

**CAUSES OF THE HIGH PREVALENCE RATE OF CHILD SEXUAL ABUSE IN  
LUSAKA DISTRICT**

**BY**

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requirements for the award of the degree of Masters of Education in Civic Education.**

**The University of Zambia**

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**DECLARATION**

I, Nalwimba Daisy Sankananji, do solemnly declare that this dissertation represents my own work, which has not been submitted for any degree at this or any other university.

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## **DEDICATION**

I dedicate this piece of writing to my parents; Mr and Mrs Siame, they have been the ceaseless inspiration in my academics.

I also dedicate it to Edward Muyawala who has been supportive from inception and also to Keilah Christine Muyawala my new found joy.

Lastly, I dedicate it to my elder sister Nalwimba Thelmah and my two Brothers Lwito and Zevianji Silwimba.

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## ACRONYMS

|         |   |
|---------|---|
| ACRWC:  | African Charter on the Rights and Welfare of the Child.         |
| AIDS:   | Acquired Immune Deficiency Syndrome                             |
| CAMFED: | Campaign for Female Education                                   |
| CSA:    | Child Sexual Abuse  |
| HIV:    | Human Immuno Virus  |
| HRC:    | Human Rights Commission   |
| ILO:    | International Labor Organization                                |
| MGCD:   | Ministry of Gender and Child Development                        |
| OAU:    | Organization for African Union                                  |
| UDHR :  | Universal Declaration of Human Rights                           |
| UN:     | United Nations  |
| UNCRC:  | United Nations Convention on Rights of the Child                |
| UNICEF  | United Nations International Children's Education Fund          |
| UNESCO: | United Nations Educational Scientific and Cultural Organization |
| VSU:    | Victim Support Unit   |
| YWCA:   | Young Women Christian Association                               |

## **ABSTRACT**

The dissertation presents a study on the causes of the high prevalence of child sexual abuse in Lusaka district. The study was purely qualitative. The study used a simple systematic sampling technique giving us a total of 34 respondents. It employed the case study design of qualitative method. Thematic analysis was used in analyzing data which was presented using graph, tables and direct quotations.

Results showed that most reports of sexual abuse were reported by girls than boys, their ages ranged from 10-16 years with 13 and 14 year olds being the most victims. Perpetrators were close people to the child who may be close relatives of acquaintances with ages ranging from 25-65 years and mostly male. The major causes of sexual abuse included family breakdown, low conviction of offenders, child labor, decline in morals, child neglect, influence by social media, cultural beliefs and rituals and abuse of position (fear of the red pen). The most common forms of sexual abuse are penetration for girls and sexual assault for boys.

With regard to the extent to which the government and stakeholders ensured the protection of children's right from all forms of sexual abuse, there was a consensus that the current legislation was sufficient but it was poorly enforced.

Based on these findings, it is recommended that stakeholders should ensure accountability for child sexual abuse by establishing firm investigation mechanisms, and ensuring that abusers are fairly held responsible for their actions and provide alternative care for children with abusive/no care givers. Future research could explore how traditional practices like initiation ceremonies constitute a violation to the right of the child to protection from all forms of sexual abuse.

**KEY WORDS:** Child; Child Sexual Abuse; Perpetrator; Rights

# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 Overview**

This chapter introduces the study. It gives the background to the study, states and defines the problem that the study was attempting to address, states the objectives of the study and gives its significance.

### **1.2 Background to the Study**

Child sexual abuse has gained public attention in the past few decades and has become one of the most high profile crimes. Since the 1970s the sexual abuse of children has increasingly been recognized as a global concern which affects not only the family but society as a whole (UNICEF, 2012). Research has shown that child sexual abuse is deeply damaging to children and demonstrates remarkable effects encompassing but not restricted to physical, emotional and psychological effects and therefore unacceptable for society as a whole (Mwewa and Mwiya, 2015; Sedlack, 2010). Although sexual use of children by adults has been present throughout history, it has only become the object of significant public attention in recent times. This is true for Zambia which recognized children's rights only in 1991 when the Mvunga Review commission adopted the rights of the child as part of the constitution. The country has been infested with early marriages especially of the girl child which although constitutes a violation to children's right to protection from all forms of sexual abuse is perceived correct and normal in customary law. Traditionally, any child who has attained puberty is deemed to be ready for marriage.

Child sexual abuse is a form of child abuse in which an adult uses a child for sexual stimulation. According to Courtois (1988), these include engaging a child in sexual activity, indecent exposure of genitals to a child with intention to gratify their own sexual desires or to intimidate or groom the child, physical sexual contact with the child or using the child to produce child pornography. It can occur in a variety of settings like a school, home or work places. Child marriage is one of the main types of child sexual abuse. UNICEF (2012), states that child

marriage represents the most prevalent form of sexual abuse and exploitation of girls. The effect of child sexual abuse can include depression, post-traumatic stress disorder, victimization in adulthood (Messman, 2000:15) and physical injury to the child. Incest can result in more serious and long-term trauma like psychological trauma.

Child sexual abuse became a public issue in the 1970s and 1980s. Prior to this point in time, sexual abuse remained rather secretive and socially unspeakable. Studies on child sexual abuse were nonexistent until the 1920s (Reavey and Warner, 2003). Amidst 1790 and 1876 between a third and half of rape victims were under the age of nineteen. During the 1820s, the figure was 76%. Family Historians like Sacco found more than 500 published newspaper reports of father-daughter incest between 1817 and 1890. Birnbaum and Groth (1978) explain further that adults in elite households in fifteenth and sixteenth centuries Europe sometimes treated young children as sexual play things. He gives an example of the future King of France Louis xiii. This is not different from the African culture where children were/are betrothed at a tender age and married off as soon as they attain puberty (Humanium Report, 2015). The rape of children was the most frequent form of sexual crime. In his landmark study, Kinsey (1953) reported that a quarter of all girls under the age of fourteen reported that they had experienced some form of sexual abuse including exhibition of fondling, or incest. Yet when these findings were reported they evoked virtually no public interest.

Public concern focused on the very young, those who were ten years or younger. But beginning the late 19<sup>th</sup> century, philanthropists and reformers brought attention to a somewhat older group of those aged eleven to seventeen. Reformers fought to raise the age of consent to 16 and enact laws to prevent those younger than 16 from entering any place that sold intoxicants, pool halls and dance halls (Birnbaum and Groth, 1978). Raising of this age required concerted political battles. In courts, the treatment of child sexual abuse (CSA) was colored by a young person's age, gender and willingness to conform to cultural stereotypes. For a long, time judges treated young girls very differently from boys and older girls. Sexual activity with a young girl was clearly regarded as pathological by the late nineteenth century. But proving cases of abuse proved difficult. By 1930, cases were resolved by marriage of victim or financial payment a phenomenon that shamefully occurs even in modern times when the effects of child sexual abuse have come to light (Reavey and Warner, 2003).

In the 20<sup>th</sup> century, CSA was seen to be perpetrated by people who were commonly known as moral monster, dirty old men fiends, perverts, predator, pedophiles or sexual psychopaths. This century also saw a more and profound understanding of abuse. There was an emergence of theories about young people's psychosexual development and especially the embrace of the Freudian notion of the sexual child had ambiguous consequences for understanding that CSA had lasting consequences (Faller, 1993). Among other theories, was a growing sense that sexual abuse caused long term psychological damages. Race and class were also considered. Mid Century, research showed that black children were more prone to abuse than whites. Offenders were regarded mentally ill people who lacked emotional sexual maturity. They were given psychological treatment and the punishment was less severe. The problem with psychologizing CSA according to Roosa et al (1999) was a failure to understand the cultures of sexual abuse including the clerical culture of the church which allowed abuse to take place. Sexual abuse also flourished in environments with unequal power relationships.

There was a general realization that children needed to be protected from experiencing sexual abuse and many other evils that occurred at the time. Therefore, attempts were made to come up with children's rights. The Convention on the Rights of the Child was proposed and unanimously adopted by the United Nations General Assembly in 1989, Zambia ratified it in 1991 (Simfukwe et al, 2012). It is also a state party to the African Charter on the Rights and Welfare of the Child (ACRWC) which came into force in 1999. It cannot go without mention that human rights have always existed; they belong to every human being. Throughout history, there are elements of human rights in rules and laws that governed the people. According to Simfukwe et al (2012), "In religion, the golden rule of do unto others as you would have them do unto you which summarizes rights and responsibilities found in the Christian Bible has similar sayings in the Hindu Vedas, the Islam Quran, the Babylonian Code of Hammurabi and the Analects of Confucius are an example of the recognition of human rights in various parts of the world". In Africa, the Charter of Mande guaranteed by the empire of Mande was the earliest formal document on human rights. Rights as they are known today are as a result of the gross violation of human rights that took place during the Second World War especially by the Nazi Germany against the Jews. About six million Jews were killed during the war. The Charter of the United Nations recognized that there was need for an international instrument that should guard against

such atrocities as the holocaust which was the name given to the killing of the Jews in World War II (Simfukwe et al, 2012). The Universal Declaration of Human Rights (UDHR) was adopted in 1948. However, Children's rights were recognized after the 1<sup>st</sup> world war, with the adoption of the declaration of Geneva in 1924. Later in 1959, the United Nations adopted the declaration of children's rights. The recognition of the child's interest and his rights became real on 20<sup>th</sup> November, 1989 with the adoption of the international convention on rights of the child. This was the first international legally binding text recognizing all fundamental rights of the child. Zambia ratified it on 6<sup>th</sup> December, 1991 (Humanium Report, 2015). The 1991 amended Constitution therefore saw the inclusion of Child's Rights in Zambia (Simfukwe, et al, 2012). In 1999, the African charter on the rights and welfare of the child (ACRWC) came into force recognizing that "the child, due to the needs of his physical and mental development requires particular care with regard to health, physical, mental, moral and social development, and requires legal protection in conditions of freedom, dignity and security" (ACRWC). It also considered the African virtues, values, cultural heritage and historical background. Article 19 of the UNCRC and article 16 of the ACRWC provide for the right of the child to protection from sexual abuse. Despite these efforts, child sexual abuse still prevails in Zambia.

Global prevalence of child sexual abuse has been estimated at 31% for females and 17% for males (Barth et al, 2013). Most sexual abuse offenders are acquainted with the victims approximately 30% are relatives of the child most often brothers, fathers, uncles or cousins 60% are other acquaintances like friends of the family, neighbors and strangers are 10 percent (Whealin, 2016). Most abusers are men (Whealin, 2007 and Barth et al, 2013). In Africa, the rate is at 20.2% for girls and 19.3% for boys. Zambia on the other hand is a country blessed with a very young population. The latest 2015 statistics show an estimation of 15.5 million people and more than 50 % of Zambians are under 14 years of age (SOS Village Report, 2016). Society's survival is threatened with the blitzkrieg of child sexual abuse. The National Crime Statistics shows that 2011 saw 38% in cases of child sexual abuse which rose to 41% in 2013. This rose to 1008 cases in 2015. This is regardless of the efforts made by the government to amend the 2007 act on sexual offences in 2013. A report from the Victim Support Unit shows that from January to November 2018, Lusaka has recorded the highest number of Child defilement cases with 320 translating to 48.2% of the child defilement cases reported countrywide. This implies that every

one to two in ten children experiences some form of sexual abuse by the time they reach 18 years.

Lusaka is the capital city of Zambia covering an area of 375 km squared flat relief. It accounts for 32% of the total urban population (LCC, report). Its central position makes it easily accessible. According to the Lusaka Urban Profile of 2016 by United Nations, the district faces typical urban developmental problems such as population increase, high levels of urbanization, unemployment, child abuse and inadequate provision of services among others.

Supporting efforts to realize the rights and development of children in Lusaka and Zambia at large presents a significant, multi-sectorial challenge. In order to strengthen the Child Protection System in Zambia, it is argued that the harmful cultural and social practices effecting children which are contained within customary law need to be eliminated, coupled with the need to harmonize national legislation with the UNCRC and the Children's Charter. Children born and growing up in Zambia generally do not lead a very happy or fortunate life. From a very early age, they are destined to a constant struggle for their most elementary rights to fight for the right to eat, sleep, go to school or even to simply survive and play is a luxury they can rarely find. According to UNICEF (2016), "about 13,000 are street children, 50 % of children aged between 7 and 14 years are engaged in economic activities. When children come into contact with law either as perpetrators or victims the existing laws and juridical systems are largely inadequate to protect child witness and victims of gender based violence or give a fair trial to children in contact with the law. What is unfortunate in Zimba's view is that children are more prone to being abused in places that are deemed safe such as homes, and schools (UNICEF, 2016) this background prompted research in this field.

It can be very difficult to talk about sexual abuse and more difficult to acknowledge that the sexual abuse of children of all ages happen every day. Sexual abuse includes sexual intercourse or its deviations. Yet all offences that involve sexually touching a child as well as non-touching offences and sexual exploitation. Fondling or penetrating a child's vagina or anus. Engaging in indecent exposure or exhibitionism exposing children to pornographic material and deliberately exposing a child to the act of sexual intercourse and masturbating in front of a child all constitute sexual abuse (Moore, 2000). The immediate effects of child sexual abuse may be bleeding due to

the force exerted during the act, contraction of sexually transmitted disease and after effects include anti-social behavior, resentment, depression, fear, shame, trauma and personality disorder (Mullen et al, 1996). Proving it is difficult because the child may be the only witness and his or her statements the only evidence. But physical and behavioral changes or abnormalities may pose as signs. It may also be discovered in direct ways through direct confessions and indirect like Sexually transmitted diseases, pregnancy and trauma. Exploring the causes of the high prevalence of child sexual abuse is therefore vital and beneficial to society especially Lusaka district where the vice is rampant.

### **1.3 Statement of the Problem**

There has been commendable effort by the Zambian Government to protect children from sexual abuse. These include the ratification of the United Nations Convention on the Rights of the Child of 1989 and the African Charter on the Rights and Welfare of the Child of 1990, including children's rights in the 1991 constitution and comprehensively and extensively reviewing and amending all aspects of the laws and the implementation of the laws relating to sexual offences (Criminal Law Act 42 of 2013). Despite these efforts, many children are still exposed to violence abuse and exploitation such as sexual abuse (UNESCO, 2012). There are high levels of defilement (sexual abuse), child marriage, teenage pregnancies, school drop outs and child prostitution. The statistics provided by UNICEF (2016) are sobering, "nearly 300 million boys and girls live with violence exploitation or abuse, including child labor, armed conflict, defilement and harmful cultural practices. About 75 million of them do not have access to education and up to 55 percent live in fragile states". Many of Zambia's children need protection from the risk and harm that threatens their rights and well-being. This constitutes a problem because it leads to high levels of child marriage, teenage pregnancies, and child prostitution, street children, an increase in HIV/AIDS infections and other sexually transmitted diseases. In addition, CSA constitutes a problem because it affects the development of children socially, physically and psychologically. Exploring the causes of the high prevalence of child sexual abuse in Lusaka district was therefore imperative a study.

## **1.4 Objectives/Research Questions**

### **1.4.1 General Objective.**

The main objective of this study was to explore the causes of the high prevalence rate of child sexual abuse in Lusaka district.

### **1.4.2 Specific Objectives**

The study had four specific objectives.

- i) Explore the main causes of the high prevalence of child sexual abuse in Lusaka district.
- ii) Ascertain the forms of sexual abuse that are common among children in Lusaka district.
- iii) Assess whether government is nurturing and protecting the Children from sexual abuse and the legislative measures that exist.
- iv) Suggest ways of reducing sexual abuse of children in Lusaka district.

### **1.4.3 Research Questions**

1. What are the main causes of the high prevalence of sexual abuse in Lusaka district?
2. What forms of sexual abuse are common among children in Lusaka district?
3. Does the government and other stakeholders ensure the protection of children's right from all forms sexual abuse?
4. What measures can be taken to eradicate sexual abuse of children in Lusaka district?

## **1.5 Significance of the Study**

The following reasons justify this effort; it is hoped that the study will shade light on the major causes of the high prevalence of child sexual abuse in Lusaka so that the problem can be dealt with from its roots, it will also inform on the forms of sexual abuse that are common among children. Apart from informing policy makers, it may also suggest on the measures that can eradicate sexual abuse of children. Finally, it will add to the already existing literature on children's rights as this area has not been extensively explored.

## **1.6 Theoretical Framework**

This part explores a reasoned group of statements, supported by evidence that is meant to explain the phenomena of child sexual abuse. Since Kombo and Tromp (2006:56) define theoretical framework as a collection of interrelated ideas based on theories or reasoned set of prepositions which are derived from and supported by data or evidence, the three Ps namely; Protection, Provision and Participation theory guided the study.

