

**AN INVESTIGATION INTO THE FACTORS PREDISPOSING MEN
TO ACTS OF RAPE IN KENYA**

By

Samuel Muraguri Muchoki

UNIVERSITY OF NAIROBI
INSTITUTE OF AFRICAN STUDIES
LIBRARY

**A thesis submitted to the Institute of Anthropology, Gender and African Studies in
partial fulfillment of the requirements for the degree of Master of Arts in
Anthropology of the University of Nairobi**

December 2008

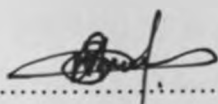
University of NAIROBI Library



0444712 4

DECLARATION

This thesis is my original work and has not been presented for a degree in any other university.

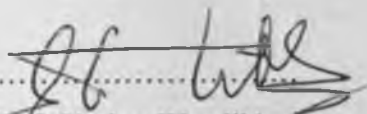


.....
Samuel Muraguri Muchoki

6/12/08

.....
Date

This thesis has been submitted with my approval as the University Supervisor.



.....
Prof. Simiyu Wandibba

8/12/08

.....
Date

DEDICATION

To our mothers, sisters, relatives and friends who are survivors of rape, and to those we have lost as a consequence of this violation, I dedicate this work. that we have lost as a consequence of this violation.

And

To the families, relatives and friends of all the rape survivors. It was not the girl's or the woman's mistake that led to her being raped. Let us do all that is within our powers to support them. Now that we know why men rape, we must fight this crime with utmost faith that we shall overcome it.

TABLE OF CONTENTS

LIST OF BOXES.....	v
LIST OF FIGURES	vii
LIST OF MAPS	vii
LIST OF TABLES.....	viii
ACKNOWLEDGEMENT	xi
ABSTRACT	xi
LIST OF ABBREVIATIONS.....	xiii
Chapter One	1
Background to the Study	1
1.1 Introduction.....	1
1.2 Problem Statement.....	2
1.3 Objectives of the study	4
1.3.1 Overall objective.....	4
1.3.2 Specific objectives	4
1.4 Justification of the study	4
1.5 Scope of the study	5
1.6 Limitations of the study	5
Chapter Two	7
Literature Review	7
2.0 Introduction.....	7
2.1 Rape in Kenya.....	7
2.1.1 Extent of rape in Kenya	8
2.1.2 The response	9
2.1.2.1 Health sector	9
2.1.2.2 Legal response: Laws and policies	9
2.1.2.3 Support groups.....	11
2.2 Factors increasing men's risk of committing rape.....	11
2.2.1 Individual motivational factors.....	11
2.2.1.1 Drug consumption	11
2.2.1.2 Psychological factors.....	13
2.2.1.3 Rape as a form of sexual access.	13
2.2.1.4 Rape as a form of impersonal sex and power.	13
2.2.1.5 Rape as a form of recreation and adventure	14
2.2.2 Socio-cultural factors.....	14
2.2.2.1 Social attitude that the woman 'invited' the rape	15
2.2.2.2 Rape as a form of 'punishing' rival men	15
2.2.2.3 View of rape as a sexual act rather than an act of violence	16
2.2.2.4 Gender-based inequality	16
2.2.2.5 Social environment	17
2.2.2.6 Peer influence.	20
2.2.3 Other factors that could predispose men to rape	20
2.2.3.1 Rape as a part of another crime.	20
2.2.3.2 War.....	21
2.2.3.3 Poverty.....	21
2.3 Theoretical framework.....	22

2.3.1 Social learning theory	22
2.3.2 Feminist theory	22
2.3.3 Relevance of the theories to this study	23
2.4 Research hypotheses	24
2.5 Operationalization of variables	24
2.5.1 Dependent variables.....	24
2.5.2 Independent variables	24
Chapter Three	26
Methodology.....	26
3.1 Introduction.....	26
3.2 Research site	26
3.3 Background to the Kenya Prisons Service.....	28
3.4 Study design.....	28
3.5 Study population.....	29
3.6 Sample population	29
3.7 Sampling procedure	29
3.8 Methods of data collection.....	30
3.8.1 Primary sources	30
3.8.1.1 Survey method.....	30
3.8.1.2 Case histories	30
3.8.1.3 Key informant interviews	31
3.8.2 Secondary sources	31
3.9 Data processing, analysis and presentation	31
3.10 Problems and their solutions.....	32
3.11 Ethical considerations.....	33
Chapter Four	34
Socio-demographic and other Factors about the Study Population.....	34
4.0 Introduction.....	34
4.1 Demographic characteristics of respondents	34
4.1.1 Age.....	34
4.1.2 Religious affiliation	35
4.1.3 Marital status	37
4.1.4 Highest education level.....	38
4.2 Past sexual life	39
4.3 Past criminal-related activities.....	41
4.4 Year of imprisonment	41
4.5 Charges	43
4.6 Age of the defiled girls	46
4.7 Perpetrator's area of residence in relation to that of the victim.....	47
4.8 Relationship between the perpetrator and the victim	47
4.9 Use of condom in rape.....	48
4.10 Strategies used by the respondents in the execution of the crime	49
Chapter Five.....	50
Individual Motivational Factors Predisposing Men to Acts of Rape	50
5.1 Introduction.....	50
5.2 Reasons prompting the sexual crime	50

5.2.1 Drug consumption	51
5.2.2 Marital problems as an excuse for rape	57
5.2.3 Inability to negotiate for consensual sex	59
5.2.4 Rape as a form of sexual access	60
5.2.5 Psychological factors	61
5.2.5.1 Pornographic influence	61
5.2.5.2 Rape hallucination	63
5.2.6 Impersonal sex and power	64
5.2.7 Rape as a 'tool' of punishment	65
5.3 View of the sexual coercion experience	65
5.4 Attitude to recommitting the offence and rehabilitation.....	71
5.5 Conclusion	71
Chapter Six	72
Socio-cultural Factors Predisposing Men to Acts of Rape	72
6.1 Introduction.....	72
6.2 Early childhood environment	72
6.3 Gender-based inequality	76
6.4 Peer influence	78
6.5 Parental advice.....	79
6.6 Reaction of the respondents' family to the crime	79
6.7 Conclusion	81
Chapter Seven.....	83
Other Factors that Could Predispose Men to Rape.....	83
7.1 Occupation	83
7.2 Place of origin.....	85
7.3 Ethnic affiliation	87
7.4 Young age of the victim	88
7.5 Poverty	88
7.6 Time when the crime was committed.....	89
7.7 Place where the crime was committed.....	90
Chapter Eight	92
Voices from the Death-row Convicts	92
8.1 Introduction.....	92
8.2 Narrations from death-row convicts	92
Chapter Nine	98
Discussion.....	98
9.1 Introduction.....	98
9.2 Individual motivational factors for rape	98
9.3 Socio-cultural factors predisposing men to rape.....	101
9.4 Other factors that could predispose men to acts of rape	103
9.5 Main findings of the study	104
Chapter Ten	108
Summary and Conclusion.....	108
10.1: Introduction.....	108
10.2: Summary	108
10.3: Conclusion	108

REFERENCES111
Appendix A: Questionnaire for the inmates122
Appendix B: Key informant interview guide133
Appendix C: Self-administered questionnaire for death-row inmates.....134

LIST OF BOXES

Box 5.1: Testimonies on effects of drugs	56
Box 5.2: Testimonies of marital problems	58
Box 5.3: Testimonies on inability to negotiate for consensual sex	59
Box 5.4: Testimonies of rape as a form of sexual access	60
Box 5.5: Testimony on the influence of pornography	63
Box 5.6: Testimony of impersonal sex and power	64
Box 5.7: Testimony of rape as a 'tool' of punishment	65
Box 6.1: Testimonies of rape due to gender-based inequality.....	78
Box 6.2: Testimonies of sexual adventure.....	79
Box 8.1: George 40 years old, married.....	92
Box 8.2: Oscar, 32 years old, married	92
Box 8.3: Jacob, 35 years old, married	93
Box 8.4: Mike, 34 years old, married	93
Box 8.5: Ben, 40 years old, married	93
Box 8.6: John, 32 years old, married	94
Box 8.7: Joshua, 40 years old, separated	94
Box 8.8: Peter, 24 years old, separated.....	95
Box 8.9: Patrick, 34 years old, single	95
Box 8.10: Vincent, 30 years old, single	95
Box 8.11: Kim, 30 years old, single	95
Box 8.12: Isaac, 27 years old, single	96

LIST OF FIGURES

Figure 4.1: Age of respondents.....	34
Figure 4.1: Age of death-row inmates	35
Figure 4.3: Religious affiliation of respondents	36
Figure 4.4: Religious affiliation of death row sex offenders	36
Figure 4.5: Marital status of respondents	37
Figure 4.6: Marital status of death row convicts	37
Figure 4.7: Level of education.....	38
Figure 4.8: Age at first sexual intercourse.....	39
Figure 4.9: Duration of sentences.....	43
Figure 4.10: Charges of respondents	44
Figure 4.11: Age of the defiled girls.....	46
Figure 4.12: Relationship with the victim	48
Figure 5.1: Use of drugs	52
Figure 5.2: Type of drugs	52
Figure 6.1: The persons who raised the respondents	72
Figure 6.2: Family structure	74
Figure 6.3: Parent/guardian economic activities	75
Figure 7.1: Place of origin of the respondents.....	85
Figure 7.2: Place of origin of the death row convicts.....	86

LIST OF MAPS

Map 3.1: Map of Kenya showing the locations of Nairobi, Naivasha and Nyeri.....27

LIST OF TABLES

Table 4.1: Number of sexual partners.....	40
Table 4.2: Year of imprisonment.....	42
Table 4.3: Year of imprisonment of the death row convicts	42
Table 4.4: Charges for death row convicts	45
Table 4.5: Relationship with the victim.....	47
Table 4.6: Use of condom.....	48
Table 5.1: Reasons prompting the crime	51
Table 5.2: Age at first exposure to cannabis.....	53
Table 5.3: Age at first consumption of khat (miraa)	53
Table 5.4: Age at first consumption of alcohol	53
Table 5.5: Type of drug consumed prior to the rape	54
Table 5.6: Access to pornography	61
Table 5.7: Age at first exposure to porn	62
Table 5.8: Occurrence of rape hallucinations.....	64
Table 5.9: View of the sex act	65
Table 5.10: Reasons for the sex not being coerced	66
Table 5.11: Reasons for protection.....	67
Table 5.12: Reasons for the blame	68
Table 5.13: Thoughts during the sexual encounter.....	69
Table 5.14: Concern for the offence	69
Table 5.15: Concern over how the family takes him.....	70
Table 5.16: Concern over how his peers and friends take him.....	70
Table 5.17: Intention to rape when the chance of not being caught is slim	71
Table 6.1: Reactions of the family members	80
Table 6.2: Eventual believing for those who denied	81
Table 7.1: Occupation before imprisonment	83
Table 7.2: Occupation before imprisonment for death row convicts	84
Table 7.3: Ethnic affiliation.....	87
Table 7.4: Ethnic affiliation of death row convicts	88
Table 7.5 Time of committing the crime	90
Table 7.6: Place of crime	90
Table 9.1: Cross tabulation of charges versus level of education.....	99
Table 9.2: Cross tabulation of charges versus drugs consumed.....	101
Table 9.3: Cross tabulation of charges versus eventual believing.....	102
Table 9.4: Spearman's Rho Correlations (Two-tailed test).....	105
Table 9.5: Spearman's Rho Correlations (One tailed test).....	106

ACKNOWLEDGEMENT

First and foremost, I would like to thank the University of Nairobi for granting me a scholarship through the Institute of Anthropology, Gender and African Studies (I.A.G.A.S) that enabled me to pursue my postgraduate training.

I would like to thank the Commissioner of Prisons for granting me permission to conduct this research in the prisons. Thanks to the Officers in Charge of Naivasha Maximum Security Prison, Kamiti Maximum Security Prison and Nyeri (King'ong'o) Main Prison for enabling me access the inmates. Thanks also to the social welfare officers in the three prisons who assisted in sampling the respondents. Special thanks to Corporal Douglas Mugendi, the social welfare officer of Naivasha Maximum Security Prison, for going out of his way to ensure that I got the information that I needed promptly.

I cannot forget to thank all my informants in the three prisons without whose participation, this work would not have materialized. I give thanks to all my key informants who shed more light on the topic under investigation.

I am particularly grateful to my supervisor Prof. Simiyu Wandibba for his encouragement to undertake this sensitive research. I am forever indebted to him for his intellectual guidance throughout my postgraduate studies and particularly in this study. I am thankful to Mr. Isaiiah Nyandega, Lecturer department of Geography and Environmental Science, University of Nairobi, for training me on how to use the SPSS and helping me throughout the entire period of data analysis. I am also thankful to him for providing me with the map that I have used in this study.

Thanks to Dr. Isack Hussein of the Cultural Heritage Department, National Museums of Kenya, for all the support that he gave to ensure that I complete this work in time. Special thanks to Mrs. Lydia Nderitu of the Institute of Anthropology, Gender and African Studies Library for all the encouragement and support that she gave me while writing up this thesis.

I am greatly indebted to my beloved wife Hilda Wanjiku for her support, encouragement and patience prior to our getting married and even after. Dear, you are one in a million. Surely, you may be the only one who understands what it means to be married to a researcher. And to our lovely son Melvin Muchoki who was born when I was in the middle of my studies. I say thanks for being patient with me in all the times that I have been away from you.

To all those who may not be mentioned here but they have made a contribution in one way or the other, I say thank you a million times. Que' Deu vue benisse tous.

Lastly, I give thanks to God for his abundant graces which have seen me through it all.

ABSTRACT

There are increased cases of rape against women and girls in Kenya despite the efforts that are being made to prevent its occurrences. This study was, therefore, designed to answer the following questions: What are the individual motivational factors that increase men's chances of raping women? What are the socio-cultural factors that may predispose men to raping women? Accordingly, the overall objective of this study was to explore and discuss the individual motivations and socio-cultural factors that predispose men to acts of rape in Kenya. The specific objectives of the research were to determine the individual motivations that may increase chances of men raping women and to investigate the socio-cultural factors that may predispose men to committing the crime.

Data were collected using the survey method, case histories and key informant interviews. In total, seventy-two inmates convicted of rape or attempted rape were drawn from Naivasha, Kamiti and Nyeri Main Prisons and subjected to a structured questionnaire. Unstructured interviews were undertaken with fourteen other inmates. This was aimed at re-writing the convicts' history, past experiences, their upbringing and socialization, and the individual motivations that may have prompted them to commit the sexual offence. An additional fourteen death row inmates from Naivasha Prison were subjected to a different set of a standardized questionnaire in which they gave their demographic details and described the rape episodes that they were involved in. Twelve key informants were subjected to in-depth interviews on the topic of rape.

The Statistical Package for Social Sciences (SPSS) was used in the analysis of the quantitative data. On the other hand, qualitative data from open-ended questions was organized and categorized on the basis of emerging themes which were then coded and the data entered into the computer. The qualitative data collected through unstructured and semi-structured interviews were sorted out, tabulated and interpreted in relation to the research objectives.

The findings suggest that a number of factors may predispose a man to rape. These factors could be either individual motivational factors, socio-cultural factors or a combination of these. The individual motivational factors include the use of drugs like alcohol and cannabis (bhang), marital problems which included conflicts with a spouse, separation or death of a spouse, inability to negotiate for consensual sex, rape as a form of sexual access, psychological factors like watching pornography and having rape hallucinations, rape as a form of impersonal sex and power and rape as a tool of punishing a woman. On the other hand, the socio-cultural factors include early childhood environment, gender-based inequality in society and peer influence. Finally, other factors identified that could predispose men to rape included occupation, poverty, place of origin, ethnic affiliation and having sex with underage girlfriends.

LIST OF ABBREVIATIONS

AIDS	Acquired immunodeficiency syndrome
CBS	Central Bureau of Statistics
PEP	Post Exposure Prophylaxis
GOK	Government of Kenya
HIV	Human Immunodeficiency Virus
KPS	Kenya Prisons Service
NGOs	Non-governmental Organizations
UNAIDS	The Joint United Nations Programme on HIV/AIDS
UNFPA	United Nations Population Fund
UNICEF	The United Nations Children's Fund
WHO	World Health Organization

Chapter One

Background to the Study

1.1 Introduction

Rape is the forced penetrative sexual act against another's will through violence, force, threat of injury, or other duress, or where the victim is unable to decline, due to the effects of drugs or alcohol (Smith, 2004). The related term, statutory rape, is where a sexual act is automatically considered rape by law, regardless of whether it was coercive or consensual. Such laws exist in order to prevent adults from having sex with minors, who are more easily influenced and therefore, are protected by being automatically deemed unable to give legally effective informed consent. Available data suggest that in some countries, nearly one in four women may experience sexual violence by an intimate partner and up to one-third of adolescent girls report their first sexual experience as forced (Matasha *et al.*, 1998).

Rape is one of the most prevalent types of sexual violence in our society today. Sexual violence is defined as any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise, directed against a person's sexuality using coercion, by any person, regardless of their relationship to the victim, in any setting, including but not limited to home and work (Jewkes, 2002). According to Tiemoko (2004), the widespread violence against women and girls that we see in our world today points to deeply rooted gender discrimination that must be tackled as a development, peace-building and human rights priority.

A number of factors may predispose a man to acts of rape. These factors could be either individual, socio-cultural or a combination of individual and socio-cultural factors. An individual may commit rape when an opportunity presents itself in his favour. For example, he may commit rape as a part of another crime like robbery (Scully and Marolla, 1985) or when he finds a drunk woman who is vulnerable to rape (Malamuth *et al.*, 2000). It has also been noted that childhood environments that are physically violent, emotionally unsupportive and characterized by competition for scarce resources are

associated with sexual violence (Dobash and Dobash, 1992). Studies on sexually abused boys have shown that around one in five continue in later life to molest children themselves (Watkins and Bentovim, 1992). This means that sexual violence is also a learnt behaviour in some men, particularly as regards child sexual abuse. In addition, an individual's social agents, which may dictate how he interacts with the other members of the society, may also have a bearing on chances of his committing rape. Studies show that men with sexually aggressive peers are much more likely to report coercive or forced intercourse than men lacking aggressive peers (Gwartney-Gibbs *et al.*, 1983). In addition, an individual may commit rape as a form of sexual access, to express his power and dominance against women or as a form of recreation and adventure (Scully and Marolla, 1985).

