rape and defilement cases in Malawi. What do you think are the reasons for rape and defilement?
4. In many cases the victims of child rape and defilement are girls. Why do you think girls are usually the victims of rape and defilement?
5. On the contrary, the main perpetrators of child rape and defilement are males. (men and boys). Why do you think this is the case?

THANK YOU VERY MUCH FOR PARTICIPATING IN THIS FOCUS GROUP DISCUSSION.

APPENDIX B

INTERVIEW GUIDE FOR INDIVIDUAL INTERVIEWS WITH MALE INMATES CONVICTED OF RAPE AND DEFILEMENT CASES.

1. PERSONAL INFORMATION.

- A** Name:
- B** Age.....
- C** Sex.....
- D** Marital status.....
- E** Religion.....
- F** Highest education level attained.....

2. (a) When were you convicted? (when did you come here to Ntcheu prison?)

(b) Case files show that you are here at Ntcheu prison because the
court found you guilty of committing the crime of rape/defilement.

(i) What made you to rape or defile the victim?

(ii) Do you blame yourself, the victim or other factors for the crime you
committed in (bi) above?

- (c) Was it the first time for you to commit the crime of rape or defilement? If possible, would you provide information on the crime you committed regarding the following issues:
 - (i) the exact place where the crime was committed?
 - (ii) the victim's age and marital status ?
- (d) What lessons have you learnt from the crime you committed?

THANK YOU VERY MUCH FOR PARTICIPATING IN THIS INTERVIEW

APPENDIX C

INTERVIEW GUIDE FOR THE INDIVIDUAL INTERVIEWS WITH THE TRADITIONAL LEADER (CHIEF) OF ZALENGERA VILLAGE IN NTCHEU DISTRICT.

1. PERSONAL INFORMATION

- A** Name.....
- B** Sex.....
- C** Marital status.....
- D** Religion.....
- E** Age.....

2 How long have you served as the traditional leader of
Zalengera village?

3. Media reports suggest that there is an increase in child rape and
defilement cases in Malawi.

(a) How many cases of child rape and defilement have been reported/ witnessed
in your village?

(b) As a traditional leader, what do you think are the factors contributing to cases
of child rape and defilement in our society?

4. In most cases, males (boys and men) are the perpetrators of child rape and defilement crimes. What do you think are the reasons for this?
5. What do you think must be done to eliminate the problems of child rape and defilement in society?

**THANK YOU VERY MUCH FOR PARTICIPATING IN THIS
INTERVIEW.**

APPENDIX D

INTERVIEW GUIDE FOR INDIVIDUAL INTERVIEWS WITH THE POLICE OFFICER FROM SHARPEVALE POLICE POST.

1. PERSONAL INFORMATION.

- A** Name.....
- B** Sex.....
- C** Marital status.....
- D** Religion.....
- E** Age.....
- F** Rank.....

- 2. Media reports suggest that there is an increase in cases of child rape and defilement.
 - (a) On average. How many reported cases of child rape and defilement by the general public do you receive per week?
 - (b) Having arrested the suspect, and during interrogations, what reasons do they give for raping or defiling the victim in question?
- 3. In most cases the perpetrators of child rape and defilement are males (boys and men). Why do you think this is the case?

4. As law enforcers, what do you suggest must be done to eliminate the problem of child rape and defilement in Malawi?

THANK VERY MUCH FOR PARTICIPTING IN THIS INTERVIEW