RAPE, COVID-19 AND LOCKDOWN: SEXUAL VIOLATION AND CORONAVIRUS AS A TWO-EDGED PANDEMIC IN NIGERIAN NEWSPAPER NARRATIVES

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Abstract
With the intrusion of the Covid-19 pandemic into the Nigerian scene, there has been a surge in gender-based violence in society coupled with the lockdown experience. Rape, one of the gender-based violence against women, is endemic and seems to be encouraged due to the complacency of governmental establishments. This paper examines the execution of the rule of law in Nigeria through government and official parastatals in curbing this menace within the Nigerian space. Laws against rape, many insist, are not deterrent enough and have fueled a pervading culture of silence. In recourse to this view, this paper utilizes the feminism theory to interpret the oppression faced by women/females and the ineffectiveness of the rule of law in Nigeria. The study provides a critical and literary analysis of narratives culled from Nigeria Newspapers and some social media platforms to investigate the two-edged pandemic of Covid-19 and rape.
The paper concludes that the Nigerian government/ judicial system need to be accountable to its citizenry in implementing rape laws. Also, law enforcement officials must be educated on treating rape issues. Furthermore, the populace should be sensitized against victimizing rape victims.
Keywords: Covid-19, rape, sexual violation, lockdown, law

Introduction

The world is still fighting the Corona virus (COVID-19) Pandemic, with approximately 4,705,111 deaths and 229,373,963 confirmed cases (WHO, 2010). The pandemic has highlighted the risk of a major disease outbreak as well as the government's lack of preparedness to combat the virus. The emergence of the Covid-19 pandemic in December 2019 has had a devastating impact on human lives. The pandemic has spread differently across regions, but its long-term impact poses a threat to the economy, health, education, security, protection, and social vulnerabilities. As with most complex crises and emergencies, the pandemic's gender dimension threatens pre-existing gender and other intersecting inequalities, particularly for women and girls (Iheanacho-Shahid 126).

COVID-19 and related government responses have different effects on different people and amplify already high levels of inequality across age, class, disability, gender, income, and other lines. Gendered power relations, as well as persistent and structural inequalities, disproportionately affect girls and women. Although both men and women encounter gender-based violence, the majority of victims are women and girls, according to the European Institute for Gender Equality. The surge in domestic and gender-based violence instances reported recently has alarmed the UN, and it has been determined that lockdowns' forced proximity is to blame. Phumzile Mlambo-Ngcuka, Executive Director of UN Women in April states;

> Even before COVID-19 existed, domestic violence was already one of the greatest human rights violations. In the previous 12 months, 243 million women and girls (aged 15-49) across the world have been subjected to sexual or physical violence by an intimate partner. As the COVID-19 pandemic continues, this number is likely to grow with multiple impacts on women's well-being, their sexual and reproductive health, their mental health, and their

> ability to participate and lead in the recovery of our societies and economy. (Vanguard, 2020)

The evidence presented above suggests that the pandemic lockdown contributed to an increase in gender-based violence, particularly rape of women. The most common forms of violence against women in Nigeria are sexual harassment, physical abuse, harmful cultural practices, emotional and psychological abuse, socioeconomic abuse, and violence against noncombatant women during times of conflict. The victims of these tragedies face additional challenges due to a lack of basic social service mechanisms in place in Nigeria, as well as access to phone hotlines and shelters. Furthermore, there aren't many non-governmental organizations and civil society organizations that specialize in providing legal assistance and knowledge. Nigeria has long struggled with a gender-based violence epidemic, with 30% of women and girls aged 15 to 49 reporting sexual abuse (Jenyo, 2021).