One of the socio-cultural factors that may predispose a man to rape is the view that women are 'sexual objects' to be used by men. This view, embedded in an individual's upbringing may lead him to commit rape (Dobash and Dobash, 1992) because it indicates that women are responsible for the rape (White and Rollins, 1981). Thus, the cultural view of rape as an act of sex and not violence against girls and women may actually propel a male to committing rape without a feeling of guilt on his part. This social learning process has its roots in the social and cultural environment an individual grows in or finds himself in later in life. Against the background of this information, rape can be viewed as resulting from an interplay of an individual's motivation to rape and socio-cultural influences.

1.2 Problem Statement

Rape is one of the many crimes committed against women and constitutes a serious harm to the survivor. It is a violation of women's rights and an abuse to a woman's body. Rape is also a crime against humanity and is an indicator of a perpetrator's corrupt moral values. As noted by Baber, "It is true that everyone has an interest in avoiding involuntary contact with others, particularly unwanted contacts which are intimate or invasive" (Baber, 1987:126). Accordingly, being raped violates such an interest hence

constituting harm. In addition, people have an interest in not being used as mere means for the benefit of others, an interest which is violated by rape.

In Kenya, there are increased cases of rape against women and girls despite the efforts that are being made to prevent its occurrence. Traditionally, as it is today, rape was never accepted in African societies (Palmer, 1989). This is because rape brings with it deep suffering for the survivor, the family and the community at large. Girls and women who have been raped are susceptible to sexually transmitted infections, including HIV/AIDS. Rape may lead to pregnancy and other gynaecological complications. In addition, it affects the mental health of the survivor leading to behavioural problems like depression, post-traumatic stress disorder and suicidal behaviour (Choquet *et al.*, 1997; Luster and Small, 1997). Rape is also associated with death as a result of suicide, HIV infection (Miller, 1999) or murder, which may occur either during the sexual assault or after the incident. Rape can also profoundly affect the social well-being of victims; individuals may be stigmatized and ostracized by their families and others as a consequence. In one study, for example, Nowrojee (1996) reported that Rwandan women who had been raped or who suffered sexual abuse generally did not dare reveal their experiences publicly, fearing that they will be rejected by their family and the wider community and that they would never be able to reintegrate or to marry. Thus, rape can lead to a woman's stigmatization, thereby leaving her feeling vulnerable and uncared for.

Studies on the long-term negative consequences of sexual coercion have shown that compared to young women who have never been sexually abused, those who have been abused tend to have more sexual partners (see, for example, Abma *et al.*, 1998). In addition, the studies indicate that these women have less control over the terms of sex, a lower likelihood of practising family planning and using condoms, and thus, higher chances of experiencing sexually transmitted infections and unwanted pregnancies (Boyer and Fine, 1992; UNICEF, 2000).

Rape has a substantial economic and social cost not only to the survivor but also to the society. According to Tiemoko (2004), violence against women and girls not only

threatens efforts to reduce poverty and poor health but also threatens efforts to advance peace and security. A lot of resources are used in taking care of the rape survivor due to the time spent and the cost incurred on counselling and treatment. This makes the problem of rape require urgent remedial measures since its occurrence has not only psychological, medical, social and economic implications to the survivor, her family and the community, but also to the country as a whole.

This study was therefore designed to answer the following questions:

- What are the individual motivational factors that increase men's chances of raping women?
- What socio-cultural factors may predispose men to raping women?

1.3 Objectives of the study

1.3.1 Overall objective

The main objective of this study was to explore and discuss the individual motivations and socio-cultural factors that predispose men to acts of rape in Kenya.

1.3.2 Specific objectives

1. To determine the individual motivations that may increase chances of men raping women.
2. To investigate the socio-cultural factors that may predispose men to rape women.

1.4 Justification of the study

Prevention of rape perpetrated against women and girls is likely to be successful if the real causes are identified so that appropriate intervention programmes are put in place to prevent new episodes from occurring. This study investigated the individual motivations and the socio-cultural factors that predispose men to acts of rape in Kenya. The study findings are aimed at contributing to other studies that have investigated the causes of rape in Kenya. The findings will be useful to stakeholders working in the field of sexual violence directed towards women and girls in Kenya. They could use these findings to put up interventions that would help to drastically reduce the chances of this form of

gender-based violence. These stakeholders include government agencies, non-governmental organizations and the civil society. Lastly, the study findings should also be useful in establishing effective ways of rehabilitating the culprits of rape and reintegrating them into the society; this is because doctors warn that such people, if not well rehabilitated, are likely to repeat the crimes, especially against children (Mildred Ngesa, Saturday Magazine, Saturday Nation, February 03, 2007). Thus, appropriate measures can be designed from this study to prevent occurrences of new rape episodes and to rehabilitate and re-integrate the perpetrators of rape into the family and the community at large.

1.5 Scope of the study

This study was intended to explore the reasons behind escalating cases of rape incidences committed against girls and women by men in Kenya. Although there are other types of rape, that is, male-male rape, female-female rape and female-male rape, the research specifically addressed the male-female rape. The individual motivational factors and socio-cultural factors that could have predisposed the respondents to committing the sexual offence were investigated. The study engaged convicted rapists who were still serving their sentences in Kenyan prisons.

1.6 Limitations of the study

This was a cross-sectional study that used structured and unstructured tools in eliciting information from the respondents. In view of the fact that the interviews took place in prisons and under the surveillance of security guards, some respondents did not feel free in terms of sharing their experiences. In addition, the researcher's explanation of rape was limited to only what the respondent said at that particular time. Since this study was conducted years after the sexual assault occurred, a respondent's recall could have been inaccurate, especially when the person was intoxicated at the time of the assault. This could have affected the reliability of the findings because, over time, respondents might change their perception of the way they look at the rape episode or episodes they took part in.

There was no available record in the prisons or elsewhere that the researcher could have used to sample convicts who were condemned to death and had participated in rape episodes. This is because there were no such records kept in the prisons for this category of prisoners. In addition, one could not tell the exact charges pressed against a condemned prisoner¹. Thus, the researcher only relied on informing all the condemned prisoners about the study and requesting those who had committed rape or attempted rape to volunteer themselves. Due to security reasons, it was difficult to interview condemned prisoners face-to-face and carry them through the items. Thus, the research incorporated self-administered questionnaires that these respondents could fill in. It was, therefore, difficult to probe the respondents especially on open-ended questions, and could have limited the quality of the information obtained.

¹ This refers to a prisoner who has been convicted and sentenced to death by a court of law.

Chapter Two

Literature Review

2.0 Introduction

This chapter covers a wide range of issues, which include the problem of rape in Kenya and the efforts that are being made by various stakeholders to stop its occurrence. The chapter reviews literature on the individual motivations and socio-cultural factors that may predispose a man to committing rape. Finally, the chapter discusses the theoretical framework that guided the study, formulates the hypotheses tested and operationalizes the variables.

2.1 Rape in Kenya

Though rape is an acknowledged widespread problem in Kenya, statistics are hard to come by (UNAIDS, 2006). According to this UN agency, the culture of silence surrounding rape makes collection of data on this sensitive topic particularly challenging. This is because, reporting of rape is difficult and intimidating and many women do not have the economic or educational capacity to negotiate the legal system (UNAIDS, 2006). Despite the challenges of reporting rape, however, cases are increasingly being reported. According to a report by Amnesty International (2002), rape in Kenya occurs in all social and ethnic groups and every day women are physically and sexually abused.

Rape is a crime that shocks and traumatizes the victim, and at the same time undermines the status of women and girls in the society. In the Kenyan law, rape is defined as "having sex with a woman or a girl without her consent or with her consent if obtained under threat, force or intimidation of any kind, fear of bodily harm or misrepresentation as to the nature of the act or by a person impersonating her husband"(Ministry of Health, 2004:6). In law, if the girl is less than 16 years, then she is deemed incapable of consenting to sex and, therefore, sex with her is considered rape even with her consent. Technically, in Kenyan law, the rape of a girl below 16 years is termed defilement. For the act to be considered as rape or defilement, there must be penetration of the vagina with the penis. Penetration within these guidelines refers to the partial or complete

insertion of the penis or other object into the vagina or anus. No ejaculation is necessary for penetration to be considered to have occurred (Ministry of Health, 2004:6).

2.1.1 Extent of rape in Kenya

According to UNAIDS (2006), Nairobi Women's Hospital receives an average of 18 cases of rape and incest each day. In addition, national studies confirm that between 40% and 50% of Kenyan women and girls experience different forms of violence (physical, verbal, or emotional) from childhood to adulthood. Women who are abused or live with the threat of violence do not have the privilege of choosing how to have sex (abstaining, being faithful or using a condom) (UNAIDS, 2006). This means that at least half of Kenyan women are unable to protect themselves from exposure to sexually transmitted infections including HIV/AIDS.

In a nationwide study of women aged 12 to 24 years, 25% said that they lost their virginity because of force (National Aids Council of Kenya, 2002). This has been confirmed by a recent study in the country, which found that among sexually experienced respondents, 21% of females had experienced sex under coercive conditions (Erulkar, 2004). As reported by Population Communications Africa *et al.* (2002), members of the immediate and extended families, 66% of whom are uncles, brothers and male cousins, most often perpetrate sexual abuse against girls in Kenya while abusers beyond the family tend to be peers, priests and other religious leaders and teachers who comprise over half of all abusers.

According to UNAIDS (2006), keeping girls in school and well educated is a top priority in the fight against AIDS and gender-based violence. Schools, however, are not necessarily a safe environment for girls to thrive, as older boys and teachers make up the majority of those who violate girls' rights (UNAIDS/WHO, 2004). UNAIDS (2006), has suggested the need to address the current legal system by enforcing existing laws and passing legislation on sexual offences as well as educating and involving men in eliminating violence against women. In order to involve men completely in stopping gender-based violence, there is need to find out what the individual motivations and

socio-cultural factors that predispose them to rape are. There is not much literature that investigates these factors in Kenya.

2.1.2 The response

2.1.2.1 Health sector

In 2004, the Ministry of Health produced the National Guidelines for the medical management of rape and sexual violence in order to address rape and sexual violence in Kenya (UNAIDS, 2006). The guidelines direct how to respond to the needs of survivors of sexual violence, such as unintended and unwanted pregnancy, transmission of HIV and other sexually transmitted infections, psychological trauma, and physical injuries. They also establish government standards of service provision to include counselling, treatment and management of injuries, sexually transmitted diseases, Post Exposure Prophylaxis (PEP), HIV care and pregnancy prevention.

2.1.2.2 Legal response: Laws and policies

There are considerable variations between countries in their approach to sexual violence and rape. According to Amnesty International (2002), some countries (not specified) have far-reaching legislation and legal procedures, with a broad definition of rape and with heavy penalties for those convicted as well as a strong response in supporting victims. At the other end of the scale, there are countries with much weaker approaches to rape. For example, there are countries where conviction of an alleged perpetrator on the evidence of the woman alone is not allowed. In others, certain forms or settings of sexual violence are specifically excluded from the legal definition, while still in others, rape victims are strongly deterred from bringing the matter to court for fear of being punished for filing an “unproven” rape suit (Amnesty International, 2002).

According to Amnesty International (2002), survivors of rape often face insurmountable obstacles in trying to bring the perpetrators to justice. Many women who have suffered rape or other forms of abuse are too intimidated by cultural attitudes and state inaction to seek redress. To do so can lead to hostility from family, the community and the police, with little hope of success. According to UNAIDS (2006), the rate of prosecution and

completed cases also remains low because of cultural inhibitions against publicly discussing issues of sex, the victim's fear of retribution, slow and inefficient criminal justice system and unavailability of doctors who can provide the necessary evidence for conviction.

Under Kenyan law, rape is classified under the "Offences Against Morality" Act, Chapter XV of the Penal Code. This law identifies three types of rape - rape, defilement and incest - which are classified according to the age of the victim and the relationship of the perpetrator to the victim. Each type of rape is seen as a separate criminal offence incurring different maximum sentences. Most often indecent act/assault² is put as an alternative charge of rape.

Under Section 139 of the Penal Code, "Any person who has unlawful knowledge of a woman or a girl, without her consent, or with her consent if the consent is obtained by force or by means of threats or intimidation of any kind, or by fear of bodily harm, or by means of false representations as to the nature of the act, or, in the case of a married woman, by impersonating her husband, is guilty of the felony termed rape "(Amnesty International, 2002: 4). Any male person who commits an indecent act or an act which causes penetration with a female person who is, to his knowledge, his daughter, granddaughter, sister, mother, niece, aunt or grandmother, is guilty of an offence termed incest regardless of the act being consensual or not. This includes circumstances where a child has been adopted by the father (Government of Kenya, 2006). Sections 140 and 141 provide a maximum sentence of life imprisonment with hard labour and corporal punishment for those convicted of rape. However, there is no minimum sentence specified. Amnesty International (2002) regards hard labour and corporal punishment as cruel, inhuman and degrading treatments. On the other hand, human rights organizations like the International Federation of Women Lawyers (FIDA) (Kenya), have expressed concern that sentences vary widely and are frequently too lenient (Amnesty International,

² Indecent assault refers to any intentional act which causes any contact between the genital organs of a person, his or her breasts and buttocks with that of another person, exposure or display of any pornographic material to any person against his or her will, but does not include an act which causes penetration (GOK, 2006).

2002). Because our laws do not provide a minimum sentence, magistrates are not bound to sentence convicted rapists to life imprisonment. They can sentence rapists to any amount of time below life (Amnesty International, 2002). This lenient punishment may account for the increased reports of rape since the perpetrators do not expect a harsh sentence in case they are taken to court.

According to the Ministry of Health (2004), the fact that sexual offences in Kenya are classified as 'offences against morality' undermines the seriousness of sexual abuse crimes and their devastating effects on the survivors. For example, women fear retribution when the rapist, if convicted, gets out.

2.1.2.3 Support groups

Other than the government, civil society organizations consisting of women's groups, religious organizations, and human rights groups have taken initiative to provide services, undertake civic education, provide shelter and halfway houses for rape survivors, and advocate for legislative and policy reforms. However, according to UNAIDS (2006), most women organizations focus on raising public awareness and providing services such as legal aid and representation for cases of domestic violence, sexual violence and property rights and children's custody.

2.2 Factors increasing men's risk of committing rape

Data on sexually violent men show that most men direct their acts at women whom they already know (Heise *et al.*, 1995). According to Crowell and Burgess (1996) at least 80 per cent of sexual assaults occur among persons who know each other. Past studies have identified some individual motivations and socio-cultural factors that tend to increase chances of a man raping a woman or a girl.

2.2.1 Individual motivational factors

2.2.1.1 Drug consumption- Alcohol and some drugs like cocaine (Grisso, 1999) have been shown to play an inhibiting role in certain types of sexual assault (Miczek *et al.*, 1994). Alcohol has a psychological effect of reducing inhibitions, clouding judgment and

impairing the ability to interpret cues (Flanzer, 1993). Research on the social anthropology of alcohol consumption suggests that connections between violence, drinking and drunkenness are socially learnt rather than universal (McDonald, 1994). Thus, alcohol may act as a cultural “break time”, providing the opportunity for antisocial behaviour (Abbey *et al.* 2001). This means that men are more likely to act violently when drunk because they do not consider that they will be held accountable for their behaviour.

Alcohol has also been identified as an aphrodisiac that increases sexual desire and capacity (Crowe and George 1989). Consequently, many men expect to feel more powerful, disinhibited, and aggressive after its consumption. Thus, According to Abbey *et al.* (2001), when a man is intoxicated, he can more easily focus on his immediate sexual gratification, sense of entitlement, and anger, rather than on his internalized sense of appropriate behaviour, future regret, the victim's suffering, or the possibility that he will be punished for his actions. However, these scholars conclude that some men may purposely get drunk when they want to act sexually aggressive, knowing that intoxication will provide them with an excuse for their socially inappropriate behaviour. This is because alcohol increases risk taking and recklessness (Lubit and Russett, 1984).

Lubit and Russett (1984) report that although bhang (marijuana) provides a pleasant experience, it can lead to anxiety, depression, impaired memory, confusion, difficulty in concentrating, impaired cognition and judgement, delusions³ and auditory hallucination⁴. In addition, the two note that higher doses may result in depersonalization⁵ and altered time sense. A good account of the effects of bhang on an individual is given by one man who reported thus: ‘I found that after using marijuana, I experienced a period of intense sexual arousal and suggestibility for about 40 minutes after which the effect seems to diminish... closely related to this phenomenon is the increase of fantasies, and the relaxation of the body. I strongly suspect that part of the excitement generated by pot

³ Delusions refer to false fixed belief, not subject to logical argument and discordant with a person's cultural background and intellectual level.

⁴ Hallucination refers to a false sensory perception not due to an external stimulus.

⁵ Depersonalization is a state in which an individual feels that he or his body is not real; there is a loss of the sense of one's own reality.

(bhang) is a result of psychological suggestion one suspects to be aroused after its use' (Koff, 1974: 196). It is such effects that could predispose a man to committing rape.

2.2.1.2 Psychological factors- Sexually violent men have been shown to be more likely to consider their victims as being responsible for the rape (Drieschner and Lange, 1999). Some psychological research has found that such men have coerced sexual fantasies (Dean and Malamuth, 1997) generally encouraged by access to pornography (Malamuth *et al.*, 2000) and that, overall, they are more hostile towards women. Sexually violent men are believed to differ from other men in terms of impulsivity and antisocial tendencies (Crowell and Burgess, 1996). Thus, a majority tend to have an exaggerated sense of masculinity. Sexual violence is also associated with a preference for impersonal sexual relationships as opposed to emotional bonding, with having many sexual partners and with the inclination to assert personal interests at the expense of others (Malamuth, 1998). It is such adversarial attitudes on gender, which hold that women are opponents to be challenged and conquered (Lisak and Roth, 1990), which increase the chances of men raping women.