**1.6.1** The three Ps of the UNCRC are discussed as follows;

The division of children's rights into provision, protection and participation rights is the threefold categorization of rights, known as the '3 P's' (Dillen, 2006: 238). Rights in the UNCRC have been classified into three types: provision of basic needs, protection against neglect and abuse and children's participation in their families and communities (Alderson, 2000: 440). The first mention in academic writing of provision, protection and participation as a 'model' for understanding children's rights seems to be in Hammarberg (1990). According to Hammarberg (1990), "the division into provision, protection and participation initially emerged in discussions between UNICEF and other actors and it served to explain the Convention to an uninformed public". It was inspired by the similar symbolic slogan of 'respect, protect, provide' that was used with regard to broader economic and social human rights. Verhellen (2001: 180) expresses that the division is a tool for examination of the Convention. That is looking at the CRC through the device of the so called three P's (provision, protection and participation) is a very useful exercise. Lansdown (1994) writes that the Convention provides a comprehensive framework which addresses rights relating not only to children's need for care, protection and adequate provision but also for participation. It is the principles in the Convention that can be categorized in provision, protection and participation, not the rights, and different articles can be connected to these categories of principles.

Researchers over time have taken up the provision, protection and participation model as a main vocabulary for children's rights, using it either in line with Verhellen's (2001) suggestion as a device for closer examinations of the Convention, or as the very definition of children's rights, as in Alderson (2000).

The right to provision are rights to services, skills and resources. These are the inputs that are necessary to ensure children's survival and development to their full potential like health care which is article 24 and the right to play which is article 28 of the United Nation's Conventions on rights of the child. Provision Articles recognize the social rights of children to minimum standards of health, education, social security, physical care, family life, play, recreation, culture and leisure.

Participation on the other hand are the rights that provide children with the means by which they can engage in those processes of change that will bring about the realization of their rights, and prepare them for an active part in society. They include, for example, the right to express their views and to be heard in legal proceedings which is article 12, freedom of expression and the right to information which is article 13 of the UNCRC (1989). One of the key features of the UNCRC is that it recognizes that children not only have rights of protection and provision of services relating to health, education, leisure and so on but that, like adults, they have participation and citizenship rights (Osler & Starkey, 1998: 313).

Protection rights are rights that ensure children are protected from acts of exploitation or abuse by adults or institutions that threaten their dignity, their survival or their development. These include rights such as protection from abuse and neglect which is article 19, the regulation of the child labor which is article 32 and protection and care in the best interest of the child which is article 3. This also entails the right to be shielded from harmful acts or practices like commercial or sexual exploitation, physical or mental abuse, or engagement in warfare. Protection Articles identify the rights of children to be safe from discrimination, physical and sexual abuse, exploitation, substance abuse and conflict.

Further, Hammarberg (1990:99) specified participation as simply a right to be heard. Lansdown (1994), in contrast, stresses that participation articles deal with the child's civil and political rights and that besides the right to be heard, several other rights are also attached to the participation category. She thus asserts that children do have political rights, and that the Convention includes such rights.

## **1.6.2 How the Theory Relates to the Current Study**

The three Ps would seem to be a good basis for Children's rights to protection from all forms of sexual abuse and sexual exploitation. Protection rights to begin with emphasizes the need for children to be protected from all causes of sexual abuse and its different forms. This is because, sexual abuse is detrimental to the development of a child. A situation where children poses effects of sexual abuse in a country may translate into under development in future. Johari (2013) as he discusses the issue of governance stresses on the importance of the family which is the smallest unit in governance. If family is destabilized, it deciphers into an unstable society and thereby the country as a whole. The theory therefore justifies the need to research and underpin the causes of the prevalence rate of child sexual abuse which destabilizes society and the country at large. Protection therefore, which is one of the three Ps is imperative. The theory relates to the study in that it also seeks to protect children from sexual abuse.

Participation is also not respected as children do not usually consent to sexual abuse. Although children by law cannot make decisions on their own (Johari, 2013), they still return the benefit of being able to take part in decision making. They should be actively involved in decisions that directly affect them. If a decision has to be made on their behalf, it should be in their best interest (Dillen, 2006: 238). In this regard, sexual abuse is never in their best interest as it poses major damages which hinder normal development. Participation according to (Qvortrup, 1996:36) implies that children should be consulted and taken account of, to physical integrity, to access to information, to freedom of speech and opinion, and to challenge decisions made on their behalf. This view of the second P also guided the study during research.

In relation to provision, the study was inclined to discovering what implication or relation is there between sexual abuse and need for provision rights. If children were adequately receiving provision and nurturing rights, would they be susceptible to sexual abuse? The hypothesis would be that sometimes children fall prey to abusers in seeking these provision and nurturing rights that their caregivers or government may not be providing.

In outer layer, children's rights are interconnected and indivisible. This is to say they are all linked together and all equally important. Together they create a complete framework of rights

that if fully respected would promote the health, welfare, development and active participation of all children. It is not possible to address sexual violence without addressing the violation or neglect of rights that expose children to poverty, lack of access to education, discrimination, racism, prejudice and failure to listen directly to and take seriously what children say about their lives. Children's right to health and development cannot also be fulfilled without a commitment to addressing sexual abuse which does not only expose them to sexually transmitted diseases but also causes physical and mental damages health wise. Therefore, the theory of the three Ps formed a basis for the study which was based on exploring the causes of the high prevalence of child sexual abuse in Lusaka district. Basing on the statement of the problem.

## **1.7 Conceptual framework**

Children's rights are human rights and they are inalienable. Children are the most vulnerable members of society and at the same time they are the future. Governments would therefore be wise to use their resources in protecting and upholding the rights of the child especially when resources are limited. Every person belongs to a particular state and is thus said to be a citizen. The relationship between the state and the citizen is that a citizen performs certain functions or duties towards it and the state is mandated to provide and ensure claims and freedoms to such individuals. These entitlements are what Simfukwe, et al (2012) refer to as human rights. Human rights are universal and therefore every human being regardless of the race, religion age or ethnicity is entitled to them as long as one is human. Children being humans therefore need their right to protection from sexual abuse to be protected. Being citizens' the government owes them that.

The research centered on children who are seven (7) years and above who had experienced some form of sexual abuse, this is however in reference even to abuse experienced before the age of seven. The reason for this is that children above seven years are old enough to understand and recount a scenario more rationally than those below. The years under review are 2000 till date, this is because the conditions of contemporary world are different from other times like the 20<sup>th</sup>, 19<sup>th</sup> centuries and before and so the causes of sexual violations in these times may not be the same as those of the 21<sup>st</sup> century. Moreover, the notion of children's rights is a recent

phenomenon especially in Zambia were rights of the child were included in the constitution only in 1991 and so, violations cannot exist were laws with regard to a particular item do not exist.

## **1.8 Definition of Key Terms**

### **1.8.1 Child**

A child is any person below the age of 18 years.

### **1.8.2 Child sexual abuse**

Child sexual abuse is any sexual activity between adults and minors or between two minors when one forces it on the other. It means a wide range of sexual behaviors that are meant to arouse the older person in a sexual way. It often involves body contacts like sexual kissing, touching and oral or anal or vaginal sex and showing private parts, forcing children to watch pornography or verbal pressure for sex.

### **1.8.3 Perpetrator**

A perpetrator is someone who commits a wrong doing or act usually with a negative connotation. In this paper, a perpetrator should be understood to mean a person who commits sexual assault, kissing, fondling, penetration, exposing a child to any sexual materials, masturbates in front of the child or any activity that constitutes sexual abuse. A perpetrator in this regard is a criminal who commits the offence of sexual abuse.

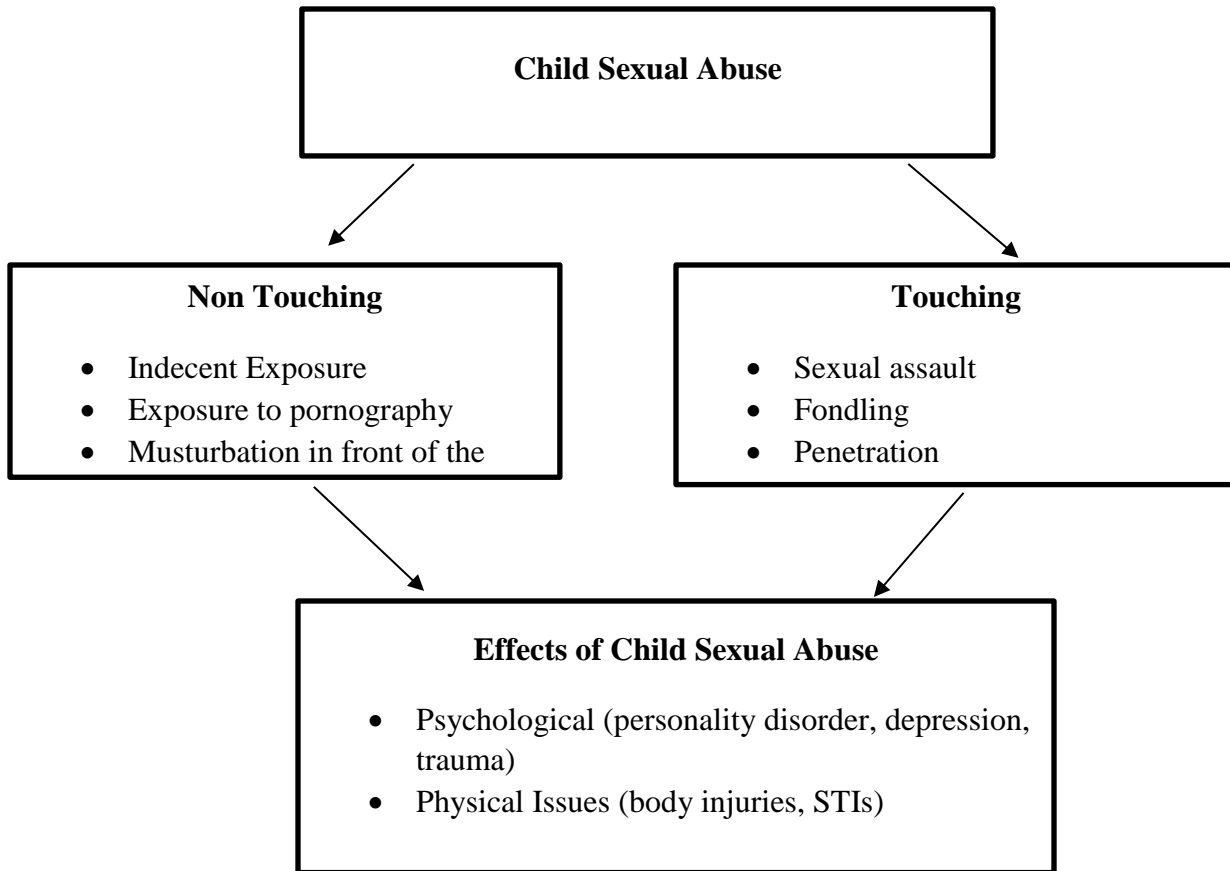
### **1.8.4 Rights**

Rights are prerogatives or benefits that one has by virtue of being human. In this regard all humans regardless of age, race, status or gender, we all deserve these entitlements called “rights”. The right to protection from all forms of sexual exploitation deliberated in this study is as contained in the African Charter on Rights of the Child article 27 and United Nation Convention on the Rights of the Child article 34.

### 1.8.5 Protection

To protect children's rights is to ensure that they receive some degree of decent, humane treatment.

Figure 1 shows how the study was conceptualized.



**Figure 1: Conceptual Framework**

The interpretation here is that young persons below the age of 18 years are susceptible to abuse of various forms like sexual, labor, neglect and exploitation. Of these forms, sexual abuse has proven to have the most serious repercussions (Noll, Trickett, Susman & Putnam: 2006 and Steine, et al: 2012). Sexual abuse is manifested in a two-way fold; it can be touching were the perpetrator has physical contact with the victim and this usually result in physical injuries or non-touching were the perpetrator does not necessarily come into contact with the victim but

indecently exposes the child to sexual activities. This type of sexual abuse is perceived trivial by the community and hardly reported to the authorities. Although it has the same repercussions as touching, the non-touching is not easy to investigate as the child may be the only witness and it's the child's words against the perpetrators. The child may not possess any physical injuries and so proof can be futile.

The non-touching form includes indecent exposure. This is when a child is exposed to obscene material, exposure to pornography when a child is made to watch pornographic material like pictures or videos on a screen or when a couple is having intercourse in the presence of the child. Masturbation in front of the child is when the abuser manually stimulates his/her genitals for sexual pleasure in front of a child.

The touching form includes sexual assault which happens when one is forced to have sexual intercourse or activities, YWCA (2015) defines it as either rape or defilement. Penetration is when the perpetrator inserts the penis into the vagina or anus of the victim. Fondling includes caressing, cuddling, hugging, kissing or smooching (Pereda et al, 2009). All these activities constitute a violation to rights of the child and this violation has long lasting effects. Violence against a child causes damage, pain and suffering to the child victim. A child's sanctity can be perpetuated. Sexually abused children tend to be anti-social, thus the act of abuse draws away the right to play, and right to live in a safe environment, the abuse may also lead to contraction of sexually transmitted diseases and this also violates their right to health and a healthy environment. Contraction of diseases like HIV/AIDS also increases the burden on the government to purchase more Anti-Retro Viro drugs.

Noggle (2015) argues that children like adults have a moral status and deserve the same moral consideration as adults. Children therefore have an equal status to adults in society. Children are persons, and therefore entitled to the same moral consideration to which anyone is entitled merely by virtue of being a person. This is to say that a certain moral status is attached generally to all persons including children. "To deny this would be to claim either that persons do not derive moral status from their status as persons, or that children are not persons" (Noggle, 2015). Therefore, if children are persons then they should be accorded the same respect as adults in all matters. Both the state and society should view them as moral agents, consult them in matters concerning them and respect their decisions. To abuse a child by means of threats is to imply that

the child has a lower status than the abuser and thus less human which is wrong because if children are less human then even adults basing on the moral status are less human.

### **1.7 Summary**

This chapter has discussed the background to the study, stated the problems with regard to children's rights like child abuse, exploitation and neglect that are the older of the day in our society today, these have necessitated the study. It has also outlined the objectives of the study. Theoretical considerations have been given before definition of terms in the conceptual framework which through providing a clear link on how children due to their mental and physical immaturity need protection. The next chapter will review the works that the research consulted in order to understand and investigate the research problem.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Overview**

The previous chapter introduced the study highlighting its background, aims and conceptualized it. This chapter reviews the works that the research consulted in order to understand and investigate the research problem. With the purpose of exploring the causes of the high prevalence rate of child sexual abuse in Lusaka district, the focus of this chapter will be to identify issues of causes and forms of sexual abuse and protection of the said right. In doing so, the study will identify whether a gap exist in a particular study that deals with children's rights and also child sexual abuse or not. The field of children's rights spans the fields of law, politics, religion, psychology and morality. Sexual abuse occurs frequently in Zambia especially in Lusaka but the rate of the prevalence is difficulty to determine because most cases are unreported and many forms not perceived as constituting sexual abuse. According to MGCD (2012), victims of abuse are reluctant to report abuse due to fear or sense that a complaint will not be taken seriously. However, reports by victim support unity concluded that the year 2017 recorded over 2000 cases of child sexual abuse including defilement and of these cases, Lusaka has the highest record of up to 468 cases. As of 8<sup>TH</sup> November, 2018, Lusaka had already recorded a total of up to 664 cases of Child Defilement out of which three (03) cases were against boys while 661 were against girls. Issues in Zambia include, child marriage and other harmful traditional practices, homelessness, lack of birth registration, trafficking, exploitation and abuse, gender based violence, HIV/AIDS and orphan hood (MGCD, 2012).

#### **2.2 Children's Rights.**

Children's rights are human rights. They protect the child as a human being. They are human rights specifically adapted to the child because they take into account his fragility, specificities and age-appropriate needs. They take into account the development of the child and also consider the vulnerable character of the child. This means to grant a particular assistance to them and to give a protection adapted to their age and to their degree of maturity (CRC, 1989). Children's rights are defined in numerous ways including a wide spectrum of civil and political rights. Rights tend to be of two categories, those advocating for children as autonomous persons

under the law and those placing a claim on society for protection from harms perpetrated on children because of their dependency (Mangold, 2002).

In order to live, a human being must have rights, and in order to develop to full capacity, a human being must have certain rights that are particular. Government's merits and demerits are differentiated in relation to the rights of the people under it. Simply stated, a right is a lawful claim or entitlement of an individual recognized by the community and state. In this regard, Rights have an important element, a claim of the individual. A claim is a demand by or as by virtue of right. It means to formally ask for or take one's own due. According to Johari (2013:134), "It is required that the claim should be like disinterested desire or something which is capable of universal application". This claim of an individual must receive social recognition which is the second ingredient of a right. Johari again states that since an individual's claim is backed by disinterested desire, it receives social recognition (Johari, 2013). Political recognition is another element of a Right. If rights are not enshrined in law or protected by the state, they are just like a declaration. They can be known but will not have any force. All human beings, children inclusive are entitled to human rights.

Children's rights are human rights. They protect the child as a human being. They are human rights specifically adapted to the child because they take into account his fragility, specificities and age-appropriate needs. They take into account the development of the child and also consider the vulnerable character of the child. This means to grant a particular assistance to them and to give a protection adapted to their age and to their degree of maturity (CRC, 1989). Children's rights are defined in numerous ways including a wide spectrum of civil and political rights. Rights tend to be of two categories, those advocating for children as autonomous persons under the law and those placing a claim on society for protection from harms perpetrated on children because of their dependency (Mangold, 2002).