Sexual and gender-based violence against women and girls has in recent times been on the increase in Nigeria, with victims embarrassed and not having the courage to speak out or report such incidences to the right agencies for justice. For instance, the Amnesty International report on Nigeria more than a decade ago indicates and attests to this as follows:

> On a daily basis, women are beaten and ill-treated for supposed transgressions, raped and even murdered by members of their families. In some cases, vicious acid attacks leave them with horrific disfigurements. Such violence is too frequently excused and tolerated in communities and not denounced. Husbands, partners and fathers are responsible for most of the violence against women (Amnesty International 2006)

The observed concern of this research work, therefore, is geared toward examining the impact of the Covid-19 pandemic on sexual violence (rape) and how government and civil sector efforts

to prevent gender-based violence have been hampered by a lack of coordination among important players, inadequate implementation of legal frameworks, and ingrained gender discriminatory attitudes. The study will also examine the measures adopted by Nigerians and the Nigerian government to curtail sexual violence against women and girls in the country as well as with effectiveness of the relevant policies made to checkmate these rampages and abuses. Three national dailies were purposively selected for their coverage of crime and having dedicated pages for reporting crime. They are the Vanguard Newspaper, Sahara Reporters and Guardian Newspaper. The data emerged from examining the headlines, articles, and news items which captured rape and themes relating to the purpose of the study.

Theoretical Framework

Historically, most women have always been subjugated and oppressed by men in most cultures in Nigeria (Muoghalu 34). This situation is due to the inequality in gender relations between men and women. The feminist theory is grounded on the principle that violence is the result of male oppression of women within a patriarchal system in which men are the primary perpetrators of violence and women are the primary victims (Dobash & Dobash, 1979; Walker, 1979). Feminists believe that many of the problems faced by women, including violence, are caused by social, cultural, and political forces requiring action at the policy level. This belief is encapsulated in the feminist mantra, "The personal is political." This orientation decries earlier attempts to craft private solutions for the collective problem of violence against women. Feminists agree that something is amiss in the treatment of women – what Betty Friedan (1963) memorably described as a problem without a name. Feminism is not only a set of beliefs but also a set of theoretical constructions about the nature of women's oppression and how this oppression is played out within social reality more generally (Stanley & Wise, 1983). Feminists believe that rape is an expression of male dominance over women as a result of society's

long-time sexual inequality. Therefore rape is used to intimidate women and keep them in their place. As such, it is an expression of power and dominance over women. It is because of the unfair gender dynamics and the way that society views women as resources to be used that it is so challenging for rape victims to receive justice. Rape has always been with mankind throughout the world. However, in recent times, the incidence of rape has increased in Nigeria due to the covid-19 lockdown experiences in the majority of the states in Nigeria (Muoghalu, 2012).

Sexual violence, regardless of who committed it or their relationship to the victim, was described by the World Health Organization as any sexual act, an effort to obtain a sexual act, unwanted sexual comments and approaches, or activities to traffic or otherwise target a person's sexuality through compulsion. Likewise, Onyejekwe (2008) defined rape as one of the most pervasive forms of violence against women and a crime in which the assailant uses sex to inflict humiliation on the victim or exert power and control over the victim. Also, rape can be defined as sexual intercourse or other forms of sexual penetration by one person (the accused) with or against another person (the victim) without the consent of the victim (Peter & Olowa, 2010).

In recent times, there has been an upsurge in cases of rape in Nigeria. In a study of causes and incidence of rape among middle-aged and young adults in Lagos State, Nigeria, Peters and Olowa found that between 2001 and 2005, 10,079 rape cases were reported. The same study also indicated that only 18 per cent of rape cases in Nigeria are reported (Peter & Olowa, 2010). A figure of 10,079 (which is assumed to be 18 %) within these few years, is an indication that rape is very rampant in Nigeria and constitutes a serious public health problem. Kilonzo et al. indicated that in the WHO multi-country study on women's health and violence against women, 15-59 per cent had at some time experienced sexual violence from intimate partners in Nigeria, Kenya, South Africa and other sub-Saharan African countries (14). According to Amnesty International (2006), rape by police and security forces is

endemic in Nigeria as is the abject failure of the Nigerian authorities to bring perpetrators to justice. In the analysis of a study by Nwabueze and Oduah, it was found that most rape incidents recorded by Nigerian national dailies were committed by victims' relatives, including the victims' parents, aunts, and uncles, among others. Before the Corona virus shutdown in Nigeria, the occurrence of rape was at an unsettlingly high rate (Nwabueze & Oduah, 2014). Musbau laments that the rate at which incidents of rape are taking place in the present Nigerian society is not only alarming but has an outrageous phenomenon that requires an urgent solution (Misbau, 2013). Furthermore, statistics in the Musbau study show that about 678 cases of rape were reported in 2012 in Lagos state alone, suggesting an average of two cases every day. As the cases of rape continued to persist, the declaration of a Covid-19 lockdown brought a dreadful spike, a higher level of the cases of rape, which Tallen in Onuah (2020) bemoaned as at an "alarming rate" with a threefold increase of the typical level.