2.2.1.3 Rape as a form of sexual access- Groth (1971) emphasizes the psychodynamic function of sex in rape arguing that the rapists' aggressive needs are expressed through sexuality. In other words, rape is a means to an end. However, Scully and Marolla (1985) argue that rapists view the act as an end in itself and that sexual access most obviously demonstrates the link between sex and rape. Rape as a means of sexual access also shows the deliberate nature of this crime. When a woman is unwilling or seems unavailable for sex, the rapist can seize what is not volunteered. In discussing his decision to rape, one man confessed to Sculla and Marolla (1985: 8) thus: "all the guys wanted to fuck her ... a real fox, beautiful shape. She was a beautiful woman and I wanted to see what she had". Thus, the attitude that sex is a male entitlement suggests that when a woman says "no", rape is a suitable method of conquering the "offending" object.

2.2.1.4 Rape as a form of impersonal sex and power- The idea that rape is an impersonal rather than an intimate or mutual experience has appealed to a number of rapists some of

whom have suggested that it is their preferred form of sex (Scully and Marolla, 1985). These findings suggest that the fact that rape allowed them (men) to control rather than care encouraged some to act on this preference. During an interview, a rapist confided to the two that he had been fantasizing about rape for several weeks before committing his offense. His belief was that it would be "an exciting experience- a new high". Most appealing to him was the idea that he could make his victim "do it all for him" and that he would be in control. He fantasized that she "would submit totally and that I could have anything I wanted" (Scully and Marolla, 1985:10). Eventually, he decided to act because his older brother told him, "forced sex is great, I wouldn't get caught and, besides, women love it". Additional information from Smith (1976) has shown that the popularity of violent pornography suggests that a wide variety of men have learned to be aroused by sex fused with violence.

2.2.1.5 Rape as a form of recreation and adventure- Findings from Scully and Marolla (1985) show that among gang rapists, rape represents recreation and adventure; another form of delinquent activity. Their findings reveal that part of rape's appeal was the sense of male camaraderie engendered by participating collectively in a dangerous activity. To prove one's self capable of "performing" under such circumstances was a substantial challenge and also a source of reward by the group. In addition, solitary rapists have also terms like "exciting", "a challenge", "an adventure", to describe their feelings about rape. Like the gang rapists, these men found the element of danger as making rape all the more exciting.

2.2.2 Socio-cultural factors

Instead of simply identifying how cultural conditions influence the frequency of rape, recent studies have become polarized into two fundamentally different viewpoints (Palmer, 1989). Some researchers assume that rape is 'a biological propensity artificially held by social institutions' (see, for example, Dusek, 1984). Other researchers have argued that though human sexual behaviour is based on a biological need, it is an expression of cultural forces (Sanday, 1981; Griffin, 1971). Nowadays, it is generally realized that genetic and environmental factors are necessarily involved in all behaviour

(Daly and Wilson, 1983). The present issue now concerns the role played by the social environment in the occurrence of rape, an issue with practical implications (Palmer, 1989). Among the factors increasing the risk of a man committing rape are those related to attitudes and beliefs, as well as behaviour arising from situations and social conditions that provide opportunities and support for abuse. Related to this is that societal norms around the use of violence as a means to achieve some objectives have been strongly associated with the prevalence of rape. As noted by Sanday (1981), in societies where the ideology of male superiority is strong- emphasizing dominance- rape is common.

2.2.2.1 Social attitude that the woman 'invited' the rape - Ethnographic data from pre-industrial societies show the existence of some rape-free cultures (Broude and Greene, 1976). Sanday (1979) relates sexual violence to contempt of female qualities and suggests that rape is part of a culture of violence and an expression of male dominance. In contrast, Blumberg (1979) argues that in pre-industrial societies, women were more likely to lack important life options and to be physically and politically oppressed due to lack of economic power relative to men. This meant that pre-industrial society's relative economic power enabled women to win some immunity from men's use of force against them. In contrast to this, a review of past studies in contemporary societies has led to the conclusion that community response to rape is being influenced by the belief people have in a "just world" (Lerner, 1980). This just world hypothesis leads to a sense that victims must have done something to deserve their fate of being raped (White and Rollins, 1981). This is very much related to the issue of externalization of blame for the rape. For example, a rapist could argue that the woman was dressed in a mini-skirt, a 'modern' form of dressing, or that she was walking alone at night. In this view, blame for the rape can be directed primarily at the woman and not at the assailant.

2.2.2.2 Rape as a form of 'punishing' rival men -Traditionally, men were responsible for the protection and control of women (Millet, 1971). According to him, in those earlier times, rape was considered as a crime committed against men rather than women because women were protected by their fathers as girls and swiftly transferred to the protection of their husbands on marriage. He observes that rape was traditionally viewed as an offence

one male commits upon another. Therefore, a man, consciously or unconsciously, may blame himself for having failed to protect the woman from being raped (White and Rollins, 1981). This attitude of sexually violating women to show conquer of one community or group against another is still evident in the present society (see, for example, Honwana, 2008).

*2.2.2.3 View of rape as a sexual act rather than an act of violence-*Another aspect of our cultural view of rape is the belief that rape is essentially a sexual act rather than an act of violence. In their analysis of husbands' and boyfriends' initial reactions to rape, Holstrom and Burgess (1979) stated that "... perhaps the most crucial underlying and typically unstated issue is whether the husband or the boyfriend sees the rape primarily as sex or primarily as violence" (p. 321). Although recent research supports the view of rape as a violent act, cultural definitions still centre on the view of rape as a sexual act. This cultural context makes it more difficult for families or a community to see the woman or the girl as a victim of violence. Thus, a man may justify the act by saying that he had sex with a woman and did not actually rape her. An example where rape is viewed as a sexual rather than a violent act is given by Human Rights Watch (2004) report which states that younger girls become extreme targets for abuse because of the false but widespread belief that sex with a virgin would cure AIDS. It was noted, for example, that one popular explanation for South Africa's high sexual assault statistics, and particularly the high incidence of rape of children, is the customary practice of virginity testing in South Africa which may expose girls to an increased risk of sexual violence by publicly marking them as targets for men who seek out virgin girls as sex partners (UNAIDS/WHO, 2004).

2.2.2.4 Gender-based inequality- As reported by Krug *et al.* (2002), rape is more common in societies where the ideology of male superiority is strong with emphasis on dominance, physical strength and male honour. According to the Institute of Development Studies (2007), gender norms in many societies tend to make men macho and women passive, thus making them (women) vulnerable in different ways to sexual related health problems and inhibiting access to services. Accordingly, women who are

financially, materially or socially dependent on men may have limited power to exercise control in relationships such as negotiating the use of condoms during sex. Similarly, social expectations about how women should behave can 'place' men in superior positions and increase their chances of sexually assaulting women.

Most feminists believe that sexual coercion is motivated by a desire to exert control over women and not out of lust. Rape, according to feminist theorists, is not necessarily a sexual act, but an act of violence (see, for example, Brownmiller, 1975). According to her, violence asserts power, and men use this to dominate women. Throughout history, men have learned that women could be controlled and traumatized by dominating them using sex (Malamuth, 1996; Brownmiller, 1975). Therefore, socialization prepares women to be "legitimate" victims and men to be potential offenders (Weis and Sandra, 1973). In addition, feminists view pornography as an important element in a larger system of sexual violence; they see it as an expression of a rape-prone culture where women are seen as objects available for use by men (Morgan, 1980). Based on the content analysis of 438 "adults only" books, Smith (1976) notes that not only is rape presented as part of normal male/female relations, but the woman, despite her terror, is always depicted as sexually aroused to the point of cooperation. In the end, she is ashamed but physically gratified. Thus, the message that women desire and enjoy rape, has more potential for damage than the image of the violence per se. According to Scully and Marolla (1984), men who rape use this culturally acquired vocabulary to justify their sexual violence.

2.2.2.5 Social environment- The social environment within a community is usually more important than the physical surrounding. Thus, how deeply entrenched a community's beliefs in male superiority and male entitlement to sex are, will greatly affect the likelihood of sexual violence taking place, as will the general tolerance in the community of sexual assault and the strength of sanctions, if any, against perpetrators (Roze, 1993).

Dobash and Dobash (1992) have noted that childhood environments that are physically violent, emotionally unsupportive and characterized by competition for scarce resources

have been associated with sexual violence. As reported by Crowell and Burgess (1996), sexually aggressive behaviour in young men, for instance, has been linked to their witnessing of family violence, and having emotionally distant and uncaring fathers. There is evidence to suggest that sexual violence is also a learnt behaviour in some men, particularly in regard to child sexual abuse. Studies on sexually abused boys have shown that around one in five continue in later life to molest children themselves (Watkins and Bentovim, 1992). Such experiences may lead to a pattern of behaviour where the man regularly justifies being violent, denies doing wrong, and has false and unhealthy notions about sexuality.

Bandura and Ribes-Inesta (1976) believe that aggression is learned through a process called behaviour modelling/imitation or observational learning. He believes that individuals do not actually inherit violent tendencies, but model them. He argues that individuals, especially children, learn aggressive responses from observing others, either personally or through the media and environment. He states that many individuals believe that aggression will produce reinforcements. These reinforcements can formulate into reduction of tension, gaining financial rewards, or gaining the praise of others, or building self-esteem (Seigel, 1992). Therefore, if aggression was diagnosed early in children. Bandura believes, the children would refrain from being adult criminals. He argues that aggression in children is influenced by the reinforcement of family members, the media, and the environment (Bandura and Ribes-Inesta, 1976).

In his Bobo doll experiment, Bandura had children witness a model aggressively attacking a plastic clown called the Bobo doll. The children would watch a video where a model would aggressively hit a doll: ‘...the model pummels it on the head with a mallet, hurls it down, sits on it and punches it on the nose repeatedly, kicks it across the room, flings it in the air, and bombards it with balls...’(Bandura, 1973:72). After the video, the children were placed in a room with attractive toys, but they could not touch them. The process of retention had occurred. Therefore, the children became angry and frustrated. Then the children were led to another room where there were identical toys used in the Bobo video. The motivation phase was in occurrence. Bandura and many other

researchers found that 88% of the children imitated the aggressive behaviour. Eight months later, 40% of the same children reproduced the violent behaviour observed in the Bobo doll experiment.

From the above experiment, Bandura (1977: 24-28) postulated that there are four component processes influenced by the observer's behaviour following exposure to models. These components include: attention; retention; motor reproduction; and motivation. Attention is the first component of observational learning. The children witnessed the Bobo doll being verbally and/or physically abused by live models and filmed models. Individuals cannot learn much by observation unless they perceive and attend to the significant features of the modelled behaviour (Allen & Santrock, 1993). In order to reproduce the modelled behaviour, the individuals must code the information into long-term memory (retention). Therefore, the information will be retrievable. For example, a simple verbal description of what the model performed would be known as retention (Allen & Santrock, 1993). Memory is an important cognitive process that helps the observer to code and retrieve information. In the Bobo doll experiment, the children imitated the aggression they witnessed in the video. They aggressively hit the Bobo doll because it was coded and stored in their memory. Next, the observer must be able to reproduce the model's behaviour (motor reproduction). He or she must learn and possess the physical capabilities of the modelled behaviour. An example of motor reproduction is to be able to learn how to ski or ride a bike. Once behaviour is learned through attention and retention, the observer must possess the physical capabilities to produce the aggressive act. The children in the experiment had the physical capabilities of hitting and pummelling the doll to the ground.

The final process in observational learning is motivation or reinforcements. In this process, the observer expects to receive positive reinforcements for the modelled behaviour. In the Bobo doll experiment, the children witnessed the adults being rewarded for their aggression. Therefore, they performed the same act to achieve the rewards. In an example, most children witness violence being rewarded by the media in form of movies in television. Consequently, they attend, code, retrieve and possess the motor capabilities and perform the modelled behaviour because of the positive reinforcement determined by

the media (Bootzin *et al.*, 1991.) The Bobo doll experiment helped Bandura to theorize that as children continue to grow, their experience still affected their personality, turning them into violent adults (Margaret, 1998).

Bandura and Ribes-Inesta (1976) report that individuals living in high crime rates areas are more likely to act violently than those who dwell in low-crime areas. In addition, they view television as a source of behaviour modelling. Today, films and television shows illustrate violence graphically. Violence is often expressed as an acceptable behaviour, especially for heroes who have never been punished. Since aggression is a prominent feature of many shows, children who have a high degree of exposure to the media may exhibit a relatively high incidence of hostility themselves in imitation of the aggression they have witnessed (Berowitz, 1962). An example of this is in the movie "Born Innocent", where a girl was raped with a bottle by four other girls. In 1974, a similar incident happened to a California girl. The girls who raped her testified in court that they had witnessed the same scene in "Born Innocent" (Margaret, 1998).

2.2.2.6 Peer influence - Sexual violence like gang rape is predominantly committed by young men (Bourgois, 1996). Review of past researches by Gwartney-Gibbs *et al.* (1983) suggests that men with sexually aggressive peers are also much more likely to report coercive or enforced intercourse outside the gang context than men lacking sexually aggressive peers.

2.2.3 Other factors that could predispose men to rape

2.2.3.1 Rape as a part of another crime- According to Scully and Marolla (1985) burglary and robbery commonly accompany rape. In their study, 39% of the individuals who had raped were convicted of one or many crimes especially robbery. In some cases, the original intent was rape and robbery was an after-thought. However, the researchers also found that a number of the men indicated that the reverse was true in their situation: the decision to rape was made subsequent to their original intent which was burglary or robbery. This was the case with a young offender who stated that he originally intended only to rob the store in which the victim happened to be working. He explained that when he found the victim alone, "I decided to rape her to prove I had guts. She was just there. It

would have been anybody” (Scully and Marolla, 1985:8). Indeed, a number of men in that research indicated that the decision to rape had been made after they realized they were in control of the situation. The attitude of these men towards rape was similar to their attitude towards burglary and robbery. If the situation is right, then they do it (rape).

2.2.3.2 *War* - Rape has been used as a weapon in war and conflict situations. According to Krug *et al.* (2002: 218), “rape is often used to terrorize and undermine communities, to force people to flee and to break up community structures”. Accordingly, refugees and internally displaced persons, especially women and children, who flee conflict and persecution, are at extreme risk of sexual violence in their new settings, including refugee camps. Brownmiller (1975) suggests that rape constitutes a conscious process of intimidation by which men keep women in a state of fear. According to Honwana (2008) sexual violence is, without doubt, one of the most frequent human rights abuses perpetrated during wars. To him, such violence constitutes an important war weapon which is approved and which, like the war itself, is used to 'keep the balance of society - or, from a women's perspective, the imbalance of society'. He notes that sexual violence is widely used in wars around the globe as a way of humiliating women and emasculating men.

2.2.3.3 *Poverty*- Poverty is linked to both the perpetration of sexual violence and the risk of being a victim of it. It is argued that the relationship between poverty and perpetrations of sexual violence is mediated through forms of crisis of masculine identity (Morell, 2001). Bourgois (1996) described how young men in East Harlem (New York) felt pressured by models of “successful” masculinity and family structure passed down from their parents’ and grandparents’ generations, together with modern-day ideals of manhood that also place an emphasis on material consumption. Trapped in their slums, with little or no available employment, these men are unlikely to attain either of these models or expectations of masculine “success”. In these circumstances, ideals of masculinity are reshaped to emphasize misogyny, substance abuse, participation in crime, xenophobia and racism. In such circumstances, gang rape and sexual conquest are

normalized, as men turn their aggression against women they can no longer control patriarchally or support economically (Morell, 2001).

2.3 Theoretical framework

This study was guided by two theories, the social learning theory and the feminist theory.

2.3.1 Social learning theory

Many social learning theorists have indicated that crime is a product of learning the values and aggressive behaviours linked with criminality (Margaret, 1998). Sutherland (1939) developed the differential association theory which suggests that individuals learn criminal behaviour while in their adolescence from family members and peers. On his part, Akers (1977) argues that individuals learn aggressive acts through operant conditions. In this process, the aggression is acquired after thorough direct conditioning and modelling others' actions. He believes that positive rewards and the avoidance of punishment reinforce aggression. Centerwall's (1993) study revealed that adolescents exposed to excessive amounts of watching television during their childhood became adult criminals. According to him, they (adolescents) committed crimes, such as rape and assault, at a rate 49% higher than teenage boys who had watched below average quantities of television violence. The view that social learning determines the presence or absence of rape is supported by reports of rape being explicitly encouraged or learned in the cultures where it occurs (Sanday, 1981). Sanday argues that rape is a socially learned behaviour that can be completely eradicated through social changes. He further notes that emphasis should be placed on identifying the ways in which certain cultures are inefficient in discouraging males from raping.

2.3.2 Feminist theory

Feminist theory views rape as emerging from a social framework that emphasizes group conflict. According to this theory, males have constructed a patriarchal society in which they are holders of wealth and power; thus, they engage in behaviours that maintain this control, whether consciously or unconsciously. In addition, men are stronger and have a sexual anatomy that makes rape possible. According to the theory, rape is a socially constructed concept. Hilberman (1976:438) contends that "...the ultimate elimination of

rape demands a massive restructuring of social values to include a reconsideration of the relations between the sexes." She and other feminists believe that rape will not be eliminated until sex roles are no longer defined by stereotypical expectations based on sex and power motives. According to Malamuth (1996), a system that discourages competition and instead encourages a sharing of resources and cooperation will aid in such a restructuring.

Brownmiller (1975) has used feminist theory to explain that power struggle is inherent in the manner in which the sexes are socialized. Women are taught to be passive and submissive, while men are instructed to be active and dominant. Tenderness, sensitivity, and empathy are encouraged in women and discouraged in men. Because of this, she argues, men are socialized to devalue women and develop masculine self-concepts. She goes on to contend that males develop hostility towards women and even learn to find sexual arousal from domination. According to Malamuth (1996), it is this power structure which maintains a hierarchical structure where violence is available and even necessary.