The state from the social contract theory according to Stuart (2001) is mandated to provide and ensure the protection of these children's rights. A state according to McAuley (2003) is a nation or territory considered as an organized political community under one government. Hobbes defines it as an organized community living under one government. Over time, a variety of different forms of states have developed employing a variety of justifications for their existence one such a justification is divine right and also the theory of social contract. A social contract

according to various theories such as those of Hobbes and Locke is an implicit agreement among the members of society to cooperate for social benefit, for example by sacrificing some individual freedom for state protection (Johari, 2006). In this study, the state under discussion is the Zambian state.

Protection in relation to human rights means the act of protecting or preventing rights from being incapacitated (Harvey, 2005:234). Although there is this protection, sometimes children's rights are violated. Violation according to the online dictionary means a breach of infringement or transgression as of a right. Because of this, a legal framework is inevitable to enforce human rights especially that they are found in law. This is all to attain the general welfare of the child whose rights are supposed to be protected until they are old enough to care for themselves, defend themselves. A child who has been sexually abused in most circumstances may fail to attain their full potential.

Structures such as government policy have been held by some commentators to mask the ways adults abuse and exploit children resulting in poverty, lack of educational opportunities and child labor (UNESCO, 2012). In view of this, children are to be regarded as minority group towards whom society needs to reconsider the way it behaves. Children need to be recognized as participants in society whose rights and responsibilities need to be recognized at all ages. In many jurisdictions, properly implementing the Children's rights require an overhaul of child custody and guardianship laws, or, at the very least, a creative approach within the existing laws (UNCRC). Children have the right to express their opinions and to have those opinions heard and acted upon when appropriate, to be protected from abuse and to have their privacy protected, and their lives not to be subject to excessive interference

### **2.3 Background to Children's Rights**

Before the UNCRC, many efforts were made to come up with a comprehensive instrument for children. The Declaration of the Rights of the Child from 1924, also known as the Declaration of Geneva, was the first international document dealing with the rights of the child. According to Stern (2006) this was the first time an intergovernmental organization adopted a human rights declaration. The Declaration of Geneva was never meant to be a legally-binding document. Its aim was rather to develop morally-binding norms (Stern, 2006). In the Geneva Declaration,

manifested in five paragraphs, the rights of the child were formulated as the duties of men and women of all nations to recognize and realize that the child must be given protection (Declaration of the Rights of the child, 1924). The declaration stresses the importance of the child's social, economic and psychological needs and that the child must be protected from various kinds of exploitation. The Declaration of Geneva did not make any distinction between categories of rights. Its main purpose was, first and foremost, to protect the child.

After the establishment of the United Nations, the work with children's rights continued. In 1948 the document was enlarged into seven paragraphs, entitled the 1948 Declaration of the Rights of the Child, which replaced the Declaration of Geneva. In addition to what was stated in the earlier document, this declaration stated that the child should be provided social welfare and social security. The United Nations Declaration on the Rights of the Child was adopted by the General Assembly in 1959. This Declaration consists of a preamble and the number of principles had now increased to ten. The 1948 and 1959 documents' main purpose was to protect the child and to emphasize the child's right to be provided welfare.

On November 20, 1989, the Convention on the Rights of the Child was adopted by consensus in the General Assembly. It entered into force on September 2, 1990, and to date it has been ratified by 191 countries, with the exceptions of USA and Somalia. This makes the Convention almost universally accepted as for the concern of ratification. In year 2000, two Optional Protocols were included to the UNCRC; the Optional Protocol on the involvement of children in armed conflicts, and the Optional Protocol on the sale of children, child prostitution and child pornography (Stern, 2006).

The work ending with the UN Convention on the Rights of the Child was conducted during a certain historical era where two conditions were of particular interest. One condition was to change attitudes towards children. The other was a growing global interest for human rights (Thelander, 2009). Zambia ratified this in 1991 and included it in the Mvunga Constitution Review Constitution.

Although there is a consensus among researchers that the UNCRC is the most formal document on children's rights, in Africa, there is another document of significance called African

Children's Charter or the African Charter on the Rights and Welfare of the child. In order to stress African interests, the Organization of African Unity (OAU), made an agreement concerning children's rights declared in the African Charter on the Rights and Welfare of the Child. This came into force in November, 1999. The document brings out the obligations that the society and the individual have concerning children's rights it strengthens parents' responsibilities towards children, as well as children's responsibilities in relation to family and the community. The charter also notices with concern the situation of African children which remain critical due to its unique factors of their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger, and on account of the child's physical and mental immaturity he/she needs special safeguards and care (ACRWC). Zambia is a state party to this document and so talking about children's rights is a reference to African Children's Charter and the UNCRC. In this particular study, special reference is made to article 12, article 19 and article 28 of the UNCRC and also article 27 of the ACRWC.

## **2.4 Child Sexual Abuse**

In order to understand the causes of the high prevalence of child sexual abuse in Lusaka district, it is important to first understand what sexual abuse is. Child sexual abuse is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation (Medline plus: 2008:54). It is an interaction between a child and an adult or another child in which the child is used for sexual stimulation of the perpetrator or an observer. It includes both touching and non-touching activities. The World Health Organization defines child sexual abuse as "the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society."

Child sexual abuse can occur in a variety of locales, including home, school, or work in places where child labor is common, religious institutions and also desolated places. UNICEF (2012) reported that child marriage presents feasibly the most prevalent form of sexual abuse and exploitation of girls. Abusers do not usually use force but instead may use play, deception, threats or other forms of coercion to engage children and also maintain their silence. The

perpetrator uses tactics like buying the child gifts, or arranging special activities and showing a lot of attention, love and affectionate, these are what the researcher calls 'grooming'. Saccord (2007: 22) records that children are abused in varying degrees mostly by their parents, guardians, or those responsible for them at schools, orphanages or communities Snyder (2000), states that "children of all ages, races, ethnicity and economic backgrounds are vulnerable to sexual abuse." According to Noll et al (2006), children who have been sexually abused pose some traumatic reactions which include withdrawn behavior, sleeping difficulties or nightmares, angry bursts, anxiety, depression, fear to be left alone, sexual knowledge, language and behavior inappropriate for the child's age. Although studies have been undertaken with keen interest on children's rights (Mukelebai, 2013, Zehra, 2002), these studies were mostly concerned with issues of constitutional provisions, juvenile justice system, education and other forms of abuse like labor and involvement in conflict. A study with a focus on child sexual abuse is therefore imperative to build on the existing literature.

#### **2.4.1 Global Perspective on Child Sexual Abuse**

A 2013 meta-analysis of 65 studies from 24 countries on child sexual abuse found a global prevalence of 31% for females and 17% for males (Barth et al, 2013). The 2009 meta-analysis found out that Africa had the highest prevalence rate of child sexual abuse which was at 34.4%, mostly because of high rates in South Africa; Europe showed the lowest prevalence rate 9.2% and America and Asia had prevalence rates between 10.1% and 23.9% (Pereda, Guilera, Forns, & Gómez-Benito, 2009). These rates are relatively high, and with Africa having the highest rates, the future generations are endangered. It can also be noted that most of these perpetrators are males, Snyder (2000) states that females are five times more likely to be abused than males (Sedlack et al, 2010). This could be due to the fact that women and children were a long time ago perceived as property other than equal beings to men. In another study, Whealin (2007) found out that most perpetrators are acquainted with their victims. Approximately 30% are relatives of the child, most often brothers, fathers, uncles, or cousins, 60% are other acquaintances, such as family friends, babysitters, teachers or neighbors. Strangers are approximately 10%. This implies that abusers are usually people a child trusts. Holmes and Holmes (2002) explained the types of offenders and their psychological profiles. Some were said to find children less

threatening and are known morally indiscriminate, others simply prefer children to adults, and others are mysoped, fixated, situational and regressed.

Research shows that 51% to 79% of sexually abused children exhibit psychological symptoms (Caffaro, Lang, Van Santen, 1989; Mannarino, Cohen, 1986; Tong, Oates, McDowell, 1987; Conte, Schuerman, 1987; Tackett, Williams, Finkelhor, 1993). These effects are greater if the abuser is a relative, if the abuse involves intercourse or attempted intercourse, or if threats or force are used (Bulik et al, 2001). In other readings, adults who had a history of sexual abuse were found to present secondary mental health issue, which include substance abuse, eating disorders, personality disorders, depression, and conflict in romantic or interpersonal relationships.

The Indian government through the Ministry of Women and Child Development carried out a study in 2007. It looked at different forms of child abuse which included physical abuse, sexual abuse and emotional abuse and girl child neglect in five evidence groups, namely, children in a family environment, children in school, children at work, children on the street and children in institutions. The study found out that 53.22% of children reported having faced sexual abuse. Among them 52.94% were boys and 47.06% girls. It should be noted here that in India the rate of sexual abuse is higher among boys than girls. This could be probably due to the cultural practice of India where women seek men for marriage. But this study did not undertake to find out the forms of sexual abuse common among boys and girls and so such a study is needed. It would be also important to find out other reasons as to why the rate among boys and girls varies from findings in other countries.

#### **2.4.2 African Perspective on Child Sexual Abuse**

A number of studies have been done in Africa on children's rights, these include studies by Thelander (2010) on perception of rights among children in Kenya, Makwinda (2010) also did a study on child labor and violations of children's right. This was a case study of child workers on the tea plantations in Malawi, Morine (2000) also employed another study in South Africa that sort to find out children's and parents attitude towards children's rights and perception of family relationships. Erasmus (2012) also investigated the realization of children's rights in South Africa and sort to find out the perceptions of Afrikaans-speaking primary caregivers of children

with intellectual disabilities. This provides evidence that there is some literature on children's rights and violations that exist in African countries, but hardly has any attention been directed to find out causes of violations of these rights and specifically child sexual abuse and so this study will add to this body of knowledge.

Some studies have theorized that the prevalence of child sexual abuse in Africa is due to the virgin cleansing myth that sexual intercourse with a virgin will cure a man of HIV or AIDS (Hornor, 2010). This myth is prevalent in most African countries. Daka (2005) adds that the myth of wealth increase after sleeping with virgin also exists in Zambia coupled with sexual cleansing. Due to lack of understanding of the disease and generally low literacy levels that the country is infested with, people resort to any means of riding themselves off the incurable disease.

According to a UNICEF report (2010), 46% of Congolese school girls confirmed that they had been victims of sexual harassment, abuse, and violence committed by their teachers or other school personnel. A study in Mozambique found out that 70% of female respondents reported knowing teachers who use sexual intercourse as a necessary condition to advance students to the next grade (Ullman, 2003). According to UNICEF (2010), teachers in Mali are known to use "La menace du bic rouge" ("the threat of the red pen") or bad marks if girls do not accept sexual advances. According to Plan International, 16% of children in Togo had been sexually abused by their teachers (UNICEF, 2015). A deduction from this is that men when in authority abuse their power and use it to sexually abuse children. There is also lack of awareness of children's rights among these learners, because if they are empowered with this knowledge they can be able to stand up for these rights. The other issue here could be that although some victims may actually know these rights, the rights are not well protected and so even when the teacher abusers are reported, little or nothing is done which simply leave the poor pupil in much trouble or a worse situation than before. In the Democratic Republic of the Congo, combatants are reported to operate with much impunity and have a culture of sexual violence. South Africa has the highest incidents of child rape including the rape of babies in the world (UNICEF, 2015). Mbagaya (2009) did a study in Zambia, Kenya and Netherland on forms of child abuse and reported that over 30% of children in Zambia and Kenya reported to have been sexually abused. Mbagaya however did not undertake to find out why these children are sexually abused or the factors that

contribute to the same. Hence to build on this knowledge, this study focused on Zambia, and narrowed the research to Lusaka district to establish reasons as to why the sexual abuse that Mbagaya established occurs. The study has also been narrowly focused on sexual abuse only instead of all forms of abuse as in the case of Mbagaya. This may thereby give an in depth understanding of the phenomenon.

Child sexual abuse is an issue that makes people extremely uncomfortable to discuss especially in the African set up because it hurts to think about anyone is harming children. However unreported or untreated child sexual abuse not only scars children and destroys families it also leaves offenders free to abuse and cripple future generations.

#### **2.4.3 Zambian Perspective on Child Sexual Abuse**

A survey done by UNICEF in 2001 in Zambia established that child abuse is evident in the country. The most prevalent forms of abuse were child neglect, child labor and child sexual abuse. According to the findings of this study “one in every thirteen to eighteen children is likely to experience some form of sexual abuse” (UNICEF, 2001). Unlike this survey by UNICEF, the current study sort to find out reasons as to why these children are abused. The study builds upon the findings of UNICEF. Similarly, CAMFED in 2011 did a research on the extent of child abuse in Zambian schools. The research found out that there were four main types of abuse in Zambian schools. These were child labor, sexual abuse, corporal punishment and traditional practices. CAMFED however, limited the study to schools only overlooking other institutions. Child sexual abuse however is not confined to schools only but streams across all institutions in the community which include but not limited to churches, markets, homes among others. This study therefore, did not limit itself to schools only but broadly included other institutions in the community. In Zambia, “Sexual abuse was linked to traditional practices where individuals running businesses believed that having sex with a child would grow their business” (CAMFED, 2011 and Daka, 2002). People believe that having sex with a minor will help them grow their business and cure disease like HIV/AIDS. Family based abuse was essentially a transaction of sex in exchange for accommodation and sustenance (Camfed, 2011).

Statistics obtained from VSU show that in the year 2017, the country recorded a total of 2,429 cases of CSA. The year 2016 recorded a total of 1,994 cases with Lusaka having the most

occurrences. Reports from up to November this year 2018 show that Lusaka Province has recorded the highest number of Child defilement cases with 48.2% of the child defilement cases reported countrywide, Southern Province has recorded 11.0%, followed by Central Province with 9.5%, Eastern Province had 09%, and Copperbelt Province has recorded 49 7.4%. Other Provinces include Western and North Western Provinces both with 4.4%, Muchinga has 2.6%, Luapula 2.1%, Northern Province has recorded 0.6%. This is why the study focused on Lusaka because it records the most cases of child sexual abuse.

According to a report by Humanium (2015), more than two in five young girls over 40% are married before the age of 18. Child marriage often involve very young girls, well below the age of 16 the legal age of marriage in Zambia and the betrothal of barely pubescent girls is not uncommon. Though nominally illegal, these unions are largely tolerated by the country's customs and traditions. This practice carries serious negative consequences in the emotional and psychological development of these young girls, who find themselves forced prematurely into traumatic sexual relations, not always consensual, and must transition abruptly from childhood to adulthood without the preparative phase of adolescence. These marriages are especially harmful to the youngest brides, who have absolutely no choice in the matter of their future husbands.

Mwewa and Mwiya (2015) employed a study that examined factors responsible for low conviction of offenders of Child Sexual Abuse in the face of substantial evidence. Their results showed: absence of technical knowledge of child psychology in courtrooms, an adversarial court system, official's lack of skills and training, understaffing and poverty, contribute to the failure to convict offenders. As significant as this study is, it is still important to understand in the first place why these offenders are seeking children instead of fellow adults. In as much as this low conviction may pose as one of the factors, a study that determines other contributing factors from the victim's, perpetrator's and custodian's perspective is necessary. Convicting perpetrators may to a small extent curb the problem. This is because the only those cases which reach the court will be executed and the many unreported and/or withdrawn cases will remain unresolved. Therefore, this study was important because it sought to establish the root cause of the problem and suggest measures necessary to curb child sexual abuse.

Sexual abuse, both school and family based, is rarely reported. "Most of the evidence is circumstantial and the cost is high, availability of medical examinations at hospitals and access is

limited (Phiri, 2018). The Zambian Global School Student Health Survey (2004) found that as many as one in three girls reported having been physically forced to have sex. The Demographic Health Survey (2007) reported that one in five women have experienced sexual violence at some point in their lives with 15% of women sexually assaulted at age 14 or younger, and 20% being in the age group 15-19 years. Of the women below 15 years of age who reported that they had been sexually assaulted only 34% reported the assault to be carried out by a stranger whereas the remainder were by people known or related to the victim (Camfed,2011).

Daka (2002:41) explains that there is a traditional way of understanding defilement to mean having sexual intercourse with a girl who has not reached puberty otherwise the offence is called violation of virginity and only attracts compensation in form of damage other than sentencing. For instance, in “June 2008 in Zambia the issue of teacher-student sexual abuse and sexual assault was brought to the attention of the High Court of Zambia where a landmark case decision, with presiding Judge Philip Musonda, awarded \$45million Zambian Kwacha (\$13,000 USD) to the plaintiff, a 13-year-old girl for sexual abuse and rape by her school teacher. This claim was brought against her teacher as a "person of authority" who, as Judge Musonda stated, "had a moral superiority (responsibility) over his students" at the time” (Daka, 2002). It is sad that such is happening even in modern times where defilement constitutes a crime. If abusers are paying for their crime in cash then the problem will persist because as long as one has money, they can abuse children as much as they want. It is also sad that the dignity and welfare of children is being assessed in cash.

