

Community champions law to castrate paedophiles in Nigerian state

Friday 29 January 2021, by [GBADAMOSI Nosmot](#) (Date first published: 16 December 2020).

Despite criticism from rights groups, families of young rape victims in Kaduna state say they support the new law.

Content warning: This story contains graphic details of abuse that some readers may find disturbing. Names marked with asterisks have been changed to protect the identity of the child victims.

One Friday in September Adara* finally went to the police station in Kaduna State, northern Nigeria, to report the rape of her 12-year-old son.

The boy had been suffering from repeated night terrors, she told officers. Upon examining him some months back, it had taken her a moment to digest what she had seen. He had a festering wound and his underwear was stained with semen, she told Al Jazeera.

Her son told her that a tailor in the neighbourhood and his friends had been abusing him in their shop since a partial coronavirus lockdown began in March. She knew the abusers. They were men in their early 20s who lived in the same community. The 12-year-old said he had been scared to tell anybody. The men gave him sweets and money and warned that if he said anything, they would kill his entire family, he said.

Adara knew a spiral of stigma and gossip would accompany her speaking out about such issues in the conservative community. Nevertheless, she decided to report the rape. But her battle had only just begun.

Hours after she left the police station, her neighbours had already heard about her visit through the community grapevine. By the time officers arrived with an arrest warrant, the five suspects had fled and gone into hiding.

A spokesperson for the Nigeria Security and Civil Defence Corps (NSCDC) at Kaduna State Command, which looks into child abuse cases, said the investigation was ongoing, with a manhunt on to find and arrest the alleged suspects.

Adara said the suspects' relatives, who all live in the same area as her, told her the reputation of the community would be ruined by her report and urged her to drop the case. Meanwhile, her neighbours spread tales about her son, saying that he was "passed around".

"The stigma is disgusting," Adara says, speaking in her native language, Hausa. When her son goes outside to play, "neighbourhood kids tease him that he was pimped out".

Adara faced a backlash from her family as well and has been ostracised since going to the police. "My husband's family advised him to leave me, and now he has left. I am the only one looking after the kids," says the mother of four.

“I know people in the community, that their children were raped and they did nothing. They said: ‘Oh, it’s a community thing’, but because I am standing up they are now standing against me,” she says.

“I want the government to fight them. This child is not just my child – it’s also the government’s child”.

Controversial new law

In September, Kaduna’s state governor, Nasir el-Rufai enacted a new law in the highly conservative, majority-Muslim state.

Males convicted of raping children under 14 will now be surgically castrated and executed while women convicts will have their fallopian tubes removed and be executed. For perpetrators who rape children over 14, the punishment is the same, but with life imprisonment instead of execution.

Malam Nasir [@elrufai](#) has signed the Kaduna State Penal Code (Amendment) Law 2020 which provides stiff penalties upon conviction for the rape of a child, including surgical castration for male convicts and bilateral salpingectomy for female convicts pic.twitter.com/m86UXi4dEg

— Governor Kaduna (@GovKaduna) [September 16, 2020](#)

Under Nigeria’s federal law, rapists face between 14 years and life in prison. However, state legislators are allowed to impose their own terms.

“These drastic penalties are required to help further protect children from a serious crime,” El-Rufai said in a statement.

The National Human Rights Commission (NHRC), an independent Nigerian body, however, expressed concern that the law flouts the country’s 2017 Anti-Torture Act. That act outlaws “mutilation such as amputation of essential parts of the body such as the genitalia, ears or tongue and any other part of the body,” NHRC’s executive secretary, Anthony Ojukwu said in a statement.

“There can be no justification for torture, no exceptional circumstance whatsoever.”

The United Nations High Commissioner for Human Rights Michelle Bachelet called the laws “draconian”.

“Evidence shows that the certainty of punishment, rather than its severity, deters crime,” Bachelet said drawing on Nigeria’s low record on rape convictions.

According to the latest available crime data from Nigeria’s National Bureau of Statistics, in 2017 there were 2,279 cases of rape and indecent assault reported to police – but no convictions.

Nigeria’s anti-trafficking agency, the National Agency for Prohibition of Trafficking in Persons (NAPTIP), said there were just 32 successful rape prosecutions between 2019 and 2020 – alarmingly low in a country of more than 200 million people. The NAPTIP, which publishes a federal sex offenders’ register on its website, did not have separate data specifically on child rape.

Shocking abuse

The Barau Dikko Teaching Hospital at Kaduna State University cuts a large unimposing concrete structure against the city's arid backdrop.

Dr Shuaibu Musa has been a consultant paediatrician here for almost eight years. On a Tuesday evening in September, he had just arrived home from work when an alert he received sent him right back to the hospital. A five-year-old boy had been admitted with diarrhoea. But the medical team suspected it was an assault.

Dr Musa has become used to such alerts. "The sort of abuses we see, you will be shocked," he says.