2.3.3 Relevance of the theories to this study

Social learning and feminist theories overlap in several ways, most importantly in their dual belief that sexist attitudes lead to increased motivation to rape. According to Ellis (1989), convicted rapists have been found to hold more violent attitudes towards women, and to be physiologically aroused to the same degree by non-consensual sexual behaviour. Research also suggests that rape is related to socio-political and economic disparities by suggesting that rape actually increases with less disparity between the genders, upholding the theory that men rape to maintain an existing hierarchy (Ellis, 1989). Both theories have useful observations about the antisocial results of pornography (either through watching or reading pornographic materials or through fantasy). Vicarious reinforcement explains how men can maintain a "rape myth" in the face of overwhelming evidence that women are angered and sickened by the mere idea of sexual assault. The pornographic portrayal of abducted females stirred to sexual ecstasy by their captors encourages men to hang on to a dehumanizing rationalization that women

secretly want to be taken by force. Thus, used together, the theories can comprehensively explain the individual and socio-cultural perspectives of rape.

2.4 Research hypotheses

The following hypotheses were formulated in order to guide this study:

1. Men with low level of formal education are more likely to commit rape than men with a higher education.
2. Men who have suffered from rape or attempted rape in their childhood are more likely to become perpetrators of rape in adulthood.
3. Men who grow up in societies that tend to gloss over issues of rape were more likely to engage in rape episodes in their later lives

2.5 Operationalization of variables

2.5.1 Dependent variables

Rape: This refers to a sexual assault involving some type of penetration (i.e., vaginal, oral, or anal) through force or threat of force; lack of consent; or where a person is unable to decline due to age, intoxication, or mental status. For the purposes of this study, rape of an adult, defilement, and incest of minors were treated as rape.

Attempted rape: This refers to an act that fits the definition of rape, in terms of the strategies used, but does not result in penetration. In this study, indecent assault of a woman or a girl and attempted defilement were treated as attempted rape.

2.5.2 Independent variables

Age: This is length of time in years that an individual has lived since birth. This study considered any person above the age of 18 years an adult and persons below the age of 18 years were regarded as children.

Formal education: This refers to the education that an individual receives from the established school system. This was measured in terms of attending a primary, secondary and tertiary institution.

Gloss-over: This is the act of covering up and denying the fact that a person had committed a sexual crime. This was measured by denial of the respondent's family to his committing the crime.

Sexual morality: This refers to the socially constructed 'uprightness' of sexual behaviour. In this study, the inmates were asked questions relating to the guidance they received from their real or classificatory parents relating to sexual matters.

Chapter Three

Methodology

3.1 Introduction

This chapter describes the research site, study design, study population and the unit of analysis. The chapter also describes the sampling strategy, the sample size, as well as the methods and instruments of data collection, how the data was processed, analysed and, finally, presented.

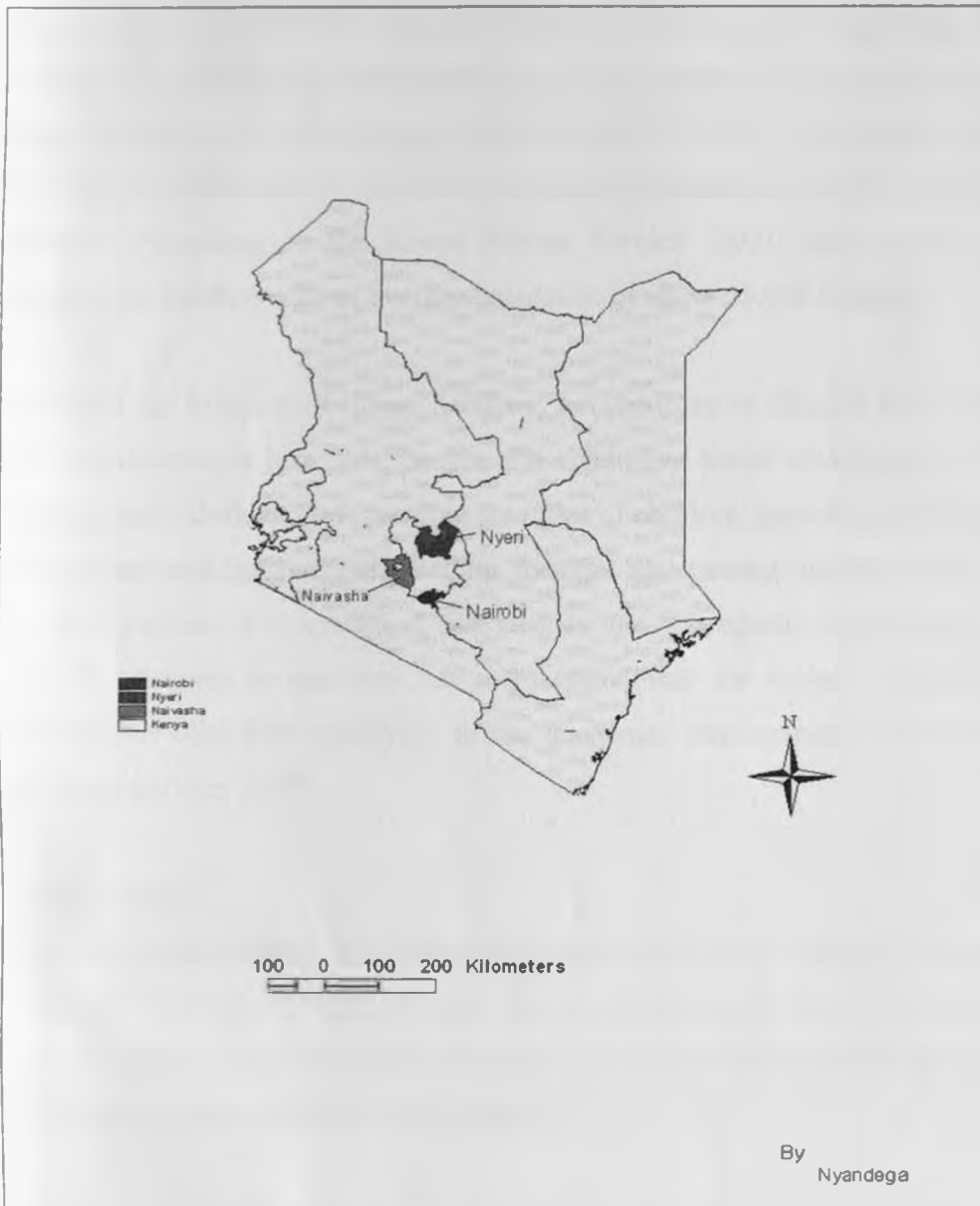
3.2 Research site

This study was conducted in three main prisons in Kenya. Managed by the Kenya Prison Service, all the prisons in Kenya are under the Ministry of Home Affairs in the Office of the Vice-President (Kenya Prisons Service, 2007). Specifically, the study sample was drawn from Kamiti, Naivasha and Nyeri main prisons which are located in Nairobi, Naivasha and Nyeri, respectively (Map 3.1). What is common among the three prisons is that in their custody are inmates with diverse criminal charges, including robbery with violence, murder and rape.

Kamiti Maximum Security Prison is located about fifteen kilometres off the northern outskirts of Nairobi city near Kahawa West Estate. Built in the colonial period, Kamiti prison is the largest penal facility in East and Central Africa (McLean, 2008). Currently, it is estimated that the prison has a population of about 4,500 inmates (Personal communication, Officer in Charge, Kamiti Maximum Security Prison, 2008).

Naivasha Maximum Security Prison is about eighty kilometres west of Nairobi. It is situated on the outskirts of Naivasha town, in the Rift Valley Province, and is about four kilometres away from Naivasha town. Built in the late 1969 (Casper Waithaka, Daily Nation, May 05, 2008), the prison has a population of 2,109 inmates (Personal communication, Officer in Charge, Naivasha Maximum Security Prison, 2008).

Nyeri Main Prison is located approximately two hundred kilometres off the North of Nairobi. It is situated about three kilometres from Nyeri town in Central Province. Currently, it is estimated that the prison has a population of about 1,500 inmates (Personal communication, Officer in Charge, Nyeri Main Prison, 2008).



Map 3.1: Map of Kenya showing the locations of Nairobi, Naivasha and Nyeri

3.3 Background to the Kenya Prisons Service

The Kenya Prisons Service has grown gradually since its inception on 1st April, 1911 (Kenya Prisons Service, 2007). According to the Prisons Service, at its inception, the prisoner population was at 6,559 with a staff strength of 319. There has been gradual increase in both staff and prisoner population to-date. By the year 2006, the authorized uniformed posts stood at 17,943 while the civilian posts were at 661, totalling 18,604 (GOK, 2006). As of today, the Prisons Act (Cap.90) and Borstal Act (Cap.92) empower the Prisons Service to contain offenders in safe custody in order to rehabilitate, reform, and facilitate administration of justice for community protection, stability and social reintegration. According to the Kenya Prisons Service (2007) there are 93 penal institutions in the republic with an average population of about 55,000 inmates.

The mission of the Ministry of Home Affairs is to contribute to efficient public service delivery by promoting a just, safe, secure and conducive social environment through rehabilitating social deviants, safeguarding the rights of children, providing probation and aftercare services and regulating the betting, lotteries and gaming industry. One of the prisons' core functions is to contain in safe custody and subsequent rehabilitation of all categories of prisoners so that they are re-integrated into the society as responsible citizens who can contribute positively to the economic development of the country (Kenya Prisons Service, 2007).

3.4 Study design

This study was cross-sectional and utilized both quantitative and qualitative methods of data collection. The study instruments were piloted and pre-tested before embarking on actual data collection. The fieldwork was carried out between the months of January and February 2008 and was conducted in two phases.

The first phase involved quantitative data collection using a structured questionnaire, which was administered face-to-face. A total of 72 inmates were subjected to this instrument. In addition, 14 inmates who had been condemned to death in Naivasha Maximum Security Prison were subjected to a different set of a standardized

questionnaire .The second phase involved subjecting 14 inmates to informal unstructured interviews. Lastly, 12 key informants were subjected to in-depth interviews on the topic of rape. All the unstructured interviews were audio recorded using a digital voice recorder.

3.5 Study population

The study population consisted of all inmates in the Kenyan prisons who had been convicted of rape or attempted rape. However, it was not possible to establish the exact number of such inmates from the prisons authorities.

3.6 Sample population

The sample population consisted of seventy-two inmates who have been convicted of rape or attempted rape. I considered seventy-two respondents to be a fair representation of the population and testing of the research hypotheses. The individual inmate was the unit of analysis.

3.7 Sampling procedure

Different sampling procedures were used in this study. The choice of a sampling procedure was dependent on the availability of records necessary in the construction of a sampling frame. According to the Social Welfare Officer in Kamiti Maximum Security Prison, the prison, at the time of the study, did not have any records showing the total number of inmates convicted of rape or attempted rape. Since it was difficult, thus, to construct a sampling frame for these inmates, the researcher relied on the officer to randomly identify any prisoners known to him who had been convicted of rape or attempted rape. In total, twelve prisoners were identified.

According to the Social Welfare Officer in Naivasha Maximum Security Prison, there were about six hundred inmates charged with rape or attempted rape during the period of study. Due to lack of exact records that could have been used to identify their exact number, all the inmates charged with rape or attempted rape were requested by the officer

to gather in one hall. Each of the inmates gathered was given a number different from the rest. A lottery was carried out and a total of forty respondents were sampled.

The total number of inmates convicted of rape and attempted rape in Nyeri Main Prison, as per the prison record book, was one hundred and thirty individuals. A sampling frame was constructed from this book. Each individual's name was assigned a numeric number and a table of random numbers used to select twenty individuals who took part in this study.

3.8 Methods of data collection

3.8.1 Primary sources

Different data collection methods were employed in order to look at the topic under investigation from different points of view. This was deemed necessary so as to help validate observation and information. The methods of data collection used are discussed below.

3.8.1.1 Survey method

This was conducted through a structured questionnaire (Appendix A). Informants were asked to respond to a set of open-ended and closed-ended questions touching on their demographic characteristics, early life and the reasons that they think predisposed them to committing the sexual offence. This technique was used to explore the individual motivation factors and socio-cultural factors that increase chances of males to commit rape. In total, 72 respondents were interviewed using this instrument in face-to-face interviews.

3.8.1.2 Case histories

Unstructured interviews were undertaken with convicted rapists who voluntarily agreed to take part in the study. This technique was aimed at re-writing the convicts' history, past experiences, their upbringing and socialization, and the individual motivations that may have prompted them to commit the sexual offence. In total, fourteen inmates gave detailed information of their family background and their general upbringing. An additional 14 inmates who had been condemned to death gave their demographic details and described the rape episodes that they were involved in.

3.8.1.3 Key informant interviews

Key informant interviews were used to collect information from professionals and government officials who have worked closely with rape/ attempted rape perpetrators and survivors. These informants included a psychiatrist, a clinical pharmacist, a social worker, a probation officer, two criminal investigation officers, three social welfare officers and three assistant chiefs. The information sought from these informants was on the individual motivations and socio-cultural factors that predispose men to rape. An interview schedule (Appendix B) was used to obtain information from twelve informants.

3.8.2 Secondary sources

Journals, theses, government official publications and books were used to gather background information to the study. In addition, these sources continued to act as reference materials during the entire period of the study.

3.9 Data processing, analysis and presentation

The Statistical Package for Social Sciences (SPSS) was used in the analysis of the quantitative data. A code book was constructed and all the closed-ended items in the questionnaire coded. Qualitative data in form of answers to the open-ended questions were organized, summarized and coded before entering the data into the computer. Measures of central tendency were used to show the characteristics of the data and frequencies to show the distribution. Descriptive methods used frequency distribution to get the tendency in the sample data distribution. Tendency was mostly used to explain the observed aggregation or dispersion in the sample data distribution. The aggregation tended to indicate the expected while the dispersion tended to indicate deviation from the expected. These measures were illustrated using bar charts and pie charts to facilitate easier visualization.

To further analyse the observed distribution, cross-tabulations were used as an indicator of association and differences in terms of frequency scores. The observed differences in variable association were tested for significance using the chi-square statistic. Significant tests in all cases of cross-tabulations analysis were as $\alpha = 0.05$ (95%) confidence level.

Indications of association were tested in terms of strength of association using Spearman's rank correlation. Most of the associations observed were weak, indicating lack of variation as most respondents tended to belong to the thirty-year old category, tended to share same form of religious affiliation, had a family structure with both parents, grew up in relatively non-abusive environments and had dropped out before completing primary school. Variables that indicated some significant association, even though the association was weak, were age and place of sexual violence while charges tended to be significantly related to form of family relationship and age of girl at the time of offence. The relationships of the variables in the hypotheses were tested using the chi-square.

Qualitative data collected using unstructured and semi-structured interviews were sorted out, tabulated and interpreted in relation to the research objectives. The findings from these data are presented according to emerging themes. Other methods, for example, content analysis, discourse analysis, direct quotations and selected comments, narratives and verbatim quotes were used in presenting the findings. Where these quotes were in a language other than English, they were translated into English. Finally, the data gathered from the death-row inmates were presented unedited in order to provide the inmates with a chance to talk directly to the reader, and so enable the reader to draw his or her own conclusions.

3.10 Problems and their solutions

Sex is a taboo subject in most African communities. Therefore, many people especially those who have a lower education are more hesitant to talk about it. This research explored the subject of sex in a more sensitive way because it was addressing the subject from the perspective of sexual violation against women and girls. It was thus difficult to convince inmates to participate in the research because of the guilt. It was also difficult to create a conducive environment in which the respondent felt free to respond to the questions and share his experience. This situation was most common among respondents who had already filed an appeal of their cases in a court of law. To solve these problems

the researcher took adequate time to explain the objectives of the research and the freedom of a respondent to decline to continue with the research before, during or even after the interview. Confidentiality was also guaranteed by ensuring that the interview took place in a private room. Some of the respondents declined to participate in the study, and so had to be replaced with others.

Due to prison rules the researcher could not access these respondents for face-to-face interviews. To solve this problem, the researcher developed a self-administered questionnaire, which had a set of open-ended and closed questions. The respondents were required to indicate their demographic background, all the charges preferred against them and to write a detailed account of the rape episode. Of the twenty questionnaires given out, fourteen were filled in and given back.

3.11 Ethical considerations

All the ethical observations in conducting social science research were adhered to. Specifically, the sample population was carefully handled and where the respondents did not prefer the use of their real names in presentation of the data, pseudo-names were used. The ethical principle of respect for people's privacy, beneficence and justice was upheld during the entire period of the study. The research subjects were informed of their right to choose whether to participate in the research or not, and were guaranteed the right to withdraw from the study at any time. The study was conducted in full knowledge and consent of the Ministry of Education, Science and Technology and the Kenya Prisons Service. Finally, the researcher was aware of his responsibility to the discipline, the study population, the sponsors and the government. Therefore, cases of adulterating the research findings were avoided at all costs.

Chapter Four

Socio-demographic and other Factors about the Study Population

4.0 Introduction

This chapter presents the demographic characteristics of the respondents, their past sexual life, any past criminal activities and the charges preferred against them.

4.1 Demographic characteristics of respondents

4.1.1 Age

A total of 72 inmates participated in the survey. From the frequency distribution plot, indication was that ages of the respondents were skewed to the left and thus the use of the mean as the measure of average was not appropriate. In addition, the modal age could not be generated due to the existence of multiple modes in the survey sample distribution (5 respondents reported that they were 25 years old while 5 other respondents reported being 30 years old). This necessitated the use of the median as a measure of the average age instead of the mean or the mode. The median age of the respondents was 35 years. This is presented in Figure 4.1 below.