In another case, Camfed (2010:8) notices a lack of structures and guidelines for dealing with sexual abuse. “The Landmark case in which civil action was instituted by a school girl who sued her teacher who raped her for damages is a case in point showing lack of structures and guidelines for dealing with cases of abuse in schools. The judge awarded the pupil damages of K 45,000,000 (about USD 9,000) and referred the case to the Director of Public Prosecution for possible criminal prosecution of the teacher and directed the Ministry of Education to put in place guidelines for schools to follow and deal with cases of abuse in schools” (CAMFED, 2010). If sexual abuse has been defined as a crime, abusers should be prosecuted and sentenced instead of being charged a ‘fine’ as if it were a civil case. But this is not to say that this is the order of events in the country, in some instances, abusers are convicted with minimum sentence of 15 years.

## 2.5 Perception of Children's Rights

There is a popular view among the old generation that rights of the child have done more harm than good in society. They have distorted the indigenous culture of the people. Children are not contributing to the well-being of the family in the name of rights. This could be due to fact that rights are usually more pronounced than duties. Surveys have shown that most children do not know their specific rights but rather are acquainted with the basic needs like education, health, food and shelter that should be provided for them other than specific provisions like the right to identity and a name. Traditional attitudes towards children have hindered their full participation on issues that concern them. Most people in society fear that if children are allowed to freely express their views they will get out of control and will be unmanageable (Kenya Periodic Report, 2006). The child's right to express her/his view, be listened to and be taken seriously in matters affecting her/him has been in focus for several studies (Alston, 2000; Freeman, 1992, 2004; Stern, 2006). Results show large discrepancies between theory and practice. Children are often left behind in issues related to participation and decision making processes. This observation has primarily been explained by referring to cultural traditions rather than to power structures (Stern, 2006). Stern concludes that the greatest challenge to involve children in decision making processes lies in changing adults' attitudes towards children and child participation (Stern, 2006).

According to Lee (2005:145), children have been viewed as possessions by parents and other adults. As minors, by law children do not have autonomy or the right to make decisions on their own for themselves in any known jurisdiction of the world. Instead, their adult caregivers such as parents, social workers, teachers, youth workers and others are vested with that authority, depending on the circumstances (UN, 2008). Children should be viewed and treated as human beings with a distinct set of rights instead of as passive objects of care and charity. Children have the same dignity as adults, that they are competent social actors, and that they carry the right to be listened to and be respected.

Research investigating perceptions of children's rights in three New Zealand early childhood centers found that teachers' and parents' awareness of children's rights was limited (Te One,

2009). The data revealed a close relationship between the context in which rights were implemented and the perceptions participants (adults and children) held about these rights. In this sense, the implementation attached to a particular right will determine the importance that society attaches to it. In Zambia, the right to education is outspoken compared to the right to protection from child sexual abuse. This could be the reason why less importance is attached to it.

Freeman (2002:6) describes children's rights as "just claims or entitlements that derive from moral and/or legal rules," and argues that rights, in particular children's rights, are important by stating that, "if we have rights we are entitled to respect and dignity" (Freeman, 1992:29). When society acknowledges that children also have rights and thus entitled to dignity and respect then CSA can be a thing of the past. Perception of children's rights by society therefore should change to a more positive culture.

## **2.6 Child Protection in Zambia and Legislation**

Article 19 of the UNCRC defines Child protection as "protection of children from violence, exploitation, abuse and neglect". The protection is provided for the child in and outside the home. Child protection systems are a set of ordinarily government run services designed to protect children and young people who are underage and to encourage family stability. According to UNICEF, it is a set of laws policies regulations and services needed across all social sectors especially social welfare, education, health, security and justice to support prevention and response to protection related risks. These systems are part of social protection, and extend beyond it. The aim includes supporting and strengthening families to reduce social exclusion and lower the risk of separation, violence and exploitation. The ILO C182 also included facets of child protection, prohibiting and demanding immediate elimination of the worst forms of child abuse such as slavery and forced labor, child trafficking, forced recruitment for armed conflict, child prostitution and pornography, production and trafficking of drugs. In this regard, child protection encompasses all major aspects of a child's life that translates in into his/her wellbeing. Mukelebai (2011) reviewed child related legislation in Zambia and stated that one discrepancy in the laws is the diverse in defining the term 'child'.

Mukelebai (2011) further notices that under customary law, in Zambia, there is no specific contractual age for marriage as long as the parents have given consent. A child therefore can validly enter into a contract of marriage under customary law.” In light of this, there are no sufficient constitutional provisions protecting the rights of the child particularly the right to protection from all forms of sexual abuse. In other sense, the constitution is silent about what UNICEF points out as the most significant form of sexual abuse ‘child marriage’.

Customary law is recognized as law in all African states alongside the western systems of law imposed during the colonial era; thereby creating a legal pluralism where the citizen can choose which of the parallel systems of law is to be applied. The application of customary law is especially common in family law and land law, thus touching upon children’s lives in various aspects (Stern, 2006:79).

Although the UNCRC is the most significant instrument on children’s rights, Mukelebai (2011) says the document has not been domesticated. Therefore, it does not have the force of law. Although the Zambian constitution and the penal code and Juvenile Act prohibits sexual abuse, Daka (2010: 1) says the penal code has not been frequently amended, there is no much difference with the Northern Rhodesian penal code, as such certain conducts prevailing in Zambia that constitutes offences in other countries are not recognized by parliament as crimes for example indecent exposure”. Indecent exposure, however, possess the same effects on a child as penetration and other forms of sexual abuse. Some rights are guaranteed but the government does not go far enough to protect them, unreported cases of sexual abuse are not investigated. Little awareness programs employed. Media used for political advertisement than in curbing social problems, Mwiya and Mwewa also sight low conviction of sexual abusers in the face of evidence. All these point to the fact that protection of these guarantees is leaves much to be desired.

The constitution of Zambia recognizes the vulnerability of children and their right to protection and care. A number of legislative provisions related to children have been drafted and cover civil matters related to children (MGCD, 2012:22). But these are poorly enforced. The human rights commission was established in 1996 with a view to change the culture on human rights and also

to investigate violations of rights during the first and second republic (Simfukwe et al, 2012). However, the commission has limited attention on children's rights as it focuses on all the international human instruments and provisions of the bill of rights in the national constitution. Other countries have an ombudsman's establishment which deals solely in children's rights issues (Flekkoy, 1993).

Child protection act is written in a language that is too technical for an ordinary citizen to understand worst still a child. This follows that the government should try to provide the act in a child friendly language and also translate it into the seven major local languages so that society may easily comprehend what is in it.

### **2.7 Sexual Abuse Constitutes a Violation of other Rights.**

Rights are characterized by inseparability, indivisibility and inalienability (Johari, 2013). Children's rights cannot be divided and they cannot be separated. This means that violating one right result into violation of other rights. If the right to protection from all forms of sexual abuse is violated, research has shown that one effect is that the child will be anti-social. This will cause the child to withdraw from peers and other people and thus the right to play is denied. Sometimes sexual abuse results into pregnancy, this will not only deny the child the right to education but also the right to development and health because they are obviously too young and their body not ready for child birth Camfed (2010) adds that "a child who is sexually abused may fail to attend school, performance decrease and their health threatened". Perpetrators will also jeopardize the children's right to live in a safe environment. Therefore, articles 29,30,31,32 and 34 of the UNCRC will be violated. Not only that, sexual abuse also results in transmission of sexual transmitted disease like HIV/AIDS. This also increases the burden on the government to procure Anti-Ritro viro drugs for citizens. Population increase is another factor. It can therefore be correctly said that cost of failing to respect and protect children's rights is high.

Locke and Hobbes in Johari (2013) were emphatic that human rights and the importance of a social contract were essential to preserve human life, to develop human abilities to their fullest potential and to ensure that people live their lives in conditions of peace and stability, free from fear and harm. In terms of this, while human rights are tied to the peaceful coexistence of people

in political societies, they are motivated more by an understanding of the nature of the human condition. Children's rights in this view are necessary for human development and coexistence. They are necessary at all times and all levels of social relations.

## **2.8 Impact of Sexual Abuse on Children**

Research has shown that sexual abuse is associated with long lasting physical, emotional, social and psychological damage (Camfed, 2011, Daka, 2002, Michael, 2001 ...). These include sub-clinical behavioral issues, trauma, stress, exposure of sexually transmitted diseases and HIV/AIDS, which can rapidly damage a child's health, risk future reproduction and ultimately lead to death. Children exposed to sexual violence also carry a personal humiliation with them and are in danger of being rejected by their families (Micheal in Harju, 2001).

Children who have been victims of sexual abuse can experience problems with trusting adults, and can also have a fear of personnel dressed in uniforms due to their previous experience. Sexually abused girls often carry the quilt of shame and humiliation with them, and usually face family or entire community discrimination.

A 1998 meta-analysis by Rind et al. generated controversy by suggesting that child sexual abuse does not always cause pervasive harm. He explained that some college students reported such encounters as positive experiences and that the extent of psychological damage depends on whether or not the child described the encounter as consensual. In dispute, although there is a popular view that every issue has both sides of a coin that is merits and demerits, CSA has no merits. Firstly, by law children do not have the power or jurisdiction to make decisions on their own. Their care givers should do so in consultation with and in their best interest of the child. So, a child cannot be said to have given consent. Additionally, Daka (2002:20) explains how consent given by a child is irrevocable. He explains that consent is to agree to something and so a person consenting should have some degree of intelligence or knowledge on a subject matter. Therefore, a child with their degree of intelligence in comparison to an adult's cannot consent to sexual activities because they do not full understand what it is all about. The preamble of the UNCRC states that children by reason of their physical and mental immaturity need safeguard, care and appropriate protection. So a child lacks mental maturity and thus cannot consent to serious issues

like sexual intercourse. UNESCO (2001) also argues that a person below the age of 18 years is not technically ready for sexual activities. Hence CSA always causes harm because a child cannot give consent by law and also by means of their degree of intelligence (knowledge on sex), and also because their body has not fully developed for sexual activities and so whatever the outcome it is going to negatively affect the child. It rips them off their dignity which cannot be replaced by the money, shelter or amenities they receive from the abusers. In addition, although a child agrees or not, CSA exposes them to sexually transmitted disease, pregnancy and physical injuries. Having triplets at age 14 years for instance will strain a child who by then may not have any financial means of raising them and will bring the burden of shame. This will bother her mentally and psychologically, and so whichever way one looks at things CSA poses both physical and psychological damages to children.

### **2.9 How a Child Becomes a Victim**

Perpetrators target vulnerable children and lure them using psychological manipulation, threats, drugs, and/or violence. Any child may be vulnerable to such a person who promises to meet his or her emotional, academic and physical needs. Often the abuser will create a seemingly loving and caring relationship with their victim in order to establish trust and allegiance. This manipulative relationship tries to ensure the youth will remain loyal to the abuser. Abusers use psychological manipulation causing the child to truly believe the pimp loves and cares for his or her well-being coupled with physical control threats or violence can make a victim feel trapped and powerless.

Children are vulnerable, vulnerability refers to the ability of people to cope or not cope in times of socio-economic crises or worsening conditions (Hickey, 2000). UNESCO (2001) identifies the conditions that affect vulnerability of children to include, children's family background, ethnic and cultural factors related to incidents of child abuse and children's educational and socio-economic background.

### **2.10 The Type of Children Mostly Abused.**

Budin and Johnson (1989) said perpetrators look for passive, quiet, troubled, lonely children from single parent or broken home. Children who are trusting (Conte et al, 1987) and work to

establish trusting relationship before abusing them (Conte et al, 1987) and the family as well (Elliott et al, 1995).

Race and ethnicity are an important factor in identified sexual abuse. An African American child has almost twice the risk of sexual abuse than white children (Sedlack, 2010). Children of lower class are more likely to be abused than those of high class (Sedlack, 2010). Besides the assumption that maybe their parents ensure that their homes are secure, this could also be because maybe children of the higher class are in denial or would not want to distort their social status and so they hardly report abuse. Sedlack (2010) adds that children with disabilities are at great risk for abuse compared to those who are not.

### **2.11 Progression of Child Sexual Abuse**

Sedlack (2010) identifies engagement as the first step. The abuser begins relating the child during nonsexual activities to gain the trust and confidence. Secondly, the abuser introduces sexual activities into the relationship with the child often non-contact then contact activities known as sexual interaction. In most cases children are unaware of what is happening and the intention of the perpetrator until later when they develop physical injuries. The third step is secrecy were the abuser attempts to maintain access to the child and avoid disclosure of the abuse by coercing the child to keep the activities hidden threatening, family safety, fear of loss of friendship or attention. This is propagated by the lack of awareness of the right to protection from abuse by the victim. If children know these rights they might be able to claim them in such instances. Then comes disclosure were the abuse can become known to others accidentally when symptom from the maltreatment or third party witnessing the abuse leads to evaluation or purposeful when the child reveals the abuse and seeks help. The person whom the child seeks help from may be known as a confidant. Last is suppression when the tumult that occurs after the disclosure prompts the people in the child's caregiving environment to think that they are unable to support the child thus these people exert pressure on the child to recant what the child has told in order to go back to the perceived stable situation that existed prior to the disclosure. This is common as families may fear to go through shame and disunity. Flekkoy (1993) agrees to this when he states that violation of rights may lead to ferocity.

Research understands more the profile of the perpetrators, they over emphasize the abuser's resilience and minimize the victims' responsibility and the culture and institutional arrangements that facilitate sexual abuse. Child sexual abuse is not entirely the abuser's fault as children sometime initiate and perpetrate the occurrence. This study therefore, views CSA from the both the victim and abuser's perspective in trying to investigate the underlying factors that cause it.

## **2.12 Gaps in Literature**

Unlike other studies like Camfed (2011) on the extent of child abuse in Zambian schools, Imasiku M and Mwewa M (2015) on Factors responsible for low conviction of child sexual abuse offenders and UNICEF (2001) assessment of incidents of child abuse in Zambia, this study investigated the factors contributing to the violation of the right of the child from all forms of sexual abuse. Mbagaya (2009) did a study in Zambia, Kenya and Netherland on forms of child abuse and reported that over 30% of children in Zambia and Kenya reported to have been sexually abused. Mbagaya however did not undertake to find out why these children are sexually abused or the factors that contribute to the same. Hence to build on this knowledge, this study focused on Zambia, and narrowed the research to Lusaka district to establish reasons as to why the sexual abuse that Mbagaya established occurs. The study has also been narrowly focused on sexual abuse only instead of all forms of abuse as in the case of Mbagaya. This may thereby give an in depth understanding of the phenomenon.

In other studies, it was established that child sexual abuse has long term consequences among which include post-traumatic stress disorder, psychological and also mental disorder (Whealin, 2007; Dube, Anda and Whitefield, 2005). Dube et al (2005) also found that females were mostly abused compared to males. Mwewa and Mwiya (2015) also did a study to establish factors responsible for the low conviction of child sexual abuse in the face of substantial evidence. The study was conducted in Lusaka and their major findings were that, poverty, lack of human resource and limited knowledge on child psychology among other minor factors were responsible for the low conviction of offenders of child sexual abuse. Although these studies focus on child sexual abuse, none has extensively explored the reasons as to why these children are abused and more specifically in Lusaka were the vice is so rampant. A study to determine these causes was therefore imperative.

### **2.13 Summary**

In summary, literature shows that child abuse readily occurs when children live in vulnerable situations and that all children are at risk. This chapter reviewed some important literature on child sexual abuse as a violation to rights of the child. It gave a background to rights of the child, conceptualized CSA and discussed child protection in Zambia. The next chapter considers the methodology of the study

## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.1 Overview**

The previous chapter presented an overview of the most important readings used for the exploration on sexual abuse of children. It provided a summary of causes of child sexual abuse, the different forms and how it interrupts child welfare. This chapter considers methodology. This chapter will therefore deal with the description of the methods that were applied in carrying out the research study. It deals with research design, research site, population and sample, data collection and processing, data analysis and data presentation.

#### **3.2 Research Design**

The methodology this study employed was qualitative, based on the collection of primary data. This is supported by the position of Sofaer (1999) in Creswell (2008:102), that, Qualitative methods help provide rich descriptions of phenomena. They enhance understanding of the context of events as well as the events themselves. The use of these methods tends to enhance peripheral vision, which is especially important at the early stages of inquiry. This research employed the case study design of Qualitative analysis of data. The reason is that, “a case study seeks to describe a unit in detail, in context and holistically” (Kombo and Tromp, 2006). It brings about deeper insights and better understanding of the phenomenon in this case child sexual abuse. The design therefore perfectly fits to describe what all participants have in common as they experienced Sexual Abuse as children.

#### **3.3 Research Site**

The research was conducted in a district called Lusaka in Zambia. The reason being that, Lusaka receives the most complaints with regard to children’s rights violation and has the highest rates of sexual abuse in the country (HRC, 2010, VSU Reports). Purposive sampling was used in the selection of Lusaka as a proposed study location. This is because although other districts were considered, it has the most population of children and reports of child sexual abuse.