Doctors here say they treat children who have been sexually abused every day. It is why Dr Musa and other professionals set up a committee to tackle such cases. Medically, treatment is often focused on the injuries sustained, as some attacks are violent.

On that particular night when he arrived at the ward, he discovered that the parents of the five-year-old were acting suspiciously. The father would not look him in the eye. "They said he was having diarrhoea with blood - now that's not too common," says Dr Musa. The symptoms were suggestive of anal rape.

Child victims of this type of rape sometimes lose the ability to control their bowel movements, which doctors had been trained to look out for. "When we probed and probed it turned out to be child sexual abuse." The parents wanted it kept hidden but Dr Musa and his colleagues insisted on reporting it to the police. "Anytime you see one case and you allow that, it means all children there in that community are no longer safe," he says.

Dr Musa has learned to bury the anger he feels. He has learned to remain level-headed amid the numerous assaults on children that he has had to treat: A little girl gang-raped during the Muslim Sallah festival; the abuse was so prolonged that she had lost consciousness by the time she was found. Another child forced into prostitution and whose HIV-positive baby, born from rape, was about to be sold. A father who raped his daughter and whose relatives were threatening the mother against reporting the abuse.

In all these cases the hospital had to intervene. "Primarily, our main aim is to protect the child and of course other children in the society."

Public holidays have come to be known as the darkest days here because that is when the worst cases of abuse happen. During those days children are often in closer proximity to their abusers. Neighbours, friends and classmates are often perpetrators of child sex abuse in Nigeria, according to a 2014 UNICEF [report](#) that surveyed more than 4,000 children.

"Most of these abuses are by those [who are] around the child," Dr Musa says. "Usually, you don't see people coming from far to come and do abuse. It's someone in that community."

"Nobody wants you to report it," he adds. "People don't want their family names to be dragged through the mud. And because of that, they will rather keep quiet and say they will handle it within the community." Last year, UNICEF [renewed](#) its call urging Nigeria's federal government to create safe and secure outlets for children to report cases.

What struck Dr Musa from the patients he has treated was that many child victims went on to abuse others as adults, because psychological support was often never offered to them. Fewer than five out of 100 victims receive support, UNICEF's report said, echoing Dr Musa's findings.

It formed the basis of his academic paper and the implementation of a social welfare team trained to

look after victims and their families at the hospital. It was also the outcome of these cases that gave him the most cause for concern. None ended in a conviction.

“The few that went to the courts ended up, according to them, settling it out of court again,” he notes.

Reverse stigma

Human rights groups see similar trends. “We’ve not been able to get a conviction out of the many rape cases that we’ve had,” Evon Benson-Idahosa says. She is the founder and executive director of Pathfinders Justice Initiative, a non-profit organisation based in Benin city and the capital Abuja that has been working to end sexual violence in Nigeria for nearly seven years.

A 2018 Nigerian study in the journal African Health Sciences found that only 34 percent of child sexual abuse cases were disclosed to anyone. For years, silencing around the issue of sexual assault has been widespread.

Society often embarrasses or blames the victim into silence, Benson-Idahosa tells Al Jazeera.

The social stigma associated with sexual abuse in the community means most families and victims do not report it immediately. Almost half of Nigerians live in extreme poverty – an indicator of the country’s immense wealth inequality. Some victims and their families, fearing stigmatisation, victim-blaming and lack of money to bring cases to court, choose not to report the abuse to the authorities.

In Adara’s case, according to documents seen by Al Jazeera, it took a while for news of her son’s abuse to reach the correct channels.

Adara told the state medical examiners who treated her son that she initially reported the abuse to a policing outfit made up of community volunteers but action was slow, and the abuse carried on. Then in September, she reported it to the Kaduna State Command. By then her son had endured six months of abuse.

She also said when they first discovered the abuse, her husband agreed to privately settle the issue with the parents of two of the suspects. They paid Adara’s husband 30,000 naira (about \$79) as compensation for the crime their sons committed.

Very often, small out-of-court cash settlements are negotiated by religious leaders or town elders to resolve such issues quietly rather than put a family through public scrutiny.

Benson-Idahosa underlined the immense challenge in many communities.

“It’s actually very common that you see these cases ‘resolved’ without any conviction or even prosecution of the case at all. Because we’ve somehow managed to reverse the stigma and place it on the victim and our culture accepts that and promotes it as a way to resolve these sorts of issues,” she explains.

Calls for help

Community stigma but also limited resources can hinder victims and their families’ abilities to search for justice.

When Adara first reported her son’s abuse, detectives from the Intelligence and Investigations Team at Kaduna’s State Command wrote to state hospitals asking for a medical examination and

psychiatric evaluation to be conducted. Adara, who works as a seamstress, would have to pay for the examinations herself but there was no way she could afford it. So the hospital sought the help of a local charity, the Jamar Health Foundation.

Five days later, with their help, she was able to take her son to the hospital to be examined. Adara told medical examiners that when she first discovered the abuse, she had pulled maggots from a wound in her son's anus.