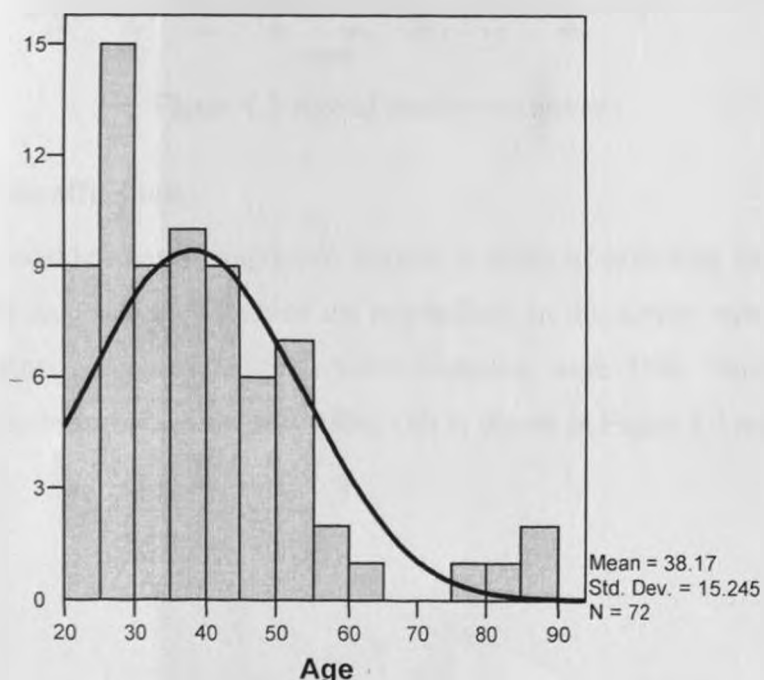


Figure 4.1: Age of respondents

When the ages of death row convicts were considered, indication was that their average age was around 33 years (see, Figure.4.20, below). This seemed to support the findings from the survey which indicated that most of the sexual offenders tended to be in their early 30s. The age distribution of the death row convicts is as shown in Figure 4.2 below. As in the survey data, the mode could not be used as a measure of the average due to the fact that it existed more than once (2 respondents reported that they were 30 years old while 5 other respondents reported being 40 years old).

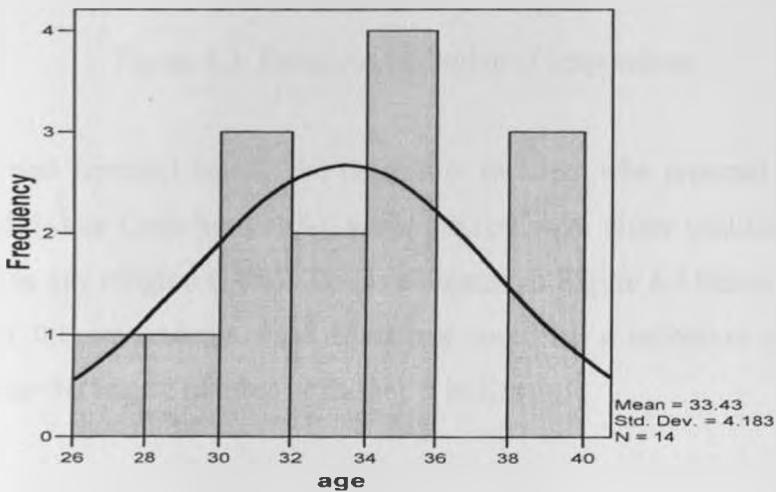


Figure 4.2 Age of death-row convicts

4.1.2 Religious affiliation

Religion was considered as an important variable in terms of exploring its significance in the lives of the respondents. Most of the respondents in the survey were Christians, of whom Protestants accounted for 55% while Catholics were 31%. Muslims and other religious adherents accounted for only 14%. This is shown in Figure 4.3 below.

UNIVERSITY OF NAIROBI
SCHOOL OF AGRICULTURE
LIBRARY.

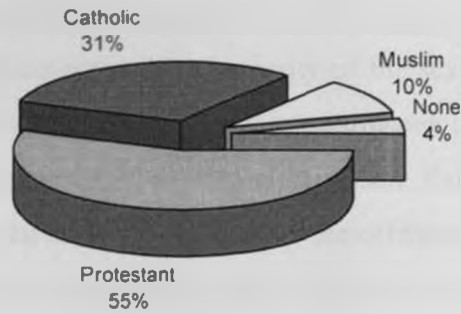


Figure 4.3: Religious affiliation of respondents

This pattern was repeated among the death row convicts who reported that they were Protestants (58%) or Catholics (21%), while the rest were either traditionalists (7%) or not affiliated to any religion (14%). This is presented in Figure 4.4 below. The fact that a majority of the respondents were Christians could be a reflection of the fact that Christianity has the largest number of followers in Kenya.

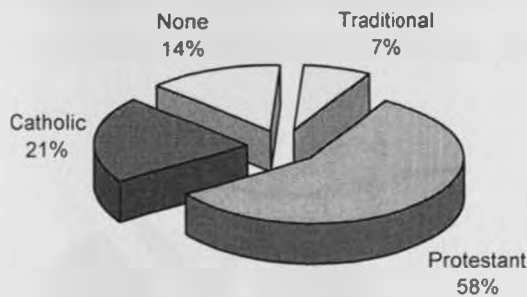


Figure 4.4: Religious affiliation of death row sex offenders

4.1.3 Marital status

The variable marital status was used in this study as an indication of the respondent's conjugal association. Marital status was reported for each person as being single, married, separated or widowed. It was expected that a majority of the sexual offenders would be single men who presumably had fewer chances of accessing sex unlike the married men. Contrary to this expectation, analysis of the survey data showed that 52% of the respondents were married by the time they committed the offence, 29% were single while 11% were separated by the time of the offence. Only 8.3% were widowed (Figure 4.5).

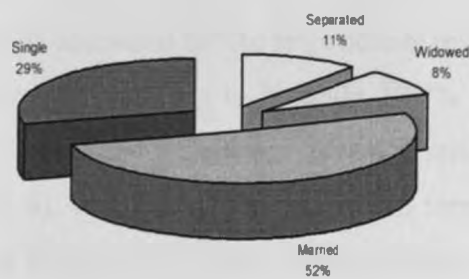


Figure 4.5: Marital status of respondents

This pattern is repeated among the death-row convicts (Figure 4.6) with indication that 50% of the death row convicts were married by the time they committed the offence.

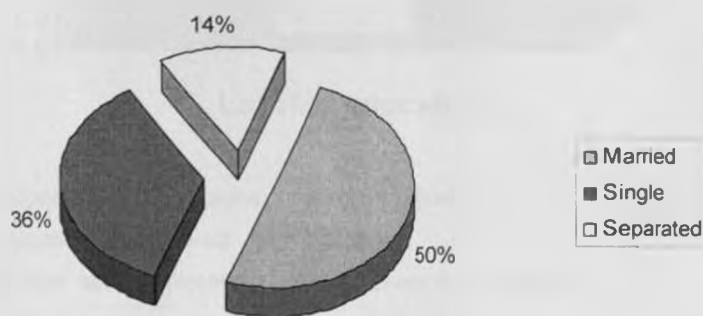


Figure 4.6: Marital status of death row convicts

Analysis of both the survey data and that from death-row convicts indicated that the second largest group charged with the sexual offences were single men followed by those who were separated. The tendency for married men to commit rape is, presumably, a reflection of the crisis in the marriage union. Arguably, the reasons that predispose men to extra-marital affairs might be the same reasons that would predispose some of them to committing rape/defilement. These factors may include desire to escape or find relief from a painful relationship, boredom or revenge (to get back at their partner for one reason or another).

4.1.4 Highest education level

Exploring the highest level of education for the respondents revealed that 31.9% of them did not complete upper primary (classes 5 to 8) while 27.8% did not go beyond lower primary (class 4). Only 19.4% had completed primary school (class 8), 5.6% had completed secondary (form 4), 4.2% did not study beyond form 2, while 11.1% did not have any formal education (Figure 4.7). These results suggest that most of the sexual offenders (CF-90.2%) had either no formal education or had not gone beyond primary school.

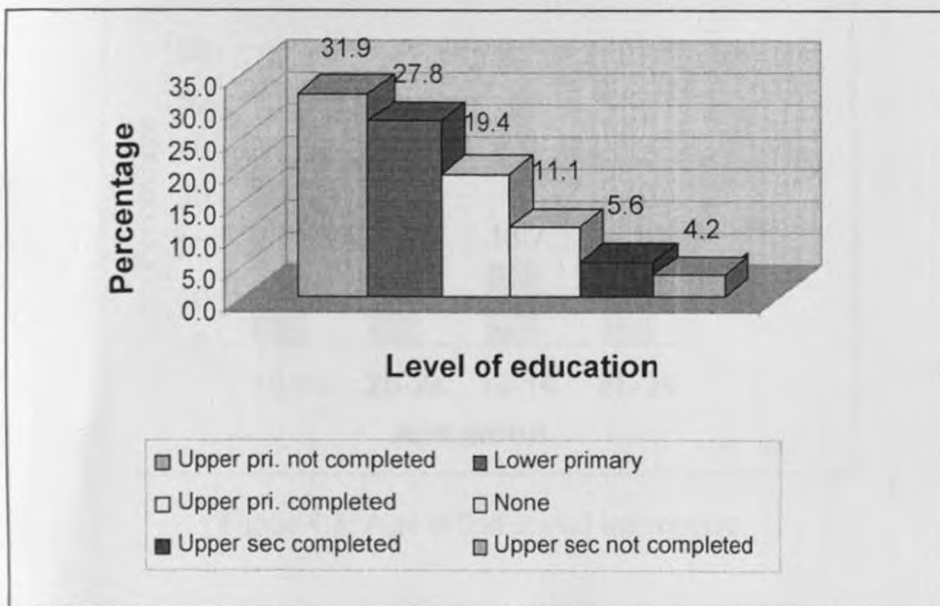


Figure 4.7: Level of education

4.2 Past sexual life

It was important in this study to explore the sexual life of the respondents in order to investigate their past sexual experience and identify any pervasions among them. About 93% of the respondents reported to have had a sexual intercourse experience before the material day that they committed the crime. All these respondents reported that they had sex with females only and that their first sexual intercourse was not coerced. Only 6.9 % had their first sexual intercourse during the rape/defilement time. Analysis of the survey data revealed that among the respondents who had sex for the first time during the rape episode (N=5), 60% were between ages 20 and 22 while 40% were between ages 27 and 30 years. The first category (60%) included young single men who had been exposed to pornography and drugs (bhang). The second category (40%) included men who were exposed to alcohol and bhang. It should also be noted that all these respondents defiled girls of ages 5-9 years. Figure 4.8 below shows the age of the offenders at first sexual intercourse.

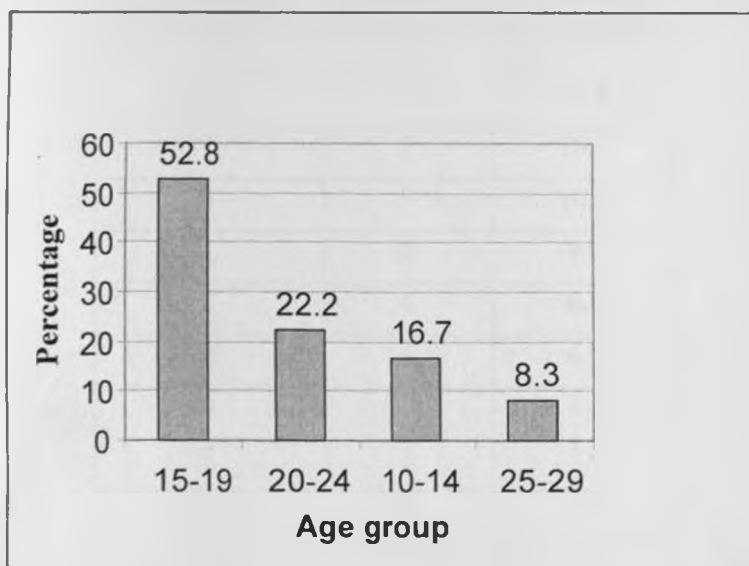


Figure 4.8: Age at first sexual intercourse

The comparative age of the sexual partner at first sexual experience was sought in order to investigate the tendency of the respondents to commit rape at the onset of their sexual debut. About 43% of the respondents had their first sexual experience with younger

partners. 36.1 % had their first sexual intercourse with partners of approximately the same age while 20.8 % had sex with older partners. Though all the respondents who had previous sexual intercourse before the offence reported that their first sexual intercourse was consensual, indication was that a majority of them (52.8%) had sex with an underage girl. Thus, by Kenyan law, the sexual encounter was defilement (rape of a girl below 18 years old).

When asked about the number of sexual partners they had prior to committing the sexual crime, 97% of them reported to have more than one sexual partner. Among them, only 7.4% reported consistent use of a condom every time they had sex with their sexual partners. Table 4.1 below shows the number of sexual partners as reported by the respondents.

Table 4.1: Number of sexual partners

Number	Frequency	Percentage
10	16	23.9
5	8	11.9
1	7	10.4
4	7	10.4
3	6	9.0
2	4	6.0
50	4	6.0
6	3	4.4
7	2	3.0
8	2	3.0
20	2	3.0
30	2	3.0
40	2	3.0
9	1	1.5
16	1	1.5
Total	67	100.0

Of the total respondents who had sex prior to committing the offence (N=67), 14.9% reported to have been infected with a sexually transmitted disease, which included either syphilis or gonorrhoea. This means that 14.9% could have exposed themselves to the deadly HIV/AIDS virus, thus predisposing their victims to HIV/AIDS including other sexually transmitted infections.

4.3 Past criminal-related activities

This variable was used to investigate any form of indulgence of crime by respondents in their past lives. Of the total number of respondents (N=72), 18.1% had been previously convicted in a court of law with various offences. However, most of the respondents (81.9%) were first offenders and did not have any past criminal record. The form of previous convictions reported by the respondents included robbery (30.8%), possession of bhang (15.4%), indiscipline as a child leading to the offender being taken to approved school (15.4%), breaking and stealing (7.7%), chang`aa brewing (7.7%), obtaining money through false pretences (7.7%), assault (7.7%) and drinking and behaving disorderly (7.7%). Of the respondents who had sexual intercourse prior to the offence (N=67), 4.3 % had previously raped. One point four per cent of the respondents had raped once while 2.8% had raped up to 5 times each. The fact that rape was not reported by any respondents as constituting a past crime is an indication that the respondents who committed the crime were not charged in a court of law.

4.4 Year of imprisonment

Indications from the survey data were that there was an increase in the convictions of sexual offenders especially in the year 2007. In total 34.7% of the respondents were convicted in that year alone. This could have been as a result of the enactment of the sexual offences legislation. It could also have been an indication of the increased cases of sexual violence that have escalated over the recent years and the interventions being made to investigate and bring the perpetrators to book. The years of imprisonment are shown in Table 4.2 below.

Table 4.2: Year of imprisonment

Year	Frequency	Percentage
2007	25	34.7
2006	14	19.4
2005	11	13.9
2004	14	19.4
2003	3	4.2
2002	2	2.8
2001	1	1.4
2000	1	1.4
1999	1	1.4
1997	1	1.4
Total	72	100.0

The years of imprisonment of the death row convicts, as shown in Table 4.3 below, display a different pattern from that in the survey. This could be due to the fact that robbery with violence was the primary crime that these respondents were arrested for, and that rape came as an additional charge during the prosecution.

Table 4.3: Year of imprisonment of the death row convicts

Year	Frequency	Percentage
2007	1	7.1
2006	2	14.3
2005	1	7.1
2004	3	21.4
2003	3	21.4
2002	2	14.3
2001	1	7.1
1999	1	7.1
Total	14	100.0

Exploring the duration of sentences from the survey data revealed that 31.9% of the offenders were sentenced to between 10 and 14 years, 23.6% between 15 and 19 years, 19.4% between 5 and 9 years, 11.1% between 20 and 24 years, 8.3% were convicted for life, 2.8% were imprisoned for between 25 and 29 years, while 2.8% were imprisoned for between 30 and 34 years. This is represented in Figure 4.9 below.

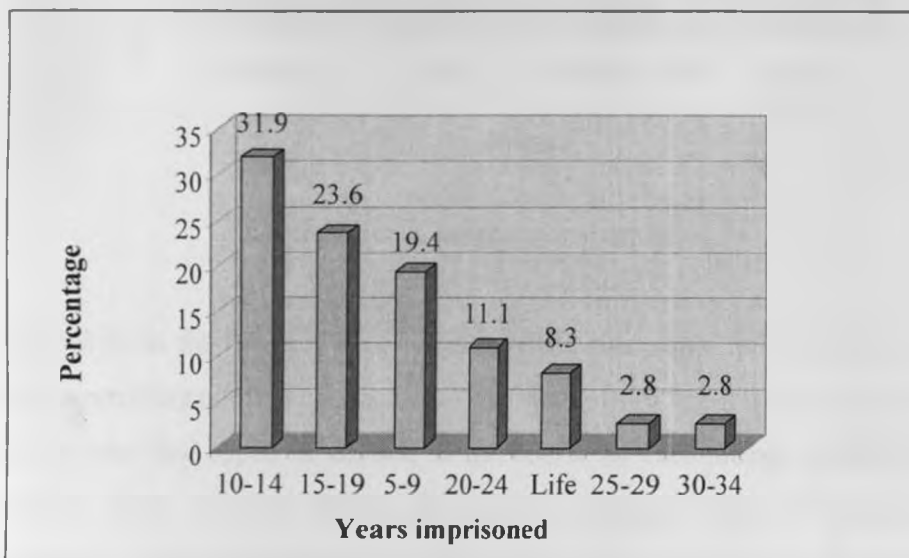


Figure 4.9: Duration of sentences

4.5 Charges

Most of the rape cases involved girls below 18 years of age. As indicated by the survey data, 63.9% of the respondents were convicted of defilement charges only, 23.6% were charged with rape, 9.7% were charged with attempted rape, and 2.8% were charged with indecent assault. Only 6.9% were charged with attempted rape. The rest of the respondents were convicted of multiple offences ranging from defilement/rape, attempted indecent assault to unnatural offence. This is shown in Figure 4.10 below.