### 3.4 Population and Sample

The study had residents of Lusaka district who are involved in Child Sexual Abuse as the population from which the sample was drawn. Kombo and Tromp (2006: 77) state that an effective population sample is one that is accessible and should have some ideas on the topic being investigated. In this light, 20 victims of sexual abuse and 9 perpetrators were interviewed. The researcher was introduced to these victims by various organizations and institutions that deal in Child welfare. The victims that formed the sample were those who possessed valid evidence of sexual abuse, mostly a police and/or medical report or simply pregnancy or a product of sexual abuse (child). The victims led to the perpetrators and only those willing to contribute to the study were interviewed. Supplementary perpetrators were those incarcerated at Lusaka Central Prison for committing a sexual offence against children. Others included stakeholders who were 2 officers from HRC, 2 officers from VSU and 1 officer from YWCA officials. Purposive sampling in particular homogeneous sampling was employed. The justification here is that as Kombo and Tromp (2006: 79) put it, “it is adequate under situations like while studying sensitive issues” such as child abuse. Typical case sampling was also used to provide a local profile on what the state is doing to promote children’s rights. Table one below shows the sample size.

**Table 3.4.1: Sample Size**

|        | <b>Victims</b> | <b>Perpetrators</b> | <b>Stakeholders</b> | <b>Total</b> |
|--------|----------------|---------------------|---------------------|--------------|
| Male   | 03             | 08                  | 02                  | 13           |
| Female | 17             | 01                  | 03                  | 21           |
| Total  | 20             | 09                  | 05                  | 34           |

### 3.5 Data Collection and Processing

The procedure used in collection of data was largely influenced by the research instruments that were used. These included structured questionnaires and focus group interviews for victims of child sexual abuse, interviews for perpetrators and stakeholders, observations on victims’ behavior and safety of the environment and also literature from books (Kombo and Tromp, 2006: 105).

Basically, the collection of data was done in two ways; that is primary data and secondary data.

### **3.5.1 Primary data**

Primary sources provide first-hand testimony or direct evidence concerning a topic under investigation. According to Beck (2000), “primary data is a type of information that is obtained directly from first-hand sources by means of surveys, observation, focus groups, in-depth interviews or experimentation”. Primary source also known as original source or evidence is an artifact, a document, a recording or other source of information about the topic (Ross and Jeffrey, 2004). It is data that has not been previously published and is derived from a new or original research study and collected at the source. The primary data of this research consisted of views collected through interviews from the people who directly involved in and with child sexual abuse. According to Creswell (2007), an important step in this process is to find people or places to study and gain access to them and establish rapport with participants so that they will give good data.

### **3.5.2 Secondary Data**

The secondary data comprise of literature collected from scholarly works on Children’s Rights from UNESCO, SOS, HRC, VSU, YWCA and other relevant individual research works, books and dissertations and unpublished works. Monagahn and Hartman (2001) state that secondary data is a recording that relates or discusses information originally presented elsewhere. It involves generalization, analysis synthesis interpretation or evaluation of the original information. The study relied on such data as a part of sources.

### **3.5.3 Ethical Issues in Data Collection.**

The Deontological philosophy was considered in this study. According to Skinner, Ferrell, and Dubinsky (1988: 213), “deontological philosophy focus on the factors or means used to arrive at an ethical decision. This philosophy emphasizes moral obligations or commitments that should be binding or necessary for proper conduct”. The researcher therefore maintained confidentiality at all times, consent was sort from victims and assent was also sort from the victim’s care givers for them to be able to take part in the study considering that children cannot make decisions on their own except with the consent of their care givers. Permission and further consent was sort

with the institutions and officers who took part in the study. The research was also justified and explained to the respondents in advance. The other consideration was to take all reasonable measures to protect psychologically the participants. A rapport was formed to ensure trust especially from the victims. Deontological approach meant that I not harm participants in any way, no matter what the potential benefit.

### **3.6 Data Analysis**

Thematic analysis was used. The researcher developed a coding system based on sample of collected data. These were classified into major issues and key quotations highlighted indicating major themes. The coded material was put into themes identified and put together.

### **3.7 Data Presentation**

The study presents the data analyzed using themes, graphical techniques, tables and also direct quotations. Although the obvious way of presenting data is as a table, the information can also be presented diagrammatically by a histogram or polygons (Kombo and Tromp, 2006: 129). Apart from being neat, diagrams are also eye catching as they allow the use of different colors and so there will also be used in the used.

### **3.8 Data validation**

Data was validated by means of triangulation. “Triangulation is a method used by qualitative researchers to check and establish validity in their studies by analyzing a research question from multiple perspectives. It is a powerful technique that facilitates validation of data through cross verification from two or more sources” (Giorgi, 2002:10). To validate data, different types of samples were engaged in this case victims, perpetrators and various stakeholders to find out information on a particular objective and then findings were compared. The researcher also employed different methods of data collection. The researcher also cross checked the findings.

After compiling the data collected and analyzed, the researcher went back to the respondents to validate. Initial results were tested with participants to see if they still ring true. According to Giorgi (2002), after research has been interpreted and condensed, participants should still

recognize them as authentic. The study also used different studies to support the current study in order to validate it.

### **3.9 Summary**

This chapter of the thesis gave a description of the method applied in carrying out the study. It reviewed the research site, population, research instruments and data collection and analysis procedures. The next chapter looks at the findings of the study. These were derived from the questionnaire, Focus Group Discussion, interviews and observations.

## **CHAPTER FOUR**

### **REASEACH FINDINGS**

#### **4.1 Overview**

The previous chapter gave a description of methods applied in carrying out the research study. This Chapter outlines the findings on causes of the high prevalence of child sexual abuse in Lusaka district. The main instruments used to collect primary data were; structured questionnaires which were administered to victims of child abuse. Semi-structured questionnaires were used on two officers from the human rights commission, two from victims support unit of Lusaka district, one officer from young women Christian association and another semi-structured questionnaire on nine perpetrators. A focus group discussion was conducted with the victims and a general observation was made on the behavior of victims, the environment they lived in at the time of abuse and on stakeholders.

#### **4.2 General Information**

Out of twenty questionnaires collected from victim respondents, three (03) were males and seventeen (17) were female. This implies that girls are usually victims of child sexual abuse compared to boys.

#### **Table 4.3: Residential Address for Victims**

Table 4.3 below indicates that 15% of the victims lived in low density areas, 25 % resided in medium density areas and most of the victims that is 60% came from high density areas mostly Chilenje, Kabangwe and Chawama residential areas. This information translates that majority of abused children live in high density areas.

| <b>Residential</b> | <b>Percent</b> |
|--------------------|----------------|
| Low Density        | 15             |
| Medium Density     | 25             |
| High Density       | 60             |
| Total              | 100            |

**Table 4.3 Residential Address for Victims**

Table 4.4 shows that most victims that is 65% lived with either a single parent or other care givers. The ones who lived with both parents formed 45%. The ages of the perpetrators ranged from 25 years to 65 years old. One was a female and eight were male that is 11 % where female 88 % were male. It can be deduced that children who face sexual abuse come from broken homes in most cases. Abusers are mostly male.

| <b>Guardians</b> | <b>Percent</b> |
|------------------|----------------|
| Single Parent    | 35             |
| Both Parents     | 45             |
| Other caregivers | 20             |
| Total            | 100            |

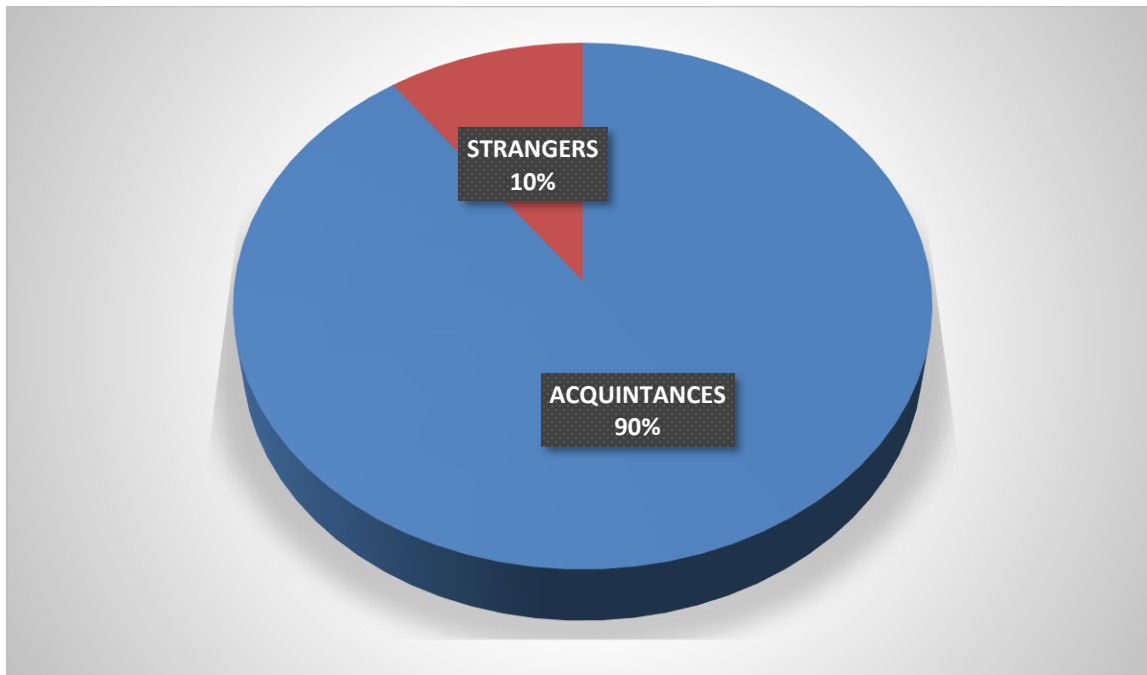
**Table 4.4: Guardians for Victims**

Table 4.5 shows that out of the nine perpetrators, 22 % were single, 22 % were in courtship, 44 % were married and 11 % widowed. Fifty-six percent (56 %) of the perpetrators were in employment, 33 % were self-employed and 11 % unemployed. This means that perpetrators do not engage in the vice because they have no spouse or maybe nothing to do but simply do it due to greedy and selfishness.

| <b>Marital Status</b> | <b>Percent</b> |
|-----------------------|----------------|
| Single                | 22             |
| Courtship             | 22             |
| Married               | 44             |
| Widowed               | 11             |
| Total                 | 100            |

**Table 4.5: Marital Status for Perpetrators.**

When victims were asked about their relationship to the perpetrator, their response was as shown in the Figure 2.



**Figure 2: Relationship to the Abuser**

From Figure 2, it can be seen that 10% were abused by a stranger and 90% said it was a close relative or acquaintance. The understanding here is that CSA is usually done by people who are well known to the child, people are closely related to the victim.

## **4.6 Causes of the High Prevalence of Child Sexual Abuse in Lusaka District.**

### **4.6.1 Findings from Perpetrators**

When perpetrators were asked what impelled them to sleep with children, the major theme that came out was that they usually do it for ritual purposes like long life, sexual cleansing, riches and to cure HIV/AIDS which is simply a bad cultural practice. While with regard to how they managed to convince the children, 44% said used authority, the other 44% showed affectionate and kindness and 11% threat. This translates that authority and neglect also cause child sexual abuse.

### **4.6.2 Findings from Victims**

When asked if they would attribute the perpetrator's action to any factors, 40% cited a lack of morals on the part of the perpetrators. Those that solicited the perpetrator for material and financial support in exchange for sex were 20%, 10% were promised academic help (fear of the red pen), another 10% did not understand as to why the perpetrators choose them out of all the girls in the area probably because they were young when it happened. While the other 20% needed a father figure or rather emotional support from the perpetrator who seemed to be caring and more supportive to their emotions. He would listen to their persevered issues and give them a shoulder to cry on when their care givers turned them away because they were busy always. Similar to the findings above, child neglect and authority caused child sexual abuse. But additionally, victims also pointed out alcohol as another cause of CSA.

Most victims actually did not resist the abuse mostly due to fear and in other instances because they received some form of affection unlike the neglect received from their parents/caregivers. When asked whether they reported the perpetrator immediately to either the authorities or an adult they could trust, 70% said no and 30 % said yes. One of the victims who formed the seventy percent narrated;

*"I was frequently abused by my sister's husband. He threatened that if I told anyone I would be chased from home and so I stayed quiet as my biological parents are dead and thus I had no other place to go to. When my sister discovered, she was upset with*

*me and ended up burning my private part using hot cooking oil. I may never have a normal life again and worst still get married.”*

Others said yes they told a confidant immediately who later discussed the issue with the family of the victim, some of them reported to the police while a few of them refuted the statement perceiving the child as a liar. During the focus group discussion, victims cried out with a loud voice,

*“the voice of the child should be heard. Children should not be ignored when they raise an issue on child sexual abuse.”*

Out of the 70% of the victims who said they did report the act, 20% embraced the action for the material and financial support to go on, 20% feared to be blamed for having initiated the act and the other thirty 30% were threatened by the perpetrator.

The major themes that emerged here were that there is a low conviction of abusers due to unreported occurrences of CSA, withdrawn cases and also long court procedures and adjournments. The other cause that can be deduced from here is that society has accepted the vice as normal and would rather conceal sexual abuse than bring it in the open, children have been accorded a low status in society that is perceived to be less human. Poverty and also lack of morals were other but, minor cause.

When asked whether the victims were facing problems at home or not getting enough attention from their guardians at the time of the abuse, 75% said yes, 20% said no and 5% said they were not sure. It is clear here that child neglect and broken families are also major causes of CSA.

#### **4.6.3 Findings from VSU and other Stakeholders**

VSU reports a total of 480 cases of child sexual abuse in the year 2016 and 664 between January and November, 2018 in Lusaka district. Of these cases, 2% are male and 98% female. HRC and YWCA who handled over cases of CSA to the police in particular VSU said they received complaints of between 10 – 8 cases monthly. The age group targeted is 10 to 16 years with most occurrences to 13 and 14 year olds. The common perpetrators are close relatives and acquaintances.

When asked what kind of children are the most victims and the type of homes they come from, all stakeholders said all children are at risk. As to what types of homes they came from, it was discovered that most victims stayed with either a step father (who in most cases turns out to be the abuser) or had a single parent. Most of these children had broken families. The cause of CSA that emerged here was broken family.

When asked whether children were to blame sometimes, VSU said yes, children are mostly influenced from school via peer pressure and begin dating when they are still children, YWCA also agreed and cited the media especially pictures, videos and songs portrayed in social media prompted children to indulge in sexual activities. In some cases, children abused in early stages of life tend to either find men repulsive or embrace and adhere to the abuse so such children can sometimes be held responsible for the abuse. An officer from YWCA said,

*“When a child has been abused, some will develop interest in men/women (abuser’s sex) and embrace the activity while others may be repulsive and detach completely from men/women (abuser’s sex).”*

Such children who accept the abuse may not even report to the authorities. They may even be the ones who manipulate adults into abusing them. In this regard, lack of morals was again cited as another cause. The major causes that emerged here were acceptance of the vice by even the victims as normal and also influence mainly from social media and also a decline in morals in society.

When asked to cite specific reasons for sexual abuse of children, the following factors were revealed; curiosity, low conviction of offenders, broken families, Social media/ internet, child neglect, abuse of position/authority, poverty, cultural beliefs like curing HIV/AIDS and sexual cleansing and money ritual. The minor one included lack of morals, lack of awareness on sexual abuse, child labor and substance abuse.

## **4.7 Forms of Sexual Abuse Common Among Children**

### **4.7.1 Findings from Perpetrators**

When asked what form of sexual abuse they exhibited on the child, 11% of the offenders adhered to sexual assault while the other 88 % adhered to three forms of sexual abuse done concurrently that is fondling, sexual kissing and then penetration. Therefore, the most common form of sexual abuse perpetrators eluded to was penetration, although all agreed to have committed three forms in a roll that is fondling, sexual kissing and finally penetration.

### **4.7.2 Findings from Victims**

With the victims, 10% said they were sexually assaulted and 90% said there was penetration, kissing and fondling or touching of private parts. During a focus group discussion, a girl ten years old said,

*“my neighbor (perpetrator) would call me to his house show me pictures and movies of people having sexual intercourse. Eventually, he started kissing and caressing me and one day raped me.”*

### **4.7.3 Findings from Stakeholders**

YWCA cited defilement, and penetration, others cited penetration but insisted that some cases were not reported because the community does not know they constitute abuse or does not perceive them as harmful to the child. An officer from YWCA said;

*“I was trying to buy tomatoes one day from Chilenje market when I noticed a man touching the breasts of a young girl about fourteen (14) years of age in broad day light and no one was concerned since there was a consensual.”*

In summary of object two, Figure 3 below shows the common themes that emerged as forms of CSA.



**Figure 3: Common Forms of CSA**

Figure 3 shows that CSA is a process which mainly begins with fondling or caressing, then kissing and finally penetration also referred to as sexual assault.

#### **4.8 Assessment of Whether Government is Nurturing and Protecting Children from Sexual Abuse and the Legislative Measures that Exist**

##### **4.8.1 Findings from Perpetrators**

Most cases of CSA were reported to the authorities. However, when asked on whether their punishment was just, 34% said yes it was, 22% said no and 44 % were not sure. This implies that although cases are reported, very few are convicted, most of them are withdrawn and hence offenders are not convicted or punished. Some cases remain unreported and usually settled outside court.