She states that over 3,600 rape cases were recorded across Nigeria during the lockdown (PremiumTimes, 2020). The rise in the reported rape cases is traceable to the nationwide lockdown orchestrated by the spread of Covid-19 since women and children have been locked down in their homes with their abusers (Onuah, 2020).

Data Analysis

Excerpt 1

According to Sahara Reporters, an expert describes her experience with the police:

The police have not been helpful. We reported a case to the police station and the police asked us why we are shouting. Is it not because of how the lady dressed that she was raped? We had to start educating them that it's not about dressing. The 3, 7 or 12 years old that was raped, what did they wear to tempt a man to

have an erection? We had to enlighten them (SaharaReporters 2020).

Excerpt 2

An ICIR report discusses police officers' attitudes toward rape cases:

Yetunde, an officer at the Nigeria Police's Gender Unit in Abuja, asked the father of two underage rape victims for ₦50,000 to mobilise policemen and track down the suspect. Another victim of rape at a Police station at Obalende, Lagos in January says she has to pay ₦8500 to fuel a vehicle to arrest the suspect (ICIR 2020)

Excerpt 3

The rape of Uwaila Omozuwa in Edo state during the lockdown in May 2020 was brutal and indescribable. Uwa, a 22-year-old first-year student, was raped and killed in a church while reading. She died three days later, and her case catalyzed a resurgence in Nigeria's national campaign against gender-based violence. While Nigerians were still reeling from the effects of the tragedy, June 2020 arrived with its own set of surprises. In Ibadan, an 18-year-old girl named Barakat Bello was raped and murdered (Vanguard 2020)

Excerpt 4

Azeezat Somuyiwa, a pregnant woman, was also hacked to death after being raped. A 12-year-old girl was gang raped by four masked men in Ajah, Lagos state, and 11 men were arrested in Jigawa state for serially raping another 12-year-old girl (Vanguard 2020)

Findings and Discussion

Police, Law and Rape in Nigeria

Describing the Nigerian situation, Amnesty International (2006) opines that poorly defined criminal laws and weak law

enforcement create an environment where rape is committed with impunity. This inadequacy of the law interacts with societal norms and stereotypes to turn rape victims into accused persons. According to Imokuede (2007), Nigerian law defined rape as forcible unlawful sexual intercourse without a woman's consent. The same law also made it mandatory that for a rapist to be convicted rape victims must prove beyond reasonable doubt that they were forced and provide evidence of rape by showing, for example, semen. Onyejekwe (2008) concludes that the failure of the Nigerian government to investigate and punish those responsible for these grave abuses is a violation of the general principles of the human rights charter. In the prosecution of gender-based violence, juries put female victims on trial for their compliance with gender roles. Studies show that one of the predictors of conviction in rape cases is whether the female victim behaves appropriately (Tetlow, 2009). Many rape cases end in the acquittal of the rapists as a result of examining the appropriateness of a woman's behaviour. In this manner, the victim is transformed into the accused. This discourages victims of rape from seeking justice, perpetuating the culture of silence. The weakness of the prosecution laws in Nigeria was corroborated by Amnesty International (2006) when it asserted that the harsh reality is that if you are a woman or a girl in Nigeria who had suffered the experience of rape, your suffering is likely to be met with intimidation by the police, indifference from the state and knowledge that the perpetrator is unlikely to ever face justice. According to Amnesty International, the Nigerian government is failing to protect women and girls from these heinous crimes. The Nigerian government has made no significant efforts to translate its international legal obligations to women and girls into national law, policy, and practice. Looking at how patriarchy, a long history of gender discrimination, gender relations, and women's low social status have influenced the outcome of rape cases, one cannot help but notice that inequality in gender relationships, power, and oppression are major issues in rape against women.