Dr Maryam Jallo, who is the founder of Jamar Health Foundation, was giving a presentation to Nigerian women on rights advocacy when news of Adara's son reached her via telephone.

After graduating from the Windsor University School of Medicine in Saint Kitts and Nevis in the Caribbean, she headed back to Nigeria hoping to make a difference in her community and founded the non-profit organisation that has helped pay medical bills for poor patients since 2018. But this case, she says, changed her.

"I was shocked," the 24-year-old explains, noting Adara's son's age. "I had never gotten a rape case."

But this was to be the first in a series of requests Dr Jallo would receive to help children who had been sexually abused.

Two weeks later, she got another call for a six-year-old girl who needed genital stitches after being raped by her family's landlord and a month after that, a call for an 11-year-old girl who was gang-raped - both cases were in Kaduna city.

According to Dr Jallo, in those instances, police officers quickly arrested the suspects. "That's the light at the end of the tunnel for us," she says. Adara's son's case, however, is a microcosm of a pervasive problem in Nigeria, she feels, where only a tiny fraction of rapists are brought to justice. She believes it is important that his abusers are found, arrested and punished.

Support for harsher punishments

Sitting in her small office, Dr Jallo reflects on the new bill against paedophiles. "Just because it has been passed doesn't mean that people are actually implementing it. So, let's go straight to that," she says, voicing her support for the regulations that would see child rapists castrated.

At the hospital, Dr Musa also supports the law. Its enactment marks a turning point, he feels.

"With this law, that may put some fear into perpetrators of these incidents," he says. "People don't accept that this is happening."

"We are making progress but it's very slow; the community is still in denial, unfortunately," adds Dr Musa. "If we all collectively link up to make sure that nothing goes unreported, nothing goes unpunished, then probably we will be getting there," he says.

The federal death penalty for crimes is rarely carried out in Nigeria. More than 2,700 people are on death row, according to Amnesty International, but there have been seven executions since 2007 - the last of which was in 2016.

Nigeria has long struggled to deal with child rape. One in 10 boys and one in three girls in Nigeria experience sexual violence before the age of 18, according to UNICEF's data. The majority of victims treated at the four sexual assault referral centres in Kaduna were children.

Last September, 300 men and boys were [rescued](#) by police from a building housing a religious school in Kaduna. Boys aged five and above had been sexually abused, tortured and held captive – in some cases for several years. Eight suspects were arrested. At the time President Muhammadu Buhari urged religious and traditional leaders to work with the authorities to “expose and stop all types of abuse that are widely known but ignored for many years by our communities”.

In Kaduna, violence against children had not been given priority until 2018, when the state adopted the federal Child Rights Act, creating special units within the NSCDC to investigate abuse.

But the problem of child rape goes beyond Nigeria’s northern states.

In the commercial hub, Lagos, 73 percent of survivors treated in 2019 at the Women at Risk International Foundation (WARIF), another referral centre, were under the age of 18. Similarly, a national survey conducted by Nigerian polling service NOIPolls, found that 72 percent of rape victims were aged between one and 15 years old at the time of the incident.

“Rape is both endemic and an epidemic in Nigeria,” says the Pathfinders’ Benson-Idahosa.

Still, she believes castration is “barbaric” and ignores the reality that most paedophiles in Nigeria are not convicted.

“We have policemen who we have had to mobilise to even pursue a case or to do their job and an NGO has to be funding that process,” she says.

Until July this year, the federal code did not even recognise male victims of rape (including boys) until an amendment substituted “woman or girl” to “any person without consent”.

Hoping for justice

Back at Adara’s home, the curtains are drawn. And the family plans to move out of the area, she says.

Over time, Adara has watched her son slowly start to recover. He has been able to sleep through the night again. But she is still struggling.

Her son’s assault shadows her thoughts, she says, while outside, the neighbours continue to mock her.

“Everyone now has their back to me.”

About her son, she says: “If he is able to go back to school, he will learn things and then he will draw past what has happened to him. My hope and prayers are that he grows up to be fine and OK.”

But Adara also knows it is one thing for a perpetrator to be reported for rape in Nigeria, and quite another for them to serve a sentence. She is enraged thinking about her son’s abusers.

“I have been hearing news that once the issue is forgotten, [the suspects] are going to still come back to Kaduna – so it’s not nice,” she says, angry about the lack of accountability.

“It’s not just about helping [my son], but also arresting the perpetrators and getting justice.”

Scrolling through her case notes about Adara and her son, Dr Jallo worries that the community is largely responsible for the paedophiles not being punished.

“An imam actually told the mum to drop the case,” Dr Jallo says. “People hide behind religion. There is this belief that you shouldn’t spread negativity. So, they are saying telling people about paedophilia is spreading negativity.”

“Communities, too, need to come together and actually expose these people and not try to support them,” she adds. “They did something horrible.”

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