When asked whether the punishment for the abuse was fair, two of them said yes,

*“the punishment of a minimum of sixteen years’ imprisonment put by the government was fair but the problem was that perpetrators were not always reported and those reported rarely convicted.”*

Others said no because they did not receive any punishment, the punishment was unfair and a few were not sure as they blamed the victims for occurrence of the abuse.

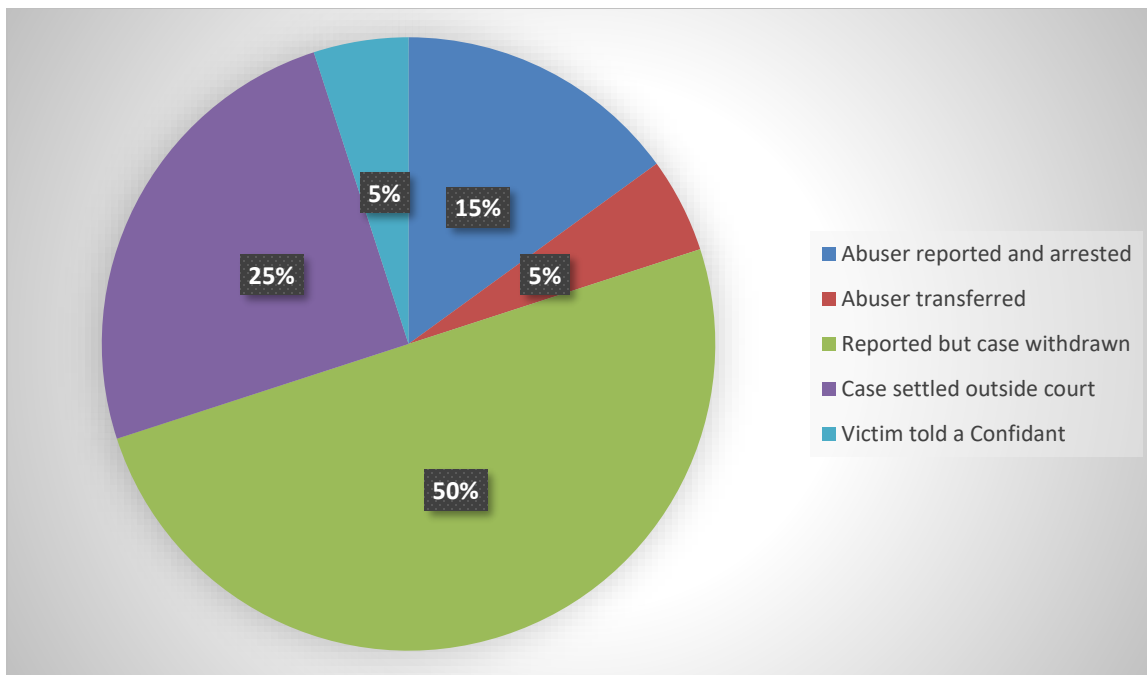
With regard to knowledge on children’s right to protection from all forms of sexual abuse, most of them said yes, which translates that they knew that they were violating this right and few said

no and thus were ignorant of violating the said right. The general view here is that the current legislation laid down by the government is sufficient but people do not make use it to get justice. There is also little enforcement of this law.

#### 4.8.2 Findings from Victims

Most victims were between the ages of 10- 16 years when they were sexually abused.

Figure 4 shows what action was taken after the child was sexually abused.



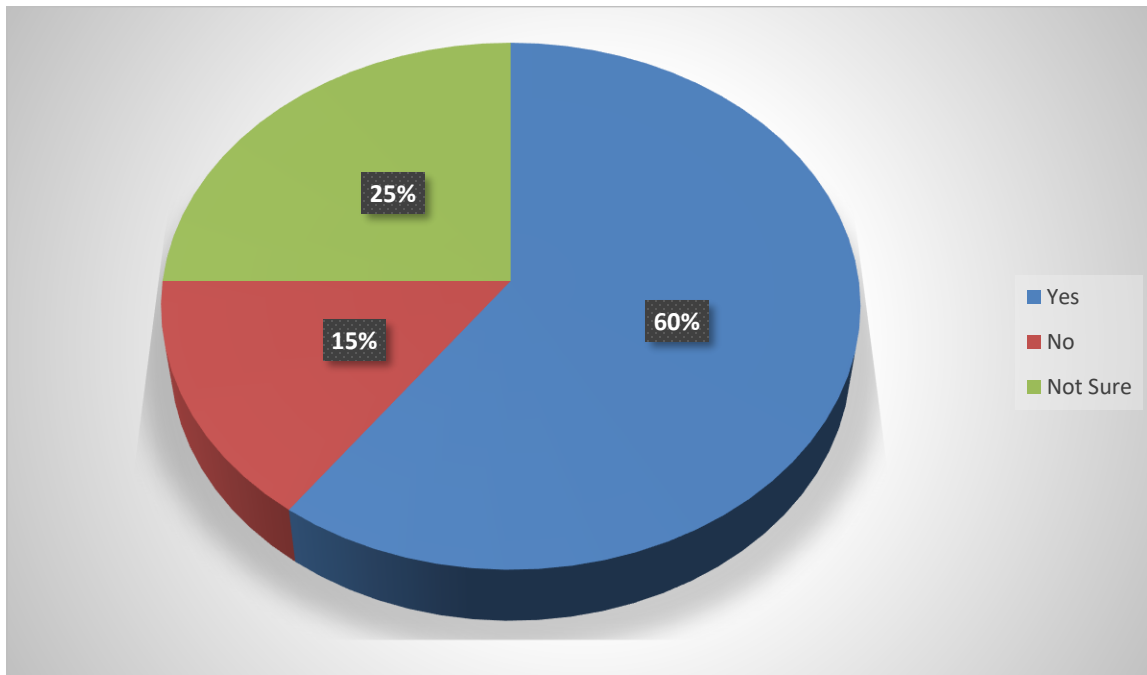
**Figure 4: Action Taken After the Abuse**

This means that very few offenders are arrested and tried, while institutional based abuse only results into transfer of the officer involved implying that no punishment is given. In other sense enforcement of the law is fragile.

Although a commendable number of these cases were reported to the police, the level of conviction of perpetrators is low. The pie chart above also indicates that from the 65 % of the reported cases, only 10% were tried and convicted. The other 5% are awaiting trial. However,

30% of perpetrators were not reported to the Police at all. This is regardless of the child making known the abuse.

When victims were asked on whether they thought children’s rights existed in their community, 60% said yes, 15% said no and 25% were not sure. Figure 5 below show awareness on children’s rights.



**Figure 5: Awareness on Children’s Rights**

From Figure 5, it can be seen that most children are aware of specific rights that exist for persons 18 years and below. In regard to the level of protection, 70% of the children felt these rights were not well protected, 20 % said they were fairly well protected and 10% were not sure. This discovery shows that most children actually know that they have particular rights specifically for them but felt that their rights were not very well protected.

#### **4.8.3 Findings from Stakeholders**

All stakeholders said half of the reported cases do not go to trial due to various reasons like jeopardized evidence and late reporting or witnesses not being able to testify in court.

When asked on whether some unreported cases are investigated, YWCA and HRC said they look up cases in the media and the community and investigate them but VSU said it is difficult to investigate unreported cases.

Concerning challenges in investigating sexual abuse of children, the following points were alluded to;

- VSU cited that Cases are reported late to the authorities when evidence has been jeopardized
- YWCA and VSU cited hostility from first hand witnesses who did not even want to witness in court.
- In cases where the offender was a relative, the case would not even be reported but settled mostly outside court.
- Financial challenge was cited by YWCA especially for transport to and from the scene and also the court room for trial.
- Not only witnesses but families of the victims are also hostile.
- Fear to report abusers especially if they are breadwinners of the family.

When asked on how they ensure protection of the child's right to protection from all forms of sexual abuse, all three stakeholders cited, taking proactive measures like massive sensitization on child sexual abuse in schools, churches and markets places, YWCA also provided alternative care "safe homes" for abused children. HRC also advocated for clubs in schools. The punishment for offenders was fifteen years for a minimum sentence.

When asked on whether the current laws on children's rights were sufficient, all stakeholders said yes but they are not very well enforced and/or executed. When asked on whether the divergence in the definition of the term "child" influenced the abuse, the answer was yes reason given was that Zambia relied on a dual legal system that is African customary law and English law and so a person who has reached puberty was considered an adult in customary law and liable for marriage regardless of age and matters to do with abuse may be treated differently in a local court which deals with customary law and a magistrate court or high which deal in statutes.

When asked about psychosocial support, all the three institutions agreed to have been providing psychosocial support to the victims, YWCA also went further to provide accommodation and financial support to victims whose abusers were their soul provider. They also empowered ex-victims with trade skills and knowledge. When asked about alternative care for victims who may be abused by their guardians or parents, VSU and HRC did not have, YWCA had temporary shelter after which the victim would be taken to a relative's house.

#### **4.9 Suggestive Ways of Addressing Child Abuse**

The following points were raised by perpetrators, victims and stakeholders as means of addressing child sexual abuse. Respondents felt that massive awareness was to be raised on the subject of child sexual abuse especially among the male folks who being the most perpetrators need to know the effects of sexual abuse. The male folks were also recommended to be actively involved in sexual abuse preventive matters. Respondents also suggested that parents should ensure safety of their children at all times and pay attention to their needs. The other suggestion was to translate instruments on children's rights into in local language. Although English is the official language in the country, respondents felt that rights should be available in local languages for those children not in school to be able to read and get acquainted with the content.

Children to be trusted and any allegations of CSA to be investigated instead of discarded. During the focus group discussion, victims of CSA shouted with a loud cry,

*“The voice of the child must be heard Children should not be ignored when they raise an issue. Parents should listen and openly discuss sexual matters with their children. They also felt that children should not be left in the care of the opposite sex or left unattended to. They should also be provided with all essential needs with respect to what their parents or caregivers can afford.”*

The other measure was for parents to care for their children and discuss matters concerning CSA openly. The African way of parents not discussing sexual matters with children has highly contributed to CSA. In addition, Children are not supposed to be entrusted in the care of the opposite sex. Officers from VSU and YWCA said,

*“due to poverty, some parents work for long hours in order to eke a living in the unstable economy. They hence leave their children in the care of neighbors or babysitters who are sometimes negligent and others of the opposite sex turn out to be abusers.*

In the same vein, parents were to ensure security for their children and pay more attention to their concerns. Less exposure to explicit material on media was another way of curbing CSA. Another suggestion was for children to dress decently. The other suggestion was for government to erect foster homes to care for abused and/or homeless child.

#### **4.10 Findings from Observations**

Observations from medical reports which thirteen of them possessed showed that there was penetration of the private parts. Some pictures taken by three victims after the abuse showed physical injury to the private parts. All victims (respondents) were shy, closed up, and portrayed some anti-social behavioral pattern. The victim who had a child possessed a lot of anger issues as she was easily angered even just by the crying of her child. Ten of the homes were not secure, there was no fence and strangers trespassed the yard. Five of these homes were duplex and occupants of these flats shared convenience rooms. Six guardians did not seem concerned about family matters as they were busy trying to raise finances to meet the daily needs of the household. Two of the parents had a drunkenness problem.

There was however, commendable coordination among stakeholders who formed the sample, meetings were organized and attended by all, corporation was also seen were in cases where VSU had reports of children who needed psychosocial and material support they were referred to YWCA and when YWCA received a case of abuse they referred them to VSU same was the trend with HRC.

#### **4.11 Summary**

This chapter has given a comprehensive presentation of the finding that where discovered in the study. It brought out the causes of the high prevalence of CSA in Lusaka District to include child labor and neglect, bad cultural practices, lack of morals, authority among others. The common

forms of CSA discovered were sexual assault and penetration and awareness raising was seen as a factors that may curb the act. The next chapter will discuss these findings comprehensively with the support of literature from other studies.

## **CHAPTER FIVE**

### **DISCUSSION OF FINDINGS**

#### **5.1 Overview**

The previous chapter presented the discoveries of the study. This chapter discusses the findings of the research. The data is analyzed against the background of the theoretical framework presented in chapter one and the wider local / community context. The discussion is based on the objectives listed as follows;

- i) Explore the causes of the high prevalence rate of sexual abuse of children in Lusaka
- ii) Ascertain the common forms of sexual abuse among children in Lusaka district
- iii) Assess whether government and other stakeholders are nurturing and protecting the right of the child to protection from all forms of sexual abuse
- iv) Suggest possible measures of reducing sexual abuse of children.

#### **5.2 Causes of the High Rate of Child Sexual Abuse of Children in Lusaka District.**

The study found out that females were the most victims as compared to males. These findings coincide with the findings by UNICEF (2007), Whealin (2007) and CAMFED (2010) who found out that girls and women were sexually abused more than men. Camfed (2012) also found out that school girls were the ones mostly abused by their teachers.

Ages of 10-16 with mostly 13 and 14 year olds were victims. This is similar to what Anderson et al (2007) found out that in cases of sexual abuse and exploitation, usually 12-16 year olds were the target for perpetrators. However, Finkelhor (1994) found the median age to be 9 years. The reason could be that unlike Lusaka district, the factors that triggered child sexual abuse are relative from those of Washington where Finkelhor did his study. According to Snyder (2000), children were mostly abused below the age of nine and children with disabilities were at a greater risk. However, in Lusaka, this was not the case, most victims are 13 and 14 year olds none was disabled.

Most of these victims live with a single parent, step parent (step fathers usually turn out to be abusers) or other caregivers. Abusers are acquaintances. Strangers were few. This is what was

found in another study done in the Netherlands, which showed that 3% of the convicted perpetrators are women and 14.58% of the victims are boys and most victims were abused by a family member, friend or acquaintance (Steine and Krystal, 2012). A study by Whealin (2007) showed that strangers formed 30% while 70% were people close to the child. In this study though, the percentage of strangers who abused children was a little lower as it was found that abusers were mostly people the child knew and mostly relatives or step fathers. This is however what Sedlack (2009) found in his study. The study showed that most abusers were either married or in a relationship. Most abusers' level of education was grade twelve and lower. In this regard, their level of knowledge on children's rights is null and knowledge on effects of child abuse is little.

The major causes found to be contributing to child sexual abuse in Lusaka are discussed below.

### **Social Media/ Internet**

Social media was cited as one crucial cause of teenagers indulging in sexual activities or the abusers seeking the nearest person they can find to abuse and so since most adults are busy or at work, children become victims. The media is full of obscene material like pictures, songs and videos. Internet does not only increase the desire for sex but also a medium through which children are sort and abused. Kijanen (2008) found a connection between internet (cyberspace) and violation of human rights. Other studies like Whealin (2009) also established that internet and social media were used to seek children for sexual exploitation.

The three Ps, specifically protection stresses on the point of protecting children from anything that can affect their development. In this vein, the state and caregivers of children should somehow ensure the protection of children from obscene materials because this does not only lead them to engage in sex but is in itself a violation of children's rights. Under article 18 of the UNCRC (1989), exposing a child to obscene material is another form of CSA.

### **Low Conviction of Offenders**

Although the study revealed that abusers are reported to either to a confidant or the VSU, stakeholders cited that most of these offenders are not convicted. Reasons given were that some

cases are reported late when evidence has been tempered with, in other cases the confidant who may be the first hand witness is not ready to testify in court. Hostility from witnesses, communities and the family make it hard for Officers to investigate and push for trial. When cases do go for trial, some are withdrawn for various reasons by the plaintiff who is the abused child in this case. Mostly it is due to the fact that the abuser may be the sole provider of that family and if convicted the family will suffer, sometimes due to poverty, families may accept compensation in form of money and settle issue outside court. In other instances, the court procedure is too long, the case may go through several adjournments before the abuser is convicted Mwewa and Mwiya (2015) state that a child may forget some important details due to time passing and questions asked when cross examining the victim in court may alter the child's story. The other reasons cited for this low in the face of substantial evidence were, "absence of technical knowledge of child psychology in courtrooms, an adversarial court system, official's lack of skills and training, understaffing and poverty, contribute to the failure to convict offenders (Mwewa and Mwiya, 2015). This low conviction also has a bearing on rate of CSA. If abusers were convicted for their crime, the abuse would decrease and eventually stop.

Studies on other social challenges like corruption have shown that low conviction or weak punishment of offenders perpetuate the occurrence of the problem (Mzumara, 2007). Although the punishment put up by the state is just and fair, the problem of CSA persists because many abusers get away with it scout free. The 2017 report from the VSU showed that 2,422 cases of CSA were reported in that year. 304 were convicted, 60 acquitted, 432 pending and 1,550 not taken to court. It can be seen here that abusers who are convicted for the crime are less than quarter.

Coupled with low conviction is issue of bail. Some perpetrators who are reported to the police and arrested are later granted bail instead of being convicted. Phiri (2018) states "court cases take too long, and once the offender is out there on bail, the victim might feel discouraged and stop attending court process, especially if they have no support. Then the offender would be free." The law of bail thus contributes to low convictions of sexual abusers and thereby aggravating the vice. Phiri (2018) adds that Nongovernmental organizations and civil-society groups in Zambia are backing a move to eliminate the possibility of bail for those accused of sex offenses against

children. The groups say that bail allows alleged abusers to intimidate their accusers into not showing up in court, to traumatize the children further and to commit more crimes.