Legal definitions in Nigeria often vary from jurisdiction to jurisdiction regarding how sexual behaviours are covered, who is covered, and what counts as force or lack of consent. According to Imam (2006), the interaction of domestic Nigerian multiple and parallel legal systems of secular, Muslim, and customary laws is problematic (Imam, 2006). This is because they grant different rights on different issues, and jurisdiction can be contested. So, what exactly is rape under Nigerian law? Rape is defined in Nigerian law as forcible unlawful sexual intercourse with a woman without her consent. (Imoukhuede, 2007). Imoukhuede states:

> Section 357 of the Criminal Code states: "Any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent if consent is obtained by force or through threat or intimidation of any kind, or by fear of harm, or by any means of false and fraudulent representation as to the nature of the act, or in the case of a married woman, by personating her husband is guilty of an offence called rape." The duty of the prosecution and the complainant, therefore, is to prove to the court that she did not consent to the rape. A careful reading of the definition of rape in our law shows that consent may be "obtained by force, threat or intimidation, fear of harm or by false and fraudulent misrepresentation" ((Imoukhuede, 2007)).

As regards Islamic law (Sharia) in the Northern states:

> Rape is criminalised in the Sharia penal laws which were introduced in 1999 and are now in force in 12 states in the north. The definitions of rape, however, do not conform to the principles underlying the Rome Statute definition, do not provide sufficient protection or redress for women and girls who have been raped and also discriminate against married women and girls. In some cases, a woman's failure to consent has not been considered in criminal proceedings" (Amnesty International 2006)

Sharia law is criticized for imposing harsh penalties, although no death sentences have been carried out in recent years. Women's and non-Muslims' testimony carries less weight in Islamic courts. The burden of proof that courts place on rape victims, such as having to prove tricky issues like lack of consent and penetration, subjects victims to yet another traumatic experience. Furthermore, strict adherence to cultural norms tends to exacerbate human rights violations. Due to the societal stigma associated with rape and sexual assault victims, incidents are not reported due to cultural orientation. According to Okeke, it is taboo to discuss sex at home, and typical Nigerian parents go to extreme lengths to protect the public image of their daughters, especially as regards rape (Okeke, 2007). As a result, many cases go unreported because parents want to protect their daughters' honour and protect their families from embarrassment. The 2006 Amnesty International Report on Nigeria supports this observation in its description of Nigeria's judicial and legal system regarding rape. Still unsolved also are "Ambiguous contradictions and gaps between the new Sharia Penal Codes and the Criminal Procedure Codes that determine procedures and evidence are still unresolved" (Imam, 2006). This raises serious concerns, such as: What constitutes evidence? What are the guidelines? What are the different types of offences? It has been debated whether the Sharia Acts themselves or the nature of the punishments are subject to international human rights law.

As a result of the government's apparent failure to address this issue, a culture of impunity flourishes. As a result, the country's legal system requires urgent reform (Amnesty International 2006). With the dramatic increase in rape cases during the Covid-19 lockdown, some Nigerian state governors issued harsh punishments for rapists. Kaduna State Governor Nasir Ahmad El-Rufai signed legislation mandating surgical castration for men convicted of rape and the death penalty for child sex abuse where the victim is under the age of 14 (RepublicWorld, 2018). In the same vein, Governor Kayode Fayemi of Ekiti State has rape fully criminalised. He signed into law a piece of legislation from the

State House of Assembly, titled "Compulsory Treatment and Care of Child Victims of Sexual Abuse Law 2020". By also instituting a more active naming and shaming system by activating a Sexual Offenders Register, and taking that register to social media, Fayemi's actions are commendable (PremiumTimes, 2020). However, the problem is not with the law alone, but with the lack of effective enforcement of existing laws, including judicial interpretation of rape-related elements such as consent, corroboration, penetration, and capacity to commit rape. The state's security officials are described as insensitive and unconcerned about rape in the enforcement or implementation of this law as evidenced in Excerpt 1. In the excerpt, the unprofessionalism of the Police officer met at the station is disdainful and devoid of empathy. To the officer, the girl in question is raped because of her dress which is claimed to be indecent. At no point was attention paid to the emotional state of the victim or how to go about finding the suspects. Such instances have discouraged victims from publicly reporting the aggressor(s). While rape has been criminalized in some states in Nigeria the role of the law enforcers is delicate and necessary in achieving justice for the victims of rape. Furthermore, as seen in Excerpt 2 the police aid and abet rapists in suppressing and oppressing the victims of rape. The victims are mocked and harassed by law enforcement officers. Aside from acting uneducated about rape issues, it has been claimed that they sometimes demand money from rape victims before writing their statements. Fuel, paper, and biro monies are collected from these unwitting victims. As indicated in excerpt 2, the families of the victims are also subjected to dehumanizing requests in a bid to seek justice. Families become a source of making extra cash for the enjoyment of the officer on duty at the expense of the physical and psychological torture and stress of the victim and the family.