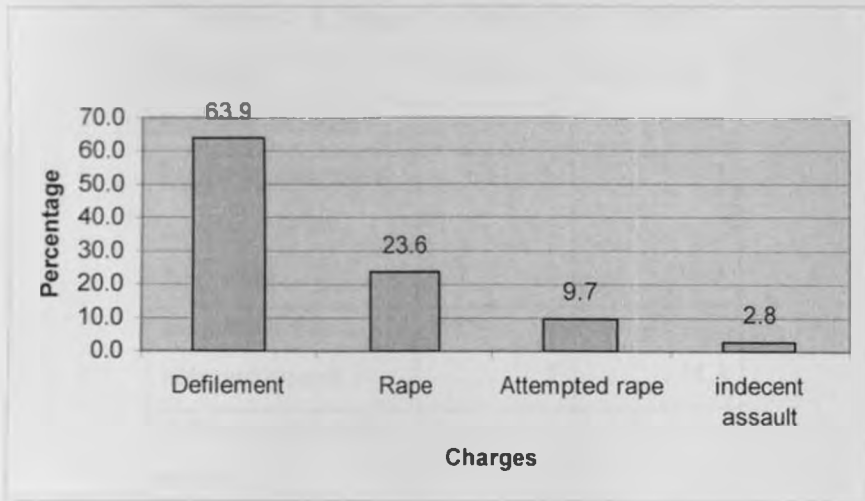


Figure 4.10: Charges of respondents

Data collected from the death row convicts revealed that some men commit rape in the process of committing another crime. It was the intention of this study to interview death-row convicts who had raped or defiled in the course of committing robbery. From the study results, there was no death row convict charged with defilement. This is presumably due to the fact that most of them seized their victims during the course of the robbery in order to express power over them. Of those on the death row, three reported to have raped twice. Table 4.4 below shows the charges of the death row convicts interviewed.

Table 4.4: Charges for death row convicts

Charges	Frequency	Percentage
Robbery and rape	7	50
Robbery, rape and handling stolen properties	2	14.3
Robbery and indecent assault	2	14.3
Robbery, rape and assault	1	7.1
Robbery, rape and possession of fire arm	1	7.1
Robbery, rape, possession of fire arm and murder	1	7.1
Total	14	100.0

Of the total number of respondents in the survey who committed rape/defilement (N=63), 55.6% agreed that they forced their victim into sex while 44.4% believed that it was not coerced. Further investigation of the demographic characteristics of the victims revealed that 88.9% of the respondents abused a victim who was younger than they. This occurrence could be due to the fact that the victims were young and probably weaker, thus making them an easy target. The victims could have also trusted the offenders because of the age factor. About 8% abused victims older than they while only 2.8% abused victims of almost the same age. In addition, of the total number of respondents who raped/ defiled (N=63), 96.8% had vaginal sex only while 1.6% had vaginal and anal sex while 1.6% had oral sex.

4.6 Age of the defiled girls

As shown in Figure 4.11 below, of the total number of girls who were sexually assaulted (N=49), 37% of the respondents reported to have defiled girls of between 10 and 14 years old. 35% reported to have defiled girls of between 5 and 9 years, 18% reported to have defiled girls of between 15 and 19 years, while 10% reported to have defiled girls of between 1 and 4 years. Most of the girls, who were between 10 and 14 years might have been going through the initial stages of puberty and were probably taken advantage of due to the changes that they were experiencing in their bodies. These girls could have also wanted to experiment with sex due to enticement or persuasion from the offenders who had targeted them or from their friends who had experimented with sex at the time. The group that was 10 years and below could have been taken advantage of because of their young age and due to the fact that they were very vulnerable and weak in terms of physical strength. This is the group that would have been easily enticed with sweet things like mandazi, chapati, samosa and sweets that most children like eating.

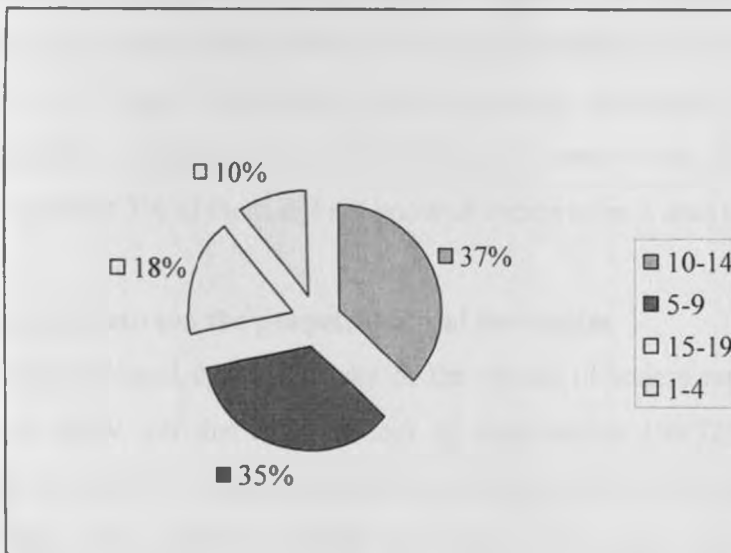


Figure 4.11: Age of the defiled girls

Of the respondents that sexually molested a relative (N=12), 41.7% raped their step-daughters, 33.3% their blood daughters while 8.3% raped their nieces. The rest raped a cousin (8.3%) and a distant relative (8.3%). This is shown in Table 4.5 below.

Table 4.5: Relationship with the victim

Relationship	Frequency	Percentage	Cumulative Percentage
Step-daughter	5	41.7	41.7
Blood daughter	4	33.3	75.0
Niece	1	8.3	83.3
Cousin	1	8.3	91.7
Distant relative	1	8.3	100.0
Total	12	100.0	

Men who raped their stepdaughters presumably would have committed the crime with a justification that they were not related in any way and thus they considered having sex with them as not being incestuous. According to one social worker working in an organization assisting rape victims, most of the men who rape their stepdaughters distance themselves from any relationship with the girl.

4.7 Perpetrator's area of residence in relation to that of the victim

Analysis of the survey data revealed that 86.1% of the respondents were residing near or in the woman's or girl's area of residence by the time they committed the crime. About 11% of the respondents reported to have been residing far away from their victim's area of residence while about 3% of them did not know of their victim's area of residence.

4.8 Relationship between the perpetrator and the victim

The study findings indicated that a majority of the sexual offenders raped women/girls that they already knew. Of the total number of respondents (N=72), 63% sexually violated an acquaintance, 17% molested relatives, 12% molested their friends, while 6% molested strangers. Data analysis revealed that those respondents who did not know where their victims came from (2.8%) are the ones who raped/defiled strangers. One per cent molested an employer while another one per cent was accused of molesting an underage girl but whom he considered to be a wife he had married traditionally.

This is shown in Figure 4.12 below.

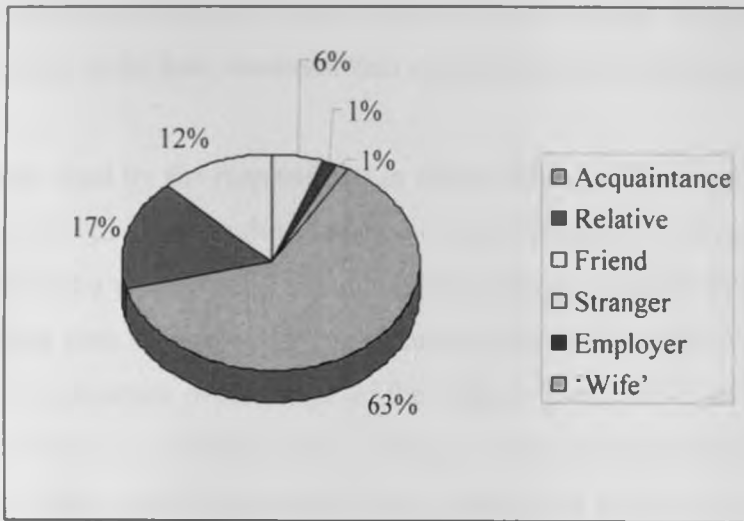


Figure 4.12: Relationship with the victim

It is clear from Figure 4.13 that a majority of the respondents sexually molested girls/women who were acquaintances.

4.9 Use of condom in rape

It was revealed from the survey that of the total number of respondents who committed rape (N=63), 93.7% committed the offence alone while 6.3 % committed it in a group of two and four men. In addition, 93.4% of them did not use a condom during the offence while 6.3% reported some use of the condom. This is shown in Table 4.6 below.

Table 4.6: Use of condom

Use	Frequency	Percentage
No	59	93.7
Yes	4	6.3
Total	63	100.0

The fact that the majority of the respondents (93.7%) never used condoms means that they could have exposed their victims or themselves to sexually transmitted infections,

including HIV/AIDS, during the sexual assault. Further analysis of the survey data revealed that 18.9% had previously been infected with a sexually transmitted infection. This means that this could have increased their chances of transmitting it to their victims.

4.10 Strategies used by the respondents in the execution of the crime

In terms of the strategies used in the execution of the offence, 44.4 % of the respondents reported to have had a prior plan of committing the offence while 55.6% reported not to have had any prior plan. These findings confirm the opportunistic nature of rape reported by most of the respondents. When asked of the strategy used, 52.8% of the respondents reported use of force to subdue their victims, 18.1% enticed their victims, 9.3%, persuaded their victims while 2.8% used threats. About 4% of the respondents reported that this was a form of marriage both because the respondents had negotiated for the marriage and paid some bridewealth and because they wanted to marry the girl after having sex with her. About 13% of them did not have any explanation on the strategies used.

Analysis of the survey data revealed that of the total number of respondents who used force to subdue their victims (N=38), 31.6% had initially tried to persuade them into having sex. It is after their refusal that they forced them into sex. About 68% of the respondents did not try to persuade their victims, they used force directly. Another three per cent of the respondents who raped/defiled (N=63) later beat up the victims while 11.1% threatened them with death or other harm if they reported the case. The rest (87.5%) just raped their victims.

Chapter Five

Individual Motivational Factors Predisposing Men to Acts of Rape

5.1 Introduction

This chapter describes the individual motivational factors that could have predisposed the respondents' to committing the sexual crime, their views of the sexual coercion experience and the attitudes to recommitting the offence in future.

5.2 Reasons prompting the sexual crime

To explore the factors that predisposed the respondents to committing the sexual crime, individuals were requested to give reasons that prompted their desire to commit the offence. The reasons given are shown in Table 5.1 below.

Table 5.1: Reasons prompting the crime

Reason	Frequency	Percentage
Rape as a form of sexual access	23	31.9
Having been drunk	11	15.3
History of bhang	7	9.7
Use of bhang and alcohol	5	6.9
Death or separation with the wife thus turning to a girl for sex	5	6.9
Form of punishing a spouse	4	5.6
Woman being drunk	3	4.2
Girlfriend	3	4.2
Unable to negotiate for sex	2	2.8
Anger towards the woman	2	2.8
Rape as a pathway to marriage	2	2.8
Rape as a recreation activity and sexual adventure	2	2.8
Rape as a form of impersonal sex and power	1	1.4
Traditional marriage	1	1.4
Pornographic influence	1	1.4
Total	72	100.0

5.2.1 Drug consumption

In this study, drugs featured significantly among the respondents' past lives. Sixty-five per cent of the respondents reported use of some type of drug: cannabis (bhang), cocaine, heroine, khat (miraa) or alcohol (chang'aa, / busaa/ beer), while 35% had not used any. This is shown in Figure 5.1 below.

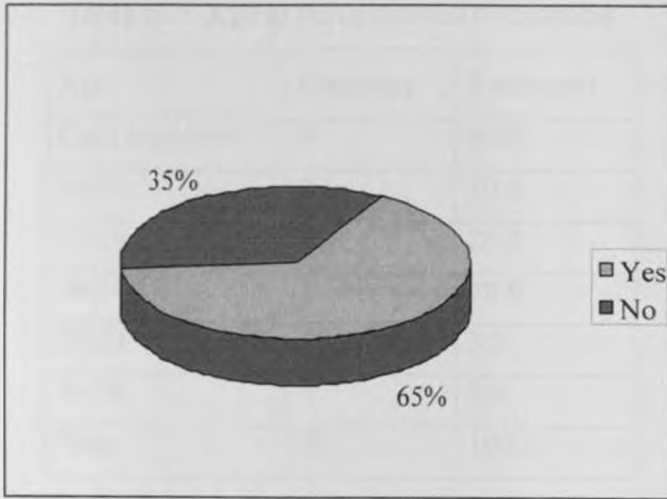


Figure 5.1: Use of drugs

Further analysis of the type of drugs consumed prior to committing the crime revealed that 51.1% of the respondents were consumers of alcohol, 25.5% consumed alcohol and cannabis (bhang), 10.6% consumed cannabis only, 6.4% consumed cannabis and cocaine while used 4.3% khat and alcohol. This is shown in Figure 5.2 below.

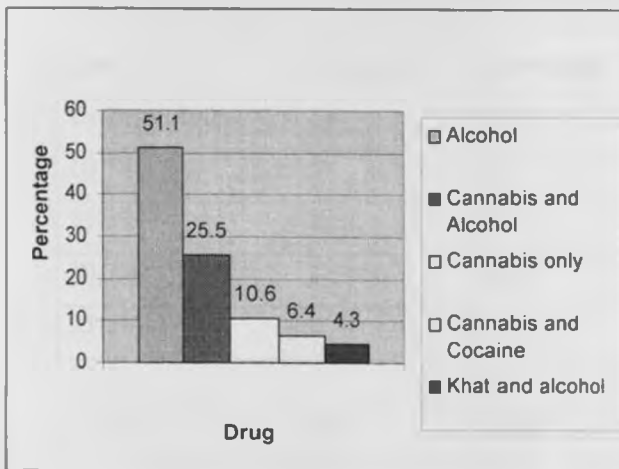


Figure 5.2: Type of drugs

To further identify the duration of exposure to drugs, the respondents were asked their age at first consumption of each of the specific drugs reported. The results are as shown in Tables 5.2, 5.3 and 5.4 below.

Table 5.2: Age at first exposure to cannabis

Age	Frequency	Percentage
Can't remember	9	45.0
10-14	2	10.0
15-19	5	25.0
20-24	2	10.0
25-29	1	5.0
30-34	1	5.0
Total	20	100.0

Table 5.3: Age at first consumption of khat (miraa)

Age	Frequency	Percentage
Can't remember	1	33.3
15-19	1	33.3
25-29	1	33.3
Total	3	100.0

Table 5.4: Age at first consumption of alcohol

Age	Frequency	Percentage
Can't remember	19	50.0
10-14	2	5.3
15-19	8	21.1
20-24	4	10.5
25-29	4	10.5
30-34	1	2.6
Total	38	100.0

Alcohol may act as a cultural “break time”, in that it can be used to provide an opportunity for committing unacceptable behaviour. As such, some men are more likely to act violently when drunk since they do not consider that they will be held accountable for their behaviour. It is probable that those who had consumed alcohol used it to ‘mask’

themselves from any guilt while committing the crime. About fifteen per cent of the respondents in the survey attributed their committing of the crime to alcohol consumption. Further analysis of the survey data indicated that of the total number of respondents who had used drugs (N=47), 51.1% reported to have been intoxicated by the time they were committing the offence while 48.9% were not. Of the total number of respondent who confessed to have been intoxicated during the offence period (N=24), 66.7% were under the influence of alcohol, 29.2% were under the influence of cannabis while 4.2% were under the influence of both bhang and alcohol. Table 5.5 below shows the type of drug that the respondents reported to have taken prior to committing the offence.

Table 5.5: Type of drug consumed prior to the rape

Type of drug	Frequency	Percentage
Alcohol	16	66.7
Bhang	7	29.2
Alcohol and bhang	1	4.2
Total	24	100.0

About ten per cent of the respondents did not have a specific factor that they attributed to the crime committed. However, further analysis of the survey data indicated that these respondents had a history of bhang consumption. Thus, the use of bhang by respondents at some point in their lives was taken as one of the factors that predisposed this category of men to commit the crime. In addition, 6.9% of the respondents in the survey attributed the crime to their consumption of bhang and alcohol. Analysis of the survey data revealed that 4.2% of the respondents got an opportunity to commit the crime due to the drunken state of the woman. Such a state could have increased the chances of seducing the woman cunningly or subduing the woman who, in that state, would have been physically weak and vulnerable to rape.

According to a Social Welfare Officer in Naivasha Maximum Security prison, most of these men who rape are always under the influence of bhang or alcohol. A clinical

and a member of the Movement Against Substance Abuse in Africa and a consultant with the National Campaign Against Drug Abuse in Kenya, reported that bhang contains a number of active substances which increase heart rate and blood pressure, keep you focused to one activity and vigour. According to him, one dangerous thing about bhang is that it can really focus an individual to one thing for a long time without his getting weary. Thus, if it is used for sexual activity, it will focus someone on the sexual activity without shifting his attention to anything else. At the same time, he noted that bhang normally arouses the negative emotions in an individual. It evokes the subconscious emotions that an individual would normally do under normal circumstances. He also stated that studies they have conducted in the past have revealed that a person who takes bhang can sustain erection for a long time due to the increased blood pressure. Bhang has an effect of making a person do things in what would be called 'in opposites'. In other words, if something is arousing to a bhang smoker can see this as something very big. He noted that this is very dangerous because a bhang smoker who is sexually aroused may see a young girl as a big man or a woman as a man.

A pharmacist further added that bhang has a hallucination effect. This may cause a person want to look for those things that are in his mind. For example, an individual may hear voices telling him to have sex. To obey the voices, an individual may have sex with someone or someone to have sex with regardless of it being consensual or not. Bhang also causes a sense of feeling 'high': It has an effect to 'remove' all inhibitions. The individual is normally removed from all social norms and controls. Thus, when it comes to sexual activity, an individual can have it any time or anywhere. He further noted that the long-term use of bhang brings about the shrinking of the brain due to the death of brain cells. This causes an individual lose the sense of time. An individual also loses his memory and thus cannot remember anything he has done in the past. A major effect of bhang, according to him, is that it has a residual effect. It has a half-life of 36 days. If a person had a puff of bhang today it would take 36 days for it to be eliminated out of his system completely. Finally, as regards alcohol, he noted that it creates euphoria, lowers inhibition and may predispose an individual to doing what he would not do in

pharmacist and a member of the Movement Against Substance Abuse in Africa (MASAA) and a consultant with the National Campaign Against Drug Abuse (NACADA) in Kenya, reported that bhang contains a number of active substances which affect mood, increase heart rate and blood pressure, keep you focused to one activity and postpone fatigue. According to him, one dangerous thing about bhang is that it can really focus an individual to one thing for a long time without his getting weary. Thus, if it is a sexual activity, it will focus someone on the sexual activity without shifting his attention to something else. At the same time, he noted that bhang normally arouses the negative personality in an individual. It evokes the subconscious emotions that an individual would not dare to do under normal circumstances. He also stated that studies they have conducted in the past have revealed that a person who takes bhang can sustain erection for a long time due to the increased blood pressure. Bhang has an effect of making a person see things in what would be called 'in opposites'. In other words, if something is very small, a bhang smoker can see this as something very big. He noted that this is very significant because a bhang smoker who is sexually aroused may see a young girl as a big woman or a man as a woman.