### **Abuse of Position/Authority,**

In most cases, sexual abuse is perpetrated due to abuse of position or authority. The people in charge of these children take advantage of their position and use their authority to manipulate or take advantage of children by means of threats. Winter (1976) cites the threat of a red pen used by teachers in Kenya. Similarly, Camfed (2010) states that “reports from high schools in particular indicate that teachers sometimes entice girls to have sex with them for better grades and small sums of money to purchase soap and other essentials”. In both instances, it can be seen that teachers are using their authority to manipulate children or force them to sleep with them. In other instances, orphans or vulnerable children are abused by their guardians. Camfed (2012) again states that “the type of family-based abuse most often cited was between a male relative and a girl child living in the family essentially a transaction of sex in exchange for accommodation and sustenance. In one case the perpetrator was a high profile member of the community and while it was common knowledge that the victim was a relative living in his family, his status in the community rendered him a level of immunity”. It is again clear here that sometimes guardians abuse their position and abuse children. Children are threatened that if they refuse or report the abuse, they will be chased out of the house and will end up with no place to live. This forces the child who might in some instances know that they have the right to protection from all forms sexual abuse fail to claim this right because they would end up on the streets since the government does not provide alternative care. However, the theory used in this study also stressed on participation of children in matters that concern them, in this case were threat is used, this aspect of children’s rights is violated. Children’s voice in the matter is not heard and neither are they accorded the equal status to adults which they legally and morally deserve as they are humans.

World Health Organization Report (2000) states that, “action in schools is vital for reducing sexual and other forms of violence. In many countries a sexual relation between a teacher and a pupil is not a serious disciplinary offence and policies on sexual harassment in schools either do not exist or are not implemented. In recent years, though, some countries have introduced laws prohibiting sexual relations between teachers and pupils. Such measures are important in helping

eradicate sexual harassment in schools. At the same time, a wider range of actions is also needed, including changes to teacher training and recruitment and reforms of curricula, so as to transform gender relations in schools.

### **Family Breakdown**

Another cause of child sexual was broken families. Most of the child respondents in this study came from broken families either because of divorce, separation or some other reason. This finding is consistent with what was found in a case study by UNICEF (2001) which established that there was a link between family breakdown and child sexual abuse. In agreement to the above, Sedlack (2012), states that step fathers are the most abusers. It can be seen here that broken families contribute to child sexual abuse. Sedlack et al (2010) also state that children who live with a single parent that has a live-in partner are at the highest risk, they are 20 times more likely to be victims of sexual abuse than those who live with both biological parents. In another study done by Muller et al (1993), includes that CSA occurred alongside physical abuse and poor family environment.

According to the three Ps which is the theory used in the study, a child should be provided for. This right to provision is nonetheless not restricted to material things only. It includes the provision of none tangible things like affectionate, love and care, educational and also health services. In this case of family breakdown were parents separate and children shared as is the common trend in Zambian society, children will be denied affectionate of either parents which is equivalent to neglect and this leads to CSA as established by the study.

### **Child Neglect**

UNICEF (2001) showed that 42% of children suffer neglect. Korbin et al (2000) defines child neglect as not taking proper care of a child, deprivation of food, deprivation of certain needed/nutritious foods, poor diet, starving, clothing insufficient, inadequate cleanliness or hygiene, not taking the child to hospital, not enrolling a child in school or to school work. Additionally, neglect can simply be understood as an occurrence were the adult care givers to a child don not provide protection, love, affectionate, support, care, respect, food, shelter, clothes, take the child to the hospital or general ill treatment of children.

Sometimes children seek adults because they are lacking love, attention or affectionate by their care givers. Sometimes it is because they lack basic needs of life like food, shelter, clothing and protection. If care givers would provide these instead of neglecting children, CSA would tremendously decrease. Studies show that perpetrators look for troubled children (Synder, 2000, Stern, 2006 and Pereda et al, 2009). Perpetrators solicit these children by providing them with love, affectionate and showering them with gifts (Pereda et al, 2009). This is an indication that neglect is quiet a major factor that contributes to sexual abuse of children. If parents and/or caregivers did not neglect children, perpetrators would have no victims or means of soliciting these victims. UNICEF (2001) recorded that 53% of children reported to have experienced child neglect. Unlike this study by UNICEF, which was assessing incidents of child abuse, this study has established a link between child neglect and sexual abuse.

### **Poverty**

Zambia grapples with by far the world's highest rate of poverty. Indeed, it is estimated that 86% of the Zambian population lives below the poverty line (Humanium Report, 2016). This economic situation leads to multiple harmful consequences in the lives of children. It forms a formidable barrier to accessing adequate nutrition, proper health care, rudimentary education and decent housing. In the face of poverty, rights tend to be narrowed down to the right to life and survival. This affects children more. The right of a child to be free from sexual abuse sometimes gives way to the right to life and survival and education. Children may indulge in sexual activities for them to survive and get food on the table. Netshiombo (2001) points out that loss, continuing unemployment and rampant poverty are generating frustrations in adults which find an outlet in various forms of sexual abuse. In this vein, adults can also exploit children for money in the face of poverty.

### **Child Labor**

Many organizations, researchers and the government have shown concern on issues of child labor. According to Camfed (2010), child labor is integrally linked to poverty and affects poorer households and vulnerable children more acutely. In Lusaka, poor families employ children to sale commodities like sweets, fruits, snacks and vegetables after school hours. These children are sexually abused as they go round in markets and residents soliciting for buyers. Some parents

actually send children to places that are not conducive for them like pubs and markets. Children are sexually abused from such places. These abuse cases occur in a context of poverty, entrenched cultural practices and the myriad negative impacts of the HIV/AIDS pandemic which have eroded the family fabric and adversely affected, among other things, families' abilities to engage in meaningful income-generating activities to provide for their children. In this environment, children's vulnerability to abuse has increased (Camfed, 2012). UNICEF (2001), found out that the majority of children who are sexually abused (60%) reported that they spend much of their time selling on the streets or playing around business areas like market place or town centers. It adds on to say one in every five cases of sexual abuse is likely to occur around market and trading areas.

### **Lack of Morals**

It was discovered that some abusers and victims are simply morally corrupt. Studies show that sometimes CSA is consensual between the child and the abuser. Some abusers are actually sort by children. In a city like Lusaka, some children do not dress decently. Faller (1993) states that, "evidence of sexual abuse is sexual acting out and inappropriate sexual knowledge and interest". This shows that after abuse, a child may develop interest in sexual activities. Stern (2006) adds that CSA may cause 'traumatic sexualisation' which may occur when "a child's sexual anatomy is given distorted importance and meaning". In short sex loses its meaning. "Or when the child's feelings and attitudes are shaped in developmental inappropriate and interpersonal dysfunctional manner the child learns that sexual behavior may lead to rewards, attention and privileges". Such children tend to perpetuate their own abuse.

Some children however have been abused due to their dress code. Children who dress decently are less likely to be sexually assaulted by strangers in the streets. Noll et al (2006) further state that the child learns that a trusted individual has caused him/her harm, misrepresented moral standards or failed to protect properly. Such a child may not be able to trust anyone and refrain from the abuser (men/women).

## **Acceptance of these Violations by Society**

In some areas of Lusaka like high density areas which exhibited high rates of abuse, observations showed that community did not care about the occurrence of CSA. People are busy with their busy schedules and do not consider CSA as their business unless it they were directly affected by it. Children also had a low status in these communities in that they were not viewed to be equal in status to adults. When a child confides in someone and report the abuse, the confidant did not believe the child and most respondents said a blind eye was given and the adult confidant did not anything to protect the child and stop the violence. Palmer et al (1999) admit to this by stating that “in most cases when children did disclose abuse, the person they talked to did not respond effectively, blamed or rejected the child, and took little or no action to stop the abuse”. CAMFED (2010) also notices that there is institution’s intent on protecting their reputation and safeguard themselves from liability. Institutions like reputable schools may choose to ignore the occurrence of CSA in their vicinity and regard it as anomaly, just so to keep their reputation instead of acknowledging it and dealing with it correctly.

## **Bad Cultural Practices and Beliefs**

In Africa, some bad cultural practices, beliefs and ritual have actually perpetuated CSA. Camfed (2010) states that “people believe that having sex with a minor will help them grow their business, they have sex with children aged 8 to 18 so that their business can grow in 10 years and by the time the girl is 18 years she is too old. In other instances, it was pointed out that there was a belief that having sex with minors would cure diseases such as HIV/AIDS a practice which can result in infecting minors with the virus. Other literature adds that “the prevalence of child sexual abuse in Africa is compounded by the virgin cleansing myth that sexual intercourse with a virgin will cure a man of HIV or AIDS. The myth is prevalent in South Africa, Zimbabwe, Zambia and Nigeria and is usually blamed for the high rate of sexual abuse against young children (Prega, 1999). The study discovered that such cultural beliefs were prevalent in Lusaka and swelling the prevalence of CSA. UNESCO (2001) concedes with this view by stating that diseases, poverty and unemployment reduce the potential of a family to provide for basic needs of a child. With the existence of the three factors, children’s rights are narrowed down to the right to life and the right to survival. Other rights give way to the right and survival and life even if this entails the abuses, labor, neglect and being forced on the streets.

Other studies indicate that traditional ceremonies also facilitated the occurrence of child sexual abuse because they prompt children below the age of 18 to think about early marriage. UNICEF (2001), CAMFED, 2012, study in Kenya. UNICEF (2001) found out that 82% of the children who had been abused had gone through initiation ceremonies. Initiation ceremonies are done on boys and girls who have reached puberty to train them for adult life, girls to be better mothers and wives and boys to be better husbands. This therefore prompts children to think about marriage when they are technically still young. In addition, the ceremony itself is just another form of sexual abuse on children because they are indecently exposed to images, information and material about sex before the age of 18. So, initiation ceremony is just a cultural aspect that an officer from HRC cited as ‘a bad cultural practice’. However, in this research, traditional ceremonies did not emerge as a factor contributing to child sexual abuse in Lusaka. This is not to dispute or disregard other findings as false but rather to build on by stating that initiation ceremonies are commonly occurring in rural areas but have completely demised in urban areas. Lusaka being a city does not experience much of these traditional ceremonies and so this could be the reason as to why it did not emerge as a contributing factor. Conversely, CAMFED (2012) agrees by stating that traditional ceremonies like initiation are high in the outskirts of town and hardly occur in town centers (commonly referred to as Boma). However, it is true that fear of departing from traditional norms, practices and expectations makes children vulnerable to abuse.

### **5.3 Common Forms of Sexual Abuse Among Children**

The common forms of sexual abuse are sexual assault for boys and penetration, fondling and kissing for girls. Since the ages usually victimized are between 10-16 years the act is termed as defilement. The penal code defines defilement as having unlawful canal knowledge with a girl under the age of 16 years. This is in line with reports from VSU and HRC which both mentioned sexual assault and penetration as the most common form of child sexual abuse, however, they did not go as far in stating which gender was mostly assaulted and which one mostly encountered penetration as this study has established. YWCA on the other hand though agreeing to above stated forms, went on further to emphasize that fondling and kissing were also other forms of abuse common but perceived to be normal by society and hardly reported. This is also in line with what this study has established.

YWCA also states that “exposing a child to obscene material in form of a movie, music or picture for sexual gratification is also a form of sexual abuse. Another thing common is having sexual intercourse in front of a child”. Although this might be common considering the housing patterns especially of shanty compound where a couple may be living with more than two children in a one roomed house, the study did not focus on this due to lack of evidence. As the theory proposes, children should be protected from all forms sexual abuse that emerged in the study as common ones.

#### **5.4 Protection of the Right of the Child to Protection from all Forms of Sexual Abuse and the Legislative Measures that Exist**

The study discovered that children who are sexually abused are aware that young persons below the age of 18 have specific rights compared to adults. This is in line with the analytical report which found out that 67% of children in Europe know they have rights that adults do not enjoy. However, victims did not think these rights were very well protected. If so, they wouldn't have been abused they said.

Legislation on children's rights is sufficient and the punishment fair and just, but the problem is that these laws are not implemented or enforced. The low conviction of offenders some even in the face of substantial evidence is proof that these laws are not very well enforced. The government and other stakeholders are however trying their best to ensure protection, prevention and controlling in order to curb CSA but are faced with a lot of challenges. Firstly, little resources to employ more personnel, establish more offices, conduct awareness campaigns, investigate violations and other logistics (HRC, 2014). Other challenges include those posed by society like reporting the violation after evidence has been tampered with, Camfed (2010) and UNICEF (2001) agrees with this finding. In most cases, not reporting the abuse for the sake of family unity, in other instances, children fear to disclose the abuse, and first hand witnesses refuse to testify in court. These factors weaken the investigation and imply that a lot of these abuse cases will go unpunished. The country has introduced children's rights in the school curriculum in the early years of education, this is commendable although children outside the

school are left out. The new constitution has also introduced a children's court which may deal with issues of children's rights like CSA which requires attention more comprehensively.

HRC and YWCA investigated unreported cases in the community but VSU did not for the reason that it was not easy to acquire information and evidence from people who are not ready to report. In as much as this may be true, sometimes victims may not know how to deal with the abuse or the procedure of reporting and getting justice. Analytical report by the Gallup Organization (2008) found out that children knew their rights but in the case of a violation, most of them did not know how to report it. Besides that, CSA is nearly every day reported by the media in newspapers, televisions, social media and radio, stakeholders should take the initiative to follow up such matters. Additionally, teenage pregnancies are evidence of child sexual abuse and so something should be done by authorities to ensure that justice is saved for the abused vulnerable children otherwise the abuse may continue and jeopardize our future generations.

Furthermore, stakeholders accepted that the diverse in definitions of the term child sometimes contributes to child sexual violence and also gives leverage for abusers to get away with it. The UNCRC and the children's charter define a child as a person who is 18 years and below. The constitution of Zambia in some clauses considers a person who is 16 years and above to be an adult and in other instances a person who is 21 years old and above to be an adult. Customary law however considers any person who has reached puberty age to be an adult. So, if a child reaches puberty at 10 years then they become adults. A person who may be 15 years and has not reached puberty is considered still a child. Zambia uses a dual legal system, this means that it is dependent on both English statutory law and African customary law. In this view, all the above definitions are accepted and can be used in the courts of law. The HRC report (2014), states that this dualism is a factor limiting the enjoyment of human rights in Zambia. The implication here is that a person can sleep with a child who is 11 years old but has reached puberty and get away with it on the basis of customary law. Although this child may suffer the effects of abuse, the victim may only be compensated in form of money which may never be equivalent to the pain, stress, trauma, shame and fear among others that the child is going to experience, worst of all the loss of virginity which according to Stein (2010) is important in the African society where culture is important. International instruments that form the basis of children's rights therefore need to

be domesticated in order for them to have the force of law before Zambian courts. According to HRC (2014), citizens cannot use international instruments to compel government to meet its obligations.

The state does not provide alternative shelter for vulnerable and abused children. Therefore, a child who is being abused by the guardian may not have the confidence to report that person to the authority because the state will not protect them thereafter by providing accommodation or meeting their other basic needs. Non-governmental organizations like YWCA do have accommodation for victims of CSA but, this is just temporal. Children are later taken to another relative's home. Financial support is also given to these children to enable them get educated. However, this may not be the best solution to the act because there is no guarantee that the new home will be protective enough, the new caregivers may also abuse the child. There is need for a protective shelter and support for these children until they are adults and able to provide for themselves.

Nonetheless, protection of the right of the child from all forms of sexual abuse cannot be solely left for the government and non-governmental organizations alone. It is everyone's call. Therefore, communities should be ready to report and testify in court in case they witness CSA. Settling a crime outside court should not be allowed just like mob justice is crime settling CSA outside court should also constitute a crime. Orientation and perceptions about children's rights and CSA should change. "An African child is everyone's child" so people should make it their business to prevent and report all forms of CSA.

### **5.5 Measures to Curb Child Sexual Abuse**

The following points were proposed as means of curbing sexual abuse of children by generally all the respondents.

It was suggested that children to be trusted and heard when they raise a concern of sexual abuse. Guardians should not disregard without investigation or further consideration of the child's allegations of sexual abuse. Johari (2013), states that children have the participation rights. UNESCO (2001) adds that the silence that attends child abuse must be broken. Relevant

authorities should be encouraged and were required listen carefully and sympathetically to complaints brought by children. Not only that, it was also proposed that massive awareness to be raised with regard to the issue. According to Mwanza (2007), awareness can change attitude and attitude can transform into behavior. So if community knows the effects of abuse on a child and the repercussions on the community then they may change their mindset. For this to happen, most respondents felt that parents needed to discuss issues of sex openly with their children.

Stakeholders felt that community should not be exposed to explicit material on the media. According to Mwanza (2007) the media sets the agenda for discussion in the community. If explicit material is shown, community will discuss it often and due to peer pressure some children may want to indulge and so if the media showed more of human rights issues, people will discuss them more often and thereby reduce sexual abuse.