Covid-19 Lockdown and Rape in Nigeria

While the rest of the world is dealing with the devastating social and economic effects of the Corona virus, Nigeria is dealing with something far more serious: sexual violence against women and girls. Odita Sunday, a reporter for the Guardian Newspaper (April 2020), recounts the ordeal of a mother whose nine-year-old daughter was molested by a neighbor as shown in excerpt 3. All of these rape crimes are just a few examples of rapes committed during the Covid-19 lockdown. The examples of excerpts 3 and 4 followed a specific routine and pattern which enabled the crime of rape. Crime occurs when three elements converge in space and time, according to Cohen Lawrence and Felson Marcus (1979): an attractive target (girls), a motivated offender (the rapist), and the absence of capable guardianship (police, parents, significant others).

This routine activity informs us that when criminals monitor and control our lives, we are vulnerable to crime victimization. These criminals could be friends, family, or members of the community. In excerpt 3, the victim Uwa had a predictable routine of always being in church and reading alone. During her reading period, no guard was available. In excerpt 4 Barakat's assailants were aware that her parents would be away at a certain time, leaving her alone at home. Her surroundings, a house surrounded by bushes, also aided the abuse. The twelve-year-old was attacked in Ajah when her father went out to buy fuel, and the attackers entered through the fence rather than the entrance gate, where it was discovered people were working (Premium Times, 2020). In the scenarios, the girls were attractive targets to the motivated offender (rapists) who already sees them as specie to be subdued and treated as the 'other'. This motivation demonstrates the gender relations that exist between men and women. Sex (forceful) is a subjugating tool used to conquer and defeat women. When there is no form of security to prevent this abuse and dehumanization, the target is more vulnerable. Furthermore, all of the victims were

maimed or killed as a final cover-up for the rapists' atrocities. The preceding scenario begs the question, what laws/security measures are in place to prevent insecurity in Nigerian society, such as rape, harassment, and so on? It appears that security officers are not always available when their expertise is required. Law enforcement officers are frequently part of the rape culture; they harass, victimize, and sometimes demand a bribe before beginning an investigation. In the case of Uwa, one of the rape victims mentioned above, the father claimed that the police officer on duty demanded money before investigating her case. Remarks such as "Why did you dress like this", "na you tempt am" etc are spiteful remarks suppressing victims from speaking when they are abused, thus perpetuating the culture of silence. Amnesty International (2006) confirmed the weakness of Nigeria's prosecution laws when it stated that the harsh reality is that if you are a woman or a girl in Nigeria who had been the victim of rape, you are likely to face police intimidation, state indifference, and the knowledge that the perpetrator is unlikely to face justice. According to Amnesty International, the Nigerian government is failing to protect women and girls from these heinous crimes. The Nigerian government has made no significant efforts to translate its international legal obligations to women and girls into national law, policy, and practice. Examining the effects of patriarchy, a long history of gender discrimination, gender relations, and women's low social status played out to influence the outcome of rape cases, it is impossible to deny that gender inequality, power, and oppression are major issues in rape against women.

Conclusion

The Covid-19 lockdown and the increase in rape cases in Nigeria, according to this paper, are two-edged pandemics in Nigeria that have revealed the debilitating relationships that exist between males and females in Nigerian society. These evils are made possible by the failure to enforce Nigerian laws and the apathy of police officers toward the country's rape problem. The work notes

that for Nigeria to move out of this endemic situation, certain procedures must be implemented. The government needs to enforce laws to discourage rapists and also police officers need re-orientation on how to treat and assist rape victims. Noteworthy is the availability of phone hotlines for rape victims to reach out to necessary security officials. Lastly, NGOs need to help in the rehabilitation of rape victims to help them stabilize.

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