The clinical pharmacist further added that bhang has a hallucination effect. This may make the person want to look for those things that are in his mind. For example, an individual may hear voices telling him to have sex. To obey the voices, an individual may go looking for someone to have sex with regardless of it being consensual or not. Bhang causes euphoria- a sense of feeling 'high': It has an effect to 'remove' all inhibitions. The person is normally removed from all social norms and controls. Thus, when it comes to sex, an individual can have it any time or anywhere. He further noted that the long-term use of bhang brings about the shrinking of the brain due to the death of brain cells. This makes an individual lose the sense of time. An individual also loses his memory capability and thus cannot remember anything he has done in the past. A major effect of bhang, as according to him, is that it has a residual effect. It has a half-life of 36 days. If a person inhaled a puff of bhang today it would take 36 days for it to be eliminated out of the body completely. Finally, as regards alcohol, he noted that it creates euphoria, removes inhibition and may predispose an individual to doing what he would not do in

his normal state of mind. Examples of testimonies from the respondents are summarized in Box 5.1 below.

Box 5.1: Testimonies on effects of drugs

Case 1: 44 years old, Married, incest/defilement of a ten-year old girl

I had sex with my brother's daughter who was 10 years. To tell you the truth, on that particular day, I was very drunk with chang'aa and had taken a lot of bhang. I think I committed this crime because I was drunk and because of the sexual urge that I had since I had already separated from my wife because of her unfaithfulness. However, I can't remember very well the details of the episode. I found her at my mother's place in the same compound and took her to my house. On that particular Sunday, I had left home very early in the morning to go for a drink in a nearby den. During the process of taking chang'aa, I also smoked bhang. I went back home at around 1pm just to find my niece alone. The other members of the family had gone to church. I covered the girl's mouth so that she could not scream and dragged her to my house where I raped her. The girl reported the incident to her own mother. Later, I regretted so much for having done such an act.

Case 2: 28 years old, married, rape

I took the opportunity when we met with the woman on the road where there were no people. I was drunk with alcohol at the time.

Case 2: 22 years old, single, defilement of an eight-year old girl

I was drunk and found the girl with other children bathing in the river. The other children ran when they saw me but I caught up with this girl whom I defiled.

Case 3: 40 years old, married, rape of a woman

We met with this lady in town and travelled in the same matatu back home. She had come from near my place. We alighted and I escorted her. I was drunk and since I like women very much especially when drunk, I forced her to have sex with me.

5.2.2 Marital problems as an excuse for rape

About six per cent of the respondents reported that they had sex with their stepdaughters after they had conflict with their spouses. This could be interpreted as a form of punishment and torture to the spouse because of the conflict since the respondent did not consider the girl as his own daughter.

In addition, seven per cent of the respondents tended to indicate that they turned to the girl/woman as an availability option for sex after the separation or death of the wife. As noted by a probation officer in Naivasha, some men resort to rape when their wives have died. To her, such men are unable to cope with life and presumably unable to adjust to the new life. As such they may get the next available person, like their daughter for sex. The probation officer gave an example of a case she handled in which a widowed man used to defile his own daughter. The man would go for a drink at a local bar and brag that he was going to sleep with his daughter. Examples of testimonies of men who raped due to either conflict with their spouses and death or separation with their spouses are summarized in Box 5.2 below.

Box 5.2: Testimonies of marital problems

Case 1: 39 years old, married, defilement of a thirteen-year old

I married my wife with one daughter who was staying with her grandmother until she was old enough to come and stay with us. The girl was sleeping in the sofa set in our one bed-roomed house. My wife could witness me having sex with the girl often. I used to threaten my wife that I would beat her up and separate with her if she dared report anything. In order for the girl not to report, I used to threaten her with death. It was the girl's aunt who reported the matter to the police. At the time I used to take alcohol and bhang.

Case 2: 32 years old, married, defilement of a fourteen- year old girl

I was born in Naivasha though my hometown is Ndabibi. I married this woman when she had one child and we stayed with her for 7 years and got 4 children with her. However, in 2005, my wife ran away from our matrimonial home because of marital problems. However, I went to her place and we settled our differences and started staying together as a couple. A year later, we started having our differences again and even my wife started telling me to get out with my Turkana children because she does not even like them. I was so angered by her remarks and also by the fact that we had just bought a piece of land from her auntie and I had not recovered my money. My stepdaughter was 9 years who reported to the grandmother that I was having sex with her and I had infected her with gonorrhoea. But my wife did not see any need of taking me to the police. She just kept quiet with the information to find out if such a thing will happen again. My wife was surprised to find out that I had been arrested. Not even my people would believe that I did defile my daughter, because I am the one who has raised her and taken care of her for a long time.

Case 3: 32 years old, married, defilement of a five-year old girl

My wife was having a relationship with a policeman. This caused a lot of trouble in our marriage and I wanted to separate with my wife. I had sex with her daughter when she (the wife) was absent.

Case 4: 70 years old, widowed, defilement of a fifteen-year old girl

The girl had one child already. I wanted her to become my wife since my wife had died earlier. I wanted to first have sex with her and then marry her later.

5.2.3 Inability to negotiate for consensual sex

About three per cent of the respondents reported that they raped because they are unable to approach and talk to women especially on matters relating to sex. Examples of their testimonies are summarized in Box 5.3 below.

Box 5.3: Testimonies on inability to negotiate for consensual sex

Case 1: 25 year old, single, defilement of a four-year old girl

I was given shelter by a lady friend we were fellowshiping with in the same church. We had problems with my family and so I had left my home. To speak the truth, the girl was very young; she was only 4 years old. I just had a strong lust to have sex with her. I had been left in charge of about 5 children on that particular day. This particular girl belonged to a neighbour of the lady who had given me shelter. The woman who had given me shelter used to trust me very much because we even fellowshiped together in the same church. I was supposed to cook lunch for the family who had by then gone to the farm. After cooking, I took this girl to my bedroom and left the other children in the kitchen. I took the girl to the bedroom and asked her to get on the bed. I think that the girl sensed danger and she refused to obey. So I forced her on the bed, covered her mouth so that she could not be heard and removed her clothes. Before even penetrating her, I ejaculated. In my mind, I just wanted to relieve myself. After that, I opened the door and let her out. She went out crying saying that I urinated on her. A neighbour heard the girl's cry and I ran out of that place because I realized the wrong that I had done and knew that I would be killed if I were caught. I was arrested three months later after I came back to that place. If I had stayed far away from that area, I would not have been caught but I was stupid enough to return. I would also like to tell you that since my childhood, I was a very bad person. I used to disturb my parents a lot. I used to like raping women and girls. I could not approach women and negotiate for consensual sex. I generally used to fear women. So I used to look for drunken women whom I could easily rape. Even at night, I could move from door to door in people's houses to see if I could find a house with an open door or window so that I could get in and find a woman or a girl to have sex with. If I failed to get one, I would go to a cow's shed and have sex with a cow. I have even had sex with a dog and a donkey. I only stopped to have sex with animals when I read in the bible that cursed be the man who has sex with an animal or a fellow man. I have even raped a 10-year-old boy but he did not report the matter.

Case 2: 27 years old, single, defilement of an eight-year old girl

I could not raise a family and sustain a wife due to lack of money. I also had a problem of seducing women. We were very social with her (the girl), and I beckoned her to come into my place. It was at my place that I raped her.

Case 3: 22 years old, single, defilement of an eight-year old girl

I had taken a lot of kukumanga that day since I was expecting my girl friend to come and have sex with me but she did not come. So I turned on to the girl because of the 'pressure'. I wanted to relieve myself. I gave this girl some money and she agreed to have sex with me.

5.2.4 Rape as a form of sexual access

About thirty-two per cent (31.9%) of the respondents tended to indicate that they committed the offence due to sexual lust towards the woman or the girl. This is borne out by their own testimonies as summarized in Box 5.4 below.

Box 5.4: Testimonies of rape as a form of sexual access

Case 1: 50 years old, married, defilement of a ten-year old girl

I got her (the girl) from the school and took her to my place. After the sex, I gave her lunch and five shillings.

Case 2: 35 years old, married, defilement of an eight-year old girl

I was a watchman in that estate and the girl's parents were absent at the time. She was alone in the house. I went to the house and had sex with her.

Case 3: 27 years old, married, defiled/incest of a thirteen-year old girl

The girl (niece) was coming to visit my family often. Her mother had died and at the time she was staying at her grandmother's house. She could come over on Fridays, spend the weekend with my family and go back to her residence on Sunday... she was used to changing clothes in my presence and this aroused me a lot. I tried several times to talk to her into sex. She refused all the time. One day when I was escorting her, I raped her in the bush.

Case 4: 45 years old, married, defilement of a seventeen-year old girl

That night, the girl (who was a prostitute) was passing by my hotel and I waylaid her. I threatened to kill her if she did not comply. I had sex with her near the hotel.

Case 5: 50 years old, married, defilement of a fifteen-year old

The girl was coming to visit my children often since they were friends. On that particular day, my wife had travelled with the children, and I was alone at home. I sweet-talked her into having sex with me.

Case 6: 22 years, single, defilement of an eight-year old girl

I found the girl alone in the river taking a bath. After seeing her naked, I lusted over her. So I forced her into sex.

Case 7: 26 year old, married, rape

After the journey from Nairobi to Wajir, the woman took a nap at the back seat to wait for dawn. There were only four people left in the bus. It was at the early hours of the morning; while she was sleeping that I raped her.

5.2.5 Psychological factors

5.2.5.1 Pornographic influence

Data from the survey revealed that prior to their imprisonment, 48.6% had been exposed to hardcore pornography while 51.4% had not. The increased exposure to pornography among respondents was probably due to the increased accessibility of mass media technologies in Kenya. Access to pornography is shown in Table 5.6 below.

Table 5.6: Access to pornography

Access	Frequency	Percentage
Agree	35	48.6
Disagree	37	51.4
Total	72	100.0

Survey data analyses revealed that the exposure to pornography was almost 50% to 50% between the respondents. It was, therefore, necessary to investigate their ages at first exposure to pornography. Of the total number of respondents ever exposed to hardcore pornography (N=35), 38.9% were between 15 and 19 years, 22.2% ages 20 and 24 years, 16.7% ages 10 and 14 years, while 11.1 % were between 25 and 29 years. The ages at first exposure to porn are shown in Table 5.7 below.

Table 5.7: Age at first exposure to porn

Age	Frequency	Percentage	Cumulative Percentage
Can't remember	1	2.9	2.9
10-14	6	17.1	20
15-19	13	37.1	57.1
20-24	8	22.9	80.0
25-29	4	11.4	91.4
30-34	0	0	91.4
35-39	1	2.9	94.3
40-44	2	5.7	100.0
Total	35	100.0	100.0

These findings are a clear indication that most of the respondents (C.F-77.1%) were exposed to pornography when they were between 10 and 24 years. This tends to indicate that in Kenya, the youth make a majority of pornography consumers. Although 71.4% of the respondents exposed to pornography disagreed that it had contributed to their committing the crime, 28.9 % associated their habit of watching hardcore pornography to the crime. When asked about fantasy on coerced sexual intercourse, 12.5% of the respondents confessed that they had experienced rape fantasies in the past. The fact that a few (12.5%) of the respondents had such fantasies prior to committing the offence could be an indication of the illusion created in their minds and which predisposed them to committing the sexual offence. An example of a testimony on the influence of pornography is given in Box 5.5 below.

Box 5.5: Testimony on the influence of pornography

Case 1: 22 years old, single, defilement of a four-year old girl

I was about 17 years old when I started watching pornography. I also had a friend of mine who introduced me to smoking bhang. I ran away from my family many years ago and my parents were very angry with me when I returned home after one year. So they told me to get out of the house and never come back. Up to now they do not know where I am. The girl whom I raped had been sent by her mother who was my neighbour to come and take some salt from my house. However, I did not enter her vagina completely. What betrayed me were the 'showers' of semen that I sprayed on her thighs when I ejaculated.... When I was watching pornography movies, I used to have a lot of thoughts and desire to have sex. In the movies, I could see a woman sucking the penis of a man. I had trained this girl even to suck my penis. It was not the first time to have sex with this girl. It was several times and this girl had gotten used to it. She was sucking my penis until I ejaculate. I also used to caress and kiss her... the girl was from a very poor background and often she would be sent by her mother to come for things like salt and oil in my house...since I had a stable job in the flower farm I could afford to cook good food like chapati. This girl would often come to my house and I would give her food to eat. Since she couldn't get this food at home she used to come to my place and never report these cases...I have also witnessed girls being raped in movies. This would give me thoughts of forcing a girl into sex. I saw it very exciting. I could also browse the Internet and watch pornographic magazines. I know that I did not get parental love from my stepmother and did not get advice from my parents on how to live.

5.2.5.2 Rape hallucination

About nineteen per cent (19.4%) of the respondents in the survey reported to have had very frequent rape hallucinations. The rest of the results are shown in Table 5.8 below.

Table 5.8: Occurrence of rape hallucinations

Occurrences	Frequency	Percentage
Very rarely	46	63.9
Very frequently	14	19.4
Neither rarely nor very frequently	5	6.9
Quite rarely	4	5.6
Quite frequently	2	2.8
Slightly frequent	1	1.4
Total	72	100.0

The fact that 19.4% of the respondents had rape fantasies prior to committing rape seems to suggest that this could have contributed to their committing the crime. Indications were that these respondents were also consumers of bhang, which has been reported to have a hallucination effect on the user.

5.2.6 Impersonal sex and power

About one per cent (1.4%) of the respondents reported that they used force to have sex with an admirable woman who had refused to have sex with them. This finding seems to suggest that the respondents raped in order to express their physical power over the victim. An example of a testimonial from one such respondent is given in Box 5.6 below.

Box 5.6: Testimony of impersonal sex and power

Case 1: 32 years old, separated, rape

I raped a house help who was staying in my neighbourhood. I did it because of my desire to have sex with her. I had lusted for her for long and had vowed to have sex with her no matter the circumstances. On the fateful day, I went to the house where she was working. She let me in the house and let me kiss and caress her but she was not for sex. This was a challenge to my manhood and I forced her to have sex with me.

5.2.7 Rape as a 'tool' of punishment

The analysis of the survey data further revealed that 2.8% used the crime as a form of punishing the woman/girl who had wronged them. In one example, a respondent raped his employer together with four other men because they had been sacked without pay. In another example, a man attempted to rape his cousin because he was angry with her for wearing his clothes (Box 5.7).

Box 5.7: Testimony of rape as a 'tool' of punishment

Case 1: 27years old, married, rape

We (the respondent and 4 other men) raped the woman together. She was our employer and had angered us because of dismissing us from employment without giving us our dues... We wanted to teach her a lesson.

Case 2: 21 years old, single, attempted rape

I found my cousin alone at my grandmother's place. She was wearing my clothes and I was very angry with that. I took matters in my own hands and wanted to teach her a lesson.

5.3 View of the sexual coercion experience

Of the total number of respondents who raped/defiled (N=63), 57.1% reported to have liked the sexual encounter while 22.2% did not. About 21% of the respondents were not certain whether they liked it or not. This is shown in Table 5.9 below.

Table 5.9: View of the sex act

View	Frequency	Percentage
Liked it	36	57.1
Did not like it	14	22.2
No answer	13	20.6
Total	63	100.0

These findings suggest that most of the rapists would commit rape later in their lives because it is presumed that if you like something, there is a higher chance of repeating it

again. Of the total number of respondents who committed rape (N=63), 55.6% reported to have used force to subdue their victims while 44.4% did not consider it as a form of forced sexual intercourse. Table 5.10 below shows the reasons given by respondents who viewed the crime as not coerced (N=28).

Table 5.10: Reasons for the sex not being coerced

Reason	Frequency	Percentage
We had agreed to have sex with the girl/woman	13	42.9
No explanation given	3	10.7
The woman/girl was my girl friend	5	17.9
I believe that I never had sex with her	2	7.1
I was not seeing it (the sex) as defilement	2	7.1
I enticed her	2	7.1
It was a traditional marriage	1	3.6
Total	28	100.0

Further investigation of the respondent's opinion on the responsibility to protect the victim he sexually assaulted indicated that 83.3 % felt that they did not have any responsibility to protect the girls or women they offended. Only 16.7 % felt that they had a responsibility to protect their victims. Analysis of the survey data revealed that most of the respondents did not feel obliged in any way to protect the victims and could have blamed their victims for the rape. This is further exemplified by the fact that of the total number of respondents who raped/defiled (N=63), 60.3 % expressed no sympathy for the girl/woman they defiled/raped while 33.3% did not think about it. Only 6.3 % felt sympathy for the victim. The report by all the respondents in this survey that they would never force a girl/woman into sex in the future could have been due to the fact that they were in prison. The reasons given by the 16.7% of respondents who reported some form of responsibility to protect their victims are shown in Table 5.11 below.

Table 5.11: Reasons for protection

Reason	Frequency	Percentage
Protecting and providing for her as a father	5	41.7
Did not want to impregnate her	2	16.7
She was my friend	1	8.3
She was my girlfriend	1	8.3
She was very young	1	8.3
She was my wife	1	8.3
Her mother was dead	1	8.3
Total	12	100.0

It was further revealed from the survey data that 65.1% of the respondents who raped/defiled (N=63) did not blame the girl/woman for the sex unlike 34.9% who put the entire blame on the victim. Indications from the study were that the most probable reason for the respondents not blaming the victim was when she was too young. The reasons given by those who blamed their victims are shown in Table 5.12 below.