Not entrusting children to associates of the opposite sex was another possible way to curb child sexual violence that was suggested, Camfed (2010) and Pereda et al (2009) found out that abusers are usually people that the child knows which included neighbors, uncles, stepfathers, family friends. Another suggestion was for children to dress decently. Daka (2002) gives instances when men have been prompted to sleep with children due to their indecent dress. However, morals go beyond words, it's the ability to exercise self-control in order to conform to the acceptable standards of society in this case to resist child sexual abuse.

Another suggestive measure was for the male folk to be actively involved in sexual abuse preventive matters. Studies (Whealin, 2007, Camfed, 2010, Pereda et al 2009, Unicef, 2012) show that men are the most perpetrators of child sexual abuse. This follows that if they are made aware of the effects and consequences of child sexual abuse and preventive measures employed actively them, they may embrace them and refrain from it. The other suggestion was that teachers who abused children be convicted instead of being transferred to another school or district and also dismissed. This would also lower the risk of pupils going through CSA.

Increase funding towards human rights related intervention was another measure that was suggested to reduce child sexual abuse in Lusaka. Riveta (2011:4) states that countries lack

resources to curb violence against children. HRC (2014) agrees by stating that the amount of funding for human rights related interventions has generally been low. To run programs like awareness raising, employing more staff, transport for investigation, accommodation for victims and other logistics all need finances. Some respondents also felt that establishing a protective shelter for homeless and abused children may reduce the risk of CSA. Some victims feared to report the abuse because they were threatened to lose accommodation and other basic needs if they reported. So if there is alternative care many more victims will come out. According to UNICEF (2001), many abused children do not report to the police.

The other suggestion was to domesticate the UNCRC and the Children's charter. According to the HRC (2014), international instruments do not have the force of law in courts unless they are domesticated. This means that the instruments should be enshrined in law, they should be made part of the constitution. Not only should they be made law but implemented. This brings us to the last suggestion that laws on child sexual abuse should be heavily enforced. Many respondents agreed that the current legislation on children's rights is quite sufficient but the problem lies in the poor execution of these laws. UNESCO (2014) concedes with the above by stating that although countries have adopted impressive sets of laws protecting children, they often fail to enforce them. Therefore, the feeling of the respondents was that, if these laws are well implemented and enforced, child sexual abuse would be a thing of the past.

## **5.6 How the Theory Guided the Study**

The study used the three Ps found in the United Nation's Convention on Rights of the Child. These are Provision, Protection and Participation. The provision, protection and participation model for talking about children's rights was accordingly initially introduced as a pedagogical tool for easy understanding for an uninformed public (Hammarberg, 1990:100). Provision Articles recognize the social rights of children to minimum standards of health, education, social security, physical care, family life, play, recreation, culture and leisure. Protection Articles identify the rights of children to be safe from discrimination, physical and sexual abuse, exploitation, substance abuse and conflict. Protection rights are rights that ensure children are

protected from acts of exploitation or abuse, in the main by adults or institutions that threaten their dignity, their survival or their development.

The theory guided the study during data collection and processing in that it justified the need for children to be protected from sexual abuse. It also cautioned that failing to protect the right of the child from all forms of sexual abuse would be detrimental not only to the child but society as a whole. Provision articles highlighted the researcher or study to say if children were not well nurtured and supplied with basic needs, love and care, they would be vulnerable to sexual abuse. Participation on the other hand raised the concern of the need for children to be “Heard”. Since children have a right to say ‘yes’ or ‘no’ in matters that concern them adults should respect that. The researcher was also guided in that participation articles focus on the best interest of the child and sexual abuse is not in the child’s best interest. The protection element which Hammarberg, (1990:99) highlighted as a central building block for children’s rights was also the main anchor for the study. Protection articles clearly state the need for children to be protected from all forms of sexual abuse. Hence the study was guided to find out what forms of sexual abuse are common in Lusaka district and the major causes of these forms of sexual abuse and also ways of curbing them. Without the three Ps theory, the study would be bass less.

## **5.7 Summary**

The last chapter discussed the findings of the study in depth. The main objective of the study was to explore the causes of the high prevalence of child sexual abuse in Lusaka district The next chapter concludes the study and makes recommendations.

## **CHAPTER SIX**

### **SUMMARY, CONCLUSION AND RECOMMENDATIONS**

#### **6.1 Overview**

Having discussed the findings of the study, this chapter summarizes the whole research process. The chapter will give a brief recapitulation of the research problem, methodology, results and the main contribution of the study. It gives also a conclusion, recommendations and proposal for possible future research.

#### **6.2 Summary**

The study explored the causes of the high prevalence rate of child sexual abuse in Lusaka district. In spite of children's rights being included in the constitution, UNESCO (2016) estimated that every year, 14 million girls around the globe 38,000 a day are married before they turn 18. Many children experience sexual violence and although many countries have adopted impressive sets of laws protecting children from abuse, they often fail to enforce them. The study was purely qualitative and employed thematic analysis of data. A total of 34 respondents were purposively selected for the study. Results showed that causes of the high prevalence rate of child sexual abuse included low conviction for offenders, bad cultural practices, social media, poverty, child labor, broken families and abuse of authority among others. The most common form of abuse is penetration and sexual assault. Protection of children's rights is not well conducted and so measures like enforcing the existing laws was suggested. With these results, the state may deal with CSA from its roots which are the factors that cause it. However, the study could be done on a broader perspective by making it country wide and broadening the sample to include guardians and other stakeholders.

#### **6.3 Conclusion**

Child sexual abuse is a persistent challenge that is distressing for all people concerned, society and Zambia as a whole. Children remain the most vulnerable members of our societies, each generation parents wants to create a better future for their children and the well-being of our children must be a universally cherished aspiration. The stakes are high, if we fail a child today we will fail our tomorrow. The right of the child to protection from all forms of sexual abuse is

violated on a daily basis. The reasons for this violation are institutional, patriarchy society, bad cultural practices and other factors. The main causes of the high prevalence rate of child sexual abuse which answered objective number one include, neglect, labor, culture, media, abuse of authority, broken families, low conviction of offenders and many more. Other factors incorporate no precise definition of the term child, lack of awareness on children's rights as provided for them in the African children's charter and the UNCRC, lack of coordination between government and other stakeholders and no alternative homes/care for neglected children.

The second objective was find out the most common forms are child sexual abuse and the study discovered that sexual assault which is either rape or defilement, penetration and fondling were the common ones. The third objective was to assess the extent to which the government is nurturing and protecting the children from sexual abuse and the legislative measures that exist to prohibit it. The study found out that although the current legislation is sufficient, it needs to be enforced. The lacunas in the current child's legislation like the different definitions of the term 'child' should be addressed.

The fourth and final objective was to suggest ways of eradicating sexual abuse of children. With this objective, the study gathered that massive awareness was to be raised especially among men who are also to be actively involved in preventive measures. Children's rights were also recommended to be made available in local language so that every child can read and understand in their native language. Through the media, the public should also be educated on the dreadful consequences of child sexual abuse. Government erecting foster homes will also reduce child sexual abuse because children will have a secure home to run to when threatened with sexual abuse. It is therefore hoped that, stakeholders will ensure accountability for violations of children's right to protection from all forms of sexual abuse by establishing firm investigation mechanisms, and ensuring that abusers are fairly held responsible for their actions in order to curb the act.

#### **6.4 Recommendations**

In addition to the ideas already mentioned by victims, perpetrators and stakeholders, further measures may curb child sexual abuse. Many efforts may not even cost money but simply the

willingness and cooperation from all actors in society. The common factor is the importance of the recognition of children as right holders who are not possessions or sex objects but are in equal status with adults. Therefore, in view of the results of this study, the following recommendations are made,

1. Zero tolerance of child sexual abuse which calls for a fundamental change of consciousness among fathers, mothers, siblings, friends, neighbors, schoolmates, teachers, opinion leaders and religious to speak out against child violence and shape attitudes against it. Fighting for our children's rights and welfare is an obligation we must fulfill.
2. Massive awareness to be raised on the need to protect children from all forms of sexual abuse. The community may be highlighted on the factors that make children vulnerable to sexual abuse and look out for them to ensure children's protection and safety. Children's rights to be availed in local languages which most citizens are conversant with.
3. The rights of millions of children are still violated on a daily basis, stakeholders should therefore ensure accountability for violations of children's right to protection from all forms of sexual abuse by establishing firm investigation mechanisms, and ensuring that abusers whether relatives, parents, teachers, neighbors or other acquaintances are fairly held responsible for their actions and provide alternative care for children with abusive/no care givers. Finally, for further study, it will be needful to investigate in detail how child marriage constitutes a violation of children's rights.
4. The UNCRC and the children's charter form the most formal instruments, therefore, these international instruments need to be domesticated otherwise they are just a declaration. They need to be constitutionalized for them to have the force of law in courts. These laws also need enforcement, perpetrators need to be convicted for their crime instead of withdrawing or settling the matter outside court.
5. While this research incorporated a broad number of aspects and actors, many issues were only briefly touched upon, and indeed require future research. It would be interesting and necessary to extend the sample to specific classes of children like the disabled, street kids and orphans to explore further manifestation for comparison. To extend the sample to different regions of the country, and in particular to early-marriage ridden districts in the

rural areas would add further and most likely contradicting perspectives on causes of child sexual abuse. As another contribution, future research could explore how traditional practices like initiation ceremonies constitute a violation to the right of the child to protection from all forms of sexual abuse.

Another interesting extension would be to focus on one of the topics that came up during this research. Matters of child labor, neglect and influence of the media on child sexual abuse for instance, certainly deserve further investigation. A survey method of quantitative study would be interesting to employ as can it yield objectivity.

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**Appendix A: Consent Form for Guardians**

**THE UNIVERSITY OF ZAMBIA  
SCHOOL OF EDUCATION**

**DEPARTMENT OF LANGUAGE AND SOCIAL SCIENCES**

**Research Topic: Exploring the causes of the high prevalence rate of child sexual abuse in Lusaka district.**

Dear parents/ or guardians,

My names are Daisy Nalwimba S, a master’s student at the University of Zambia in the department of Language and Social Sciences. My research topic is as stated above.

I am kindly seeking your permission to interview your child who is below the average age to legally consent to the study. The following information is provided for you so that you can decide whether you wish for him/her to participate in the current study or not. Your child is at liberty not to participate or withdraw participation at any time without affecting the relationship with the researcher. The purpose of the study is to explore the causes of the high prevalence rate of child sexual abuse in Lusaka District.

Data will be collected from both primary sources like interviews, questions, focus group discussions and observations. Secondary data will also be collected by review of different literature from journals, books and other published and unpublished studies.

I would be glad to share my findings after the research is completed. The child’s name will however not be associated to the findings in any way. There are no risks associated with the study. The expected benefits with your participation are the information and experience with regard to Child Sexual Abuse which may transmit into the protection of children.

Please sign the assent form with the full knowledge of the nature of the purpose and procedure. A copy of this form will be given to you.

---

Signature of participant  
Nalwimba Daisy S Researcher

---

Date

**Appendix B: Assent/Consent Form for Respondents**

**THE UNIVERSITY OF ZAMBIA  
SCHOOL OF EDUCATION  
DEPARTMENT OF LANGUAGE AND SOCIAL SCIENCES**

**Research Topic: Exploring the causes of the high prevalence rate of child sexual abuse in Lusaka district.**

Dear participant,

My names are Daisy Nalwimba S, a master’s student at the University of Zambia in the department of Language and Social Sciences. My research topic is as stated above.

The following information is provided for you so that you can decide whether you wish to participate in the current study or not. You should be aware that you are at liberty not to participate or withdraw participation at any time without affecting the relationship between you and the researcher. The purpose of the study is to explore the causes of the high prevalence rate of child sexual abuse in Lusaka District.

Data will be collected from both primary sources like interviews, questions, focus group discussions and observations.

Feel free to participate and without hesitation ask any questions about the study before and during your participation. I would be glad to share my findings after the research is completed. Your name will however not be associated to the findings in any way. There are no risks associated with the study. The expected benefits with your participation are the information and experience with regard to Child Sexual Abuse which may transmit into the protection of children.

Please sign the consent form with the full knowledge of the nature of the purpose and procedure. A copy of this form will be given to you.

---

Signature of participant

Nalwimba Daisy. S. Researcher

---

Date

## Appendix C: Questionnaire for Child Respondent

1. Sex            (1) Male            (2) Female

2. Age

3. Residential area

a) High density

b) Medium density

c) Low density

4. Who do you live with?

a) Both Parents

b) Single parent

c) Other Care Givers

5. How old are/were you when you were sexually exploited?

6. There are different forms of sexual abuse. Which one did you encounter?

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7. What would you say was the supposed cause/s for your abuse?

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8. Did you allow the person to touch you or not?

a) Yes  b) No

9. How would you describe your relationship to the perpetrator?

a) a stranger

b) family friend

c) relative

d) d) other specific \_\_\_\_\_

10. Did you tell someone about it immediately?

a) Yes  b) no

If yes, what did the person you told do about it?

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If no, why didn't you tell anyone?

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11. What action was taken with regard to the matter

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12. If the perpetrator was reported to the authorities do you think their punishment was just?

a) Yes  b) No

13. How would you describe the procedure of dealing with offender?

a) Fairly long  b) long  c) too long

14. Do you think you get enough attention from your parents/guardians, do they spend enough time with you?

a) Yes  b) No

15. Children below the age of 18 eighteen have specific rights, do you think these rights exist in your community?

a) Yes  b) No

16. On the scale of 1-5, how would you rate government and society's child protection of the right to protection from all forms of sexual exploitation? Use the following five-point scale and circle the appropriate option, 1 = Strongly Disagree, 2= Disagree, 3= Not Sure, 4= Agree and 5 = Strongly Agree.

|   |   |   |   |   |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|

17. Suggest any possible ways of eradicating sexual exploitation of children?

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## Appendix D: Interview guide for Perpetrators

Introduction.

In this questionnaire, the word child must be understood to mean a young person who is under the age of 18 years.

1. Gender (1) Male (2) Female

2. Age

3. Residential area

a) High Density

b) Medium Density

c) Low Density

4. Level of education;

a) Degree/ Higher

Diploma,

b) Certificate

Grade twelve certificate/ lower

5. Marital status: Married  Single  Courtship  Widowed

6. What impelled you to sexually abuse a child?

7. How did you convince the child to sleep with you?

8. Do you know that children have rights and one of them is the protection from sexual abuse?
9. Did you know that you were violating this right?
10. What action was taken after you abused the child?
11. Would you say the punishment you got was Fair and Just?
12. What form/s of sexual abuse did you inflict on the child?
13. Would you say the child contributed to sexual activity that took place? If yes, why?
14. Suggest any ways of curbing child sexual abuse.

## **Appendix E: Interview Guide for Stakeholders**

1. How many cases of sexual abuse of children do you hear monthly?
2. How many go to trial and how many are withdrawn?
3. Who are the common perpetrators? How would you describe them?
4. What kind of children are the most victims and what type of homes do these children come from?
5. Age group
6. Do you think in some cases children are to blame?
7. What are some of the main reasons for sexual abuse of children?
8. With a view that the state is obliged to protect children from all forms of mal-treatment perpetrated by parents or others responsible for them, do you investigate unreported cases?
9. What are some of the challenges in investigating sexual abuse of children?
10. What forms of sexual exploitation are common among children?
11. Is there any psychosocial support for abused children?
12. Do you have any alternative special care and family protection for children without families?
13. How do you ensure protection of children's right to protection from sexual exploitation and abuse?
14. What is the punishment for perpetrators?
15. Do you think the current legislation on children's rights is sufficient?
16. Do you think the divergence in the definition of the term 'child' has contributed to sexual exploitation of children?
17. Would you suggest any possible ways of eradicating sexual abuse of children?

**Appendix F: Focus group Discussion for Victims**

**FOCUS GROUP DISCUSSION FOR VICTIMS OF CSA**

**CAUSES OF THE HIGH PREVALENCE RATE OF CHILD SEXUAL ABUSE IN  
LUSAKA DISTRICT.**

**Section A: General Information**

Gender;

(i) Female

(ii) Male

Age group:

(7-9)

(10-14)

(15-18)

(18+)

Residential area:

(i) Low density

(ii) Medium density

(iii) High density

**Section B: Questions for discussion.**

- i) Who was your perpetrator?
- ii) What was your experience like?
- iii) How has the abuse affected you?
- iv) Mention certain protection rights for children that you know.
- v) Suggest measures to eradicate child sexual abuse.

## **Appendix G: Observation Guide**

### **OBSERVATION GUIDE**

#### **CAUSES OF THE HIGH PREVALENCE RATE OF CHILD SEXUAL ABUSE IN LUSAKA DISTRICT**

- a. Observe photos/medical report
- b. Observe behavior of victims after the abuse
- c. Facilities that provide alternative care
- d. Observe the way the questionnaires were handled by respondents
- e. Attitude towards the research topic
- f. Environment or type of homes the victims came from

**Appendix H: Introductory Letter from The University of Zambia**