Table 5.12: Reasons for the blame

Reason	Frequency	Percentage
She visited me at my house (on day of rape)	4	18.2
She loved me very much	3	13.6
She was drunk	2	9.1
She allowed me to touch her private parts	2	9.1
She was bathing naked in the river	1	4.5
She invited me to her house	1	4.5
She asked me to escort her to her place of residence	1	4.5
She was a lady of loose morals	1	4.5
She was a girlfriend	1	4.5
We were married traditionally	1	4.5
The girl was grazing alone	1	4.5
The woman was being seductive by exposing her thighs	1	4.5
The woman was dressed provocatively in a miniskirt and was drunk	1	4.5
In the past, I had sex with her	1	4.5
The girl was changing clothes in my presence thus giving me uncontrollable sexual desires	1	4.5
Total	22	100.0

Further investigation on the thoughts of the respondent during the sexual encounter revealed that of the respondents who raped/defiled (N=63), 88.9% could not remember anything that was going on in their minds during sex, 6.3% had a desire to ejaculate while 4.8% had a mixed feeling of relief and guilt. The 88.9% of the respondents could have been intoxicated by drugs at the time. This may have been the reason why they could not remember what was going on in their minds at the time. The rest of the respondents could remember what they were doing. While some had a mixed feeling of the sexual relief they were having and the guilt of forcing the woman/ girl into sex (4.8%), others indicated that their focus was to ejaculate (6.3%) as soon as it was possible. For those with mixed feelings, they probably could have been weighing the consequences of their

crime on their family and on themselves. Those who desired to ejaculate fast presumably knew they were doing something wrong and wanted to 'finish' fast. The thoughts during the sexual encounter are shown in Table 5.13 below.

Table 5.13: Thoughts during the sexual encounter

Thoughts	Frequency	Percentage
Nothing	56	88.9
Desire to ejaculate fast	4	6.3
Mixed feelings of relief and guilt	3	4.8
Total	63	100.0

Further analysis of the survey data revealed that 75% of the respondents were very concerned for the cases they were accused of as compared to 9.7% who were not concerned at all. This is shown in Table 5.14 below.

Table 5.14: Concern for the offence

Concern	Frequency	Percentage
Extremely concerned	54	75.0
Neither unconcerned nor concerned	9	12.5
Extremely unconcerned	7	9.7
Quite unconcerned	1	1.4
Slightly concerned	1	1.4
Total	72	100.0

Rape in itself is a 'shameful' crime in that an individual who has committed it is seen as a perverse. As such, those convicted feel guilty and over time may become self-conscious of their action, thus making them extremely concerned about their actions. Individuals who are not at all concerned or less concerned are probably those who did not participate in any family social events and are less likely to have friends. These opinions can also be

used to explain the results in Tables 5.15 and 5.16 below.

Table 5.15: Concern over how the family takes him

Concern	Frequency	Percentage
Extremely concerned	56	77.8
Neither unconcerned nor concerned	9	12.5
Extremely unconcerned	6	8.3
Quite concerned	1	1.4
Total	72	100.0

Table 5.16: Concern over how his peers and friends take him

Concern	Frequency	Percentage
Extremely concerned	45	62.5
Extremely unconcerned	15	20.8
Neither unconcerned nor concerned	10	13.9
Slightly concerned	1	1.4
Quite concerned	1	1.4
Total	72	100.0

As to the belief that having sex with a virgin would cure HIV/AIDS, 97.2% of the respondents did not agree with the statement while only 1.4% had never heard of it. This finding indicates that unlike in South Africa where it has been reported that most of the rape cases are due to the belief that it could cure AIDS, the findings suggest that there is no such belief in Kenya. About 96% of the respondents reported that their peers would approve their rape behaviour while 2.8% said their friends would approve. However, 1.4% did not know whether their peers would approve or disapprove of it. This is an indication that sexual violence directed at girls/women is perceived as a perversion in the Kenyan society. At the same time, 93.1 % reported to have a lot of control over forced sex while 6.9% had very little control. The analysis of the survey data revealed that the

6.9% of the respondents were the ones who expressed a strong uncontrollable sexual desire at the time of committing the crime.

5.4 Attitude to recommitting the offence and rehabilitation

Of the total number of respondents (N=72), 90.3% were extremely unlikely to rape in the future while 9.7 % were extremely likely to rape. The fact that most of the respondents in the survey reported reduced chances of recommitting the offence is supported by the fact that of the total number of respondents (N=72), 80.6% were extremely unlikely to rape, while 19.4% were extremely likely to rape with increased chances of not being caught. This is shown in Table 5.17 below.

Table 5.17: Intention to rape when the chance of not being caught is slim

Intention	Frequency	Percentage
Extremely untrue	58	80.6
Extremely true	14	19.4
Total	72	100.0

For those respondents in the survey who were not sentenced to life imprisonment (N=66), 57.6% indicated that they will have been fully rehabilitated by the time they finished their sentences, 37.9% were not sure while 3.0% said that this was extremely unlikely. Only 1.5% reported that this was unlikely. This view seems to suggest that the rehabilitation programme in the prison is of great benefit to the offenders.

5.5 Conclusion

It is apparent that age and marital status seem to have a contribution to the respondents committing the sexual offence. It could, thus, be concluded that despite the fact that all the respondents reported some form of religious affiliation, they were not strict followers of their faith. This is because Christianity and Islam do not encourage, in the real sense of the word, rape of women by men. Finally, the findings suggest that drug consumption, marital problems, inability to negotiate for consensual sex, pornography and other psychological factors were the individual motivations that predisposed these men to rape.

Chapter Six

Socio-cultural Factors Predisposing Men to Acts of Rape

6.1 Introduction

This chapter presents the socio-cultural factors that could have predisposed the respondents to committing the sexual offence. The chapter presents the general attitudes of the respondents towards women which may be influenced by the way they were socialized, and the reaction of the respondents' families to the charges preferred against one of their own.

6.2 Early childhood environment

It was expected that most of the respondents would, perhaps, not have been raised in a family with a father and a mother figure, thus lacking the parental guidance regarding appropriate and acceptable sexual behaviour. This could have led to their indulgence in criminal activities like rape. Contrary to this expectation, the survey data revealed that 75% of the respondents were raised by both blood parents while 15% were raised by single blood parents (Figure 6.1). Among the children raised by a single parent (N=11), a majority (91%) were raised by their mothers while the remaining 9% were raised by their fathers. This could be due to the fact that in case of death or separation between parents, men tend to remarry unlike the majority of women who may choose to stay single.

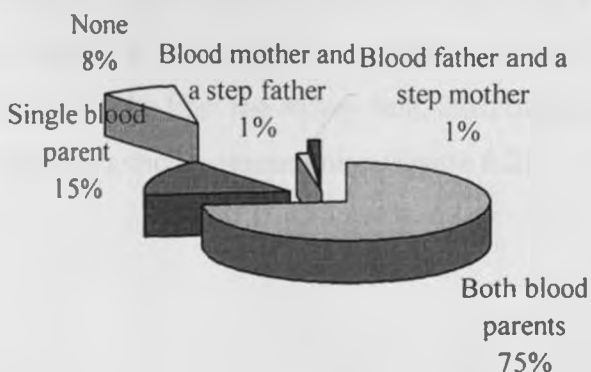


Figure 6.1: The persons who raised the respondents

Of those who were never raised by any of their blood parents (N=6), 83.3% were raised by their grandmothers while 16.7% by a street family. The fact that 8% of the total respondents did not have any father or mother figure could have contributed to a feeling of lack of parental care among them. This situation could have been amplified by the fact that the grandmother may have never given the respondents any guidance on issues of sexuality. This could have predisposed these respondents to committing the sexual offence. At the same time, the grandmother may have not been able to provide the basic needs adequately due to old age. This could have resulted in their dropping out of school early in life.

Further clarification was sought to identify the reasons that contributed to the respondents being raised by a single parent or by neither of the blood parents. Of the total number of respondents raised by a single parent (N=11), 72.7% reported that it was due to the death of one parent, 18.2% reported that their parents had separated while 9.1% reported that their mother never married. For the individuals raised by their grandmothers or by a street family (N=6), 66.7% reported that it was because of the death of both parents while 33.3% reported that they were taken to their grandmother's place after the separation of their parents.

This study further explored the respondents' family structure in order to investigate the capacity of the respondents' guardians to provide for their families. A bigger family requires more resources to cater for its needs. Of those raised by both blood parents (N=53), 81% were raised in a monogamous family while 19% were raised in a polygynous family. The results from the survey data, thus, indicated that a majority of the respondents were raised in a monogamous union (Figure 6.2).

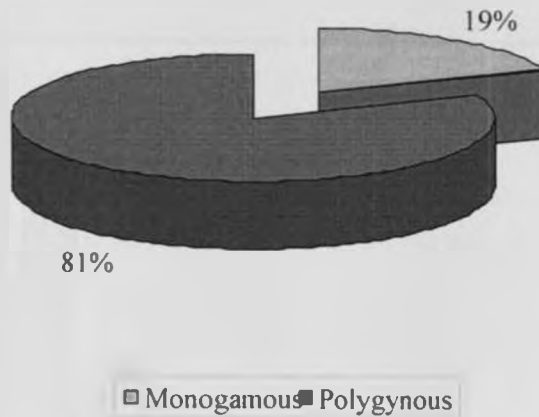


Figure 6.2: Family structure

For those respondents raised in a polygynous union (N=10), 70% reported that their fathers had 2 wives. 20% reported that their fathers had 7 wives, while 10% reported that their fathers had 6 wives. In general, the above results indicate that most of the respondents (75 %) were raised in a family with a mother and a father figure. As such there was a figure of authority in those families.

In order to investigate the ability of the respondents' guardians to provide for their families, the respondents were asked to name their guardians' economic activities and the number of siblings they had when growing up. Most of the sexual offenders were from a relatively poor background considering that 83.3% of their guardians were working in the informal sector as small-scale farmers, casual labourers, and petty traders. The guardians' economic activities are shown in Figure 6.3 below.

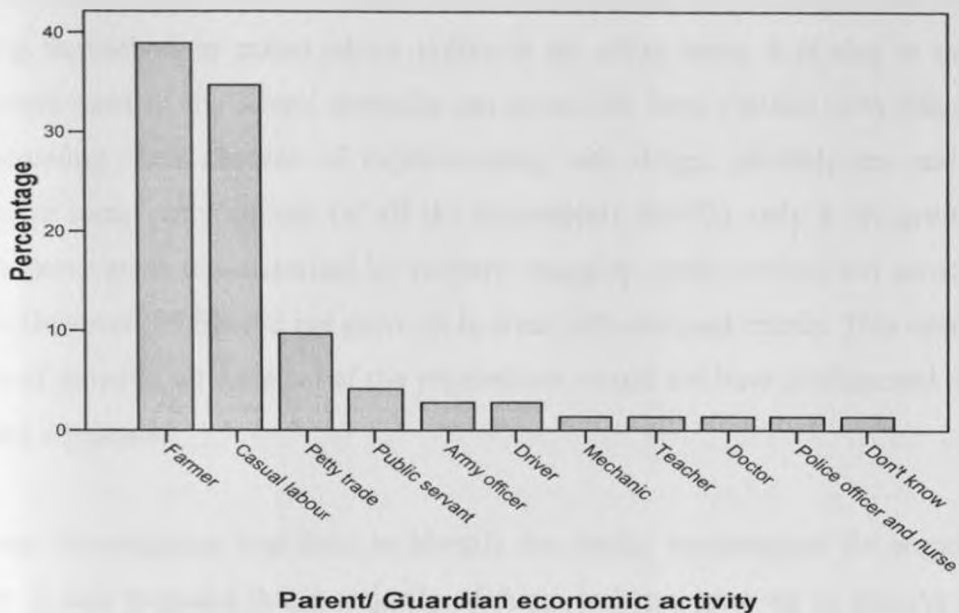


Figure 6.3: Parent/guardian economic activities

It was important to investigate whether the respondents grew up alone or together with other children within their family's unit. Of the total number of respondents (N=72), 98.6% had been brought up together with other siblings. Only 1.4% of the respondents were brought up in a street family without other children. From the survey, 8.3% had between 1 and 3 siblings. Most of the respondents (91.7%) had between 4 and 13 siblings while 23.6% had 7 siblings. These findings suggest that a majority of the respondents grew up with the interaction of other siblings. In addition, with this number of siblings it could have been difficult for the parents/guardians to provide effectively for the family's basic needs. This may have led to most respondents dropping out of school at an early age. This inference is supported by the respondents' explanations on the reasons for dropping out of school. About 56% reported that it was due to lack of school fees, 9.5% left school due to herding chores in their family, while 1.6% left school to look for a job to support their families. However, 4.7% felt satisfied with their level of education, 20.3% left school due to indiscipline at school, 1.6% due to getting jailed while 6.3% had no specific reason for dropping out of school.

Further analysis of the survey data revealed that 77.8% of the respondents grew up in rural areas, 18.1% in urban areas while 4.2 % grew up in both urban and rural areas. It is in the rural areas that children are more likely to drop out of school early in life and start involving themselves in casual labour unlike in the urban areas. It is also in the rural areas where most of the school dropouts can spend idle time chatting with friends and thus increasing their chances of experimenting with drugs, alcohol, sex and being involved in some petty crimes. Of all the respondents (N=72), only 9.7% grew up in violence-prone areas (characterized by robbery, mugging, cattle rustling and some minor crimes). However, 90.3% did not grow up in areas with rampant crimes. This means that the area of growing up for most of the respondents would not have predisposed them to becoming criminals.

Additional investigation was done to identify the family environment the respondents grew in. It was expected that a majority of them, perhaps, grew up in abusive family environments and thus acquired an aggressive behaviour that would have predisposed them to committing violent crimes. Contrary to this expectation, analysis of the survey data indicated that most of them (68%) did not grow up in abusive family environments as compared to 32% who reported that they had grown up in an abusive family environment. This suggests that committing of the sexual crime by a majority of the respondents could not have been due to their growing up in an abusive family environment. Of the total number of respondents who reported some form of family violence (N=32), 30.4% reported that they had violent fathers, 26.1% had violent and alcoholic fathers, 13.0% reported fighting between their parents, 8.7% reported violent mothers, 4.3% reported mistreatment by their stepmothers, 4.3% mistreatment by their stepfathers, 4.3% mistreatment by their stepbrothers, 4.3% reported violent fathers and stepmothers, while 4.3% reported mistreatment by their street family.

6.3 Gender-based inequality

Rape is more common in societies where the ideology of male superiority is strong with emphasis on dominance, physical strength and male honour. Social expectations about

how women should behave in a particular society can place them in subordinate roles and increase their risk of being sexually assaulted.

Contrary to the expectations that most of the respondents would have been physically aggressive towards women, only 8.3% confessed to have beaten a woman while the rest (91.7%) stated that they had never beaten a woman in their lifetime. Though aggression is not necessarily expressed through physical abuse, the study findings suggest that most of the respondents were not physically violent. This may have been due to the fact that a majority of cases involved sex with underage girls who could have been enticed or persuaded into it. Further exploration regarding the attitudes of beating a woman/girl who might wrong the respondents indicated that 93.1% would not beat up a girl/woman who wronged them, 4.2% reported that this was most likely, 1.4% slightly unlikely, and 1.4% neither likely nor unlikely. These answers could have been influenced by the fact that the respondents had been imprisoned for violating women and girls.

In this study, however, gender-based inequality was evident among some respondents. From the analysis of the survey data, 1.4% of the respondents reported to have married their victims according to their customary law. Further analysis of the data from these respondents revealed that their so-called wives were underage girls, thus constituting defilement. In addition, three per cent used rape as a pathway to marriage. Different from the customary marriage, these respondents reported to have had sex with the girl or woman so that they could be given consent to marry her. Examples of such 'marriages' are shown in Box 5.1 below.

Box 6.1: Testimonies of rape due to gender-based inequality

Case 1: 60 year old, married, defilement of fourteen-year old girl

As for me, I had a traditional marriage. I was married by then and I wanted to marry a second wife. In my culture, there was no problem; I followed the right procedures required. I took 3 goats and 3 cows to the girl's parent as it is set in our culture and I took the girl as my wife. We stayed with her for 3 months. By this time, the girl was pregnant. It was during this time that one of the teachers in her previous school took up the matter and reported the case to the police who arrested me... She had just finished class 8.

Case 2: 75 year old, single, rape and manslaughter

In our place, we do not seduce women; we force them into sex and then marry them. I wanted her to become my wife. I sent my friends to go and entice the woman to come to my place. They brought her to my house. I had sex with her but did not realize that she was pregnant. She died later after the sex due to excessive bleeding.

6.4 Peer influence

Sexual violence like gang rape is predominantly committed by young men. Thus, men with sexually aggressive peers are also much more likely to report coercive or enforced intercourse outside the gang context than men lacking sexually aggressive peers.

Analysis of the survey data revealed that 2.8% committed the offence as a form of sexual adventure due to influence of their peers or marital problems. Examples of testimonies from the respondents are summarized in Box 5.2 below.

Box 6.2: Testimonies of sexual adventure

Case 1: 25 years old, single, defilement of a fourteen-year old girl

The girl was locked in the house of a friend who invited me, and another friend to go and have sex with this girl at his friend's house.

Case 2: 28 years old, married, defilement of a sixteen-year old girl

The girl was working in my house as a house help. I used to buy her clothes and give her some money. She had no problem having sex with me. I used to have sex with her because I wanted to change 'diet' from having sex with my wife.

To further explore peer influence, the respondents were asked whether they have ever discussed any form of forcing a woman or a girl into sex with their peers. However, most respondents (97%) reported that they had never discussed such a thing while 3 % had discussed such experiences.

6.5 Parental advice

Any form of sexual advice from parents or the guardians was sought after to further explore the family factors that may have predisposed the respondents to rape. About 93% of the respondents did not have any sexual advice from their parents or guardians. Only 6.9% had some form of sexual counsel that included advice of keeping away from girls/women. None of those who were given some form of counsel reported that they were advised to respect the girls/ women in any way. This meant that a majority of the respondents did not have any background on the need to respect the body of a girl/woman and her rights over her body in their early life. The lack of such advice might have exposed the respondents to committing rape.

6.6 Reaction of the respondents' family to the crime

Family response was explored for its possible contribution to a respondent's chance of committing rape. Since the family unit is a part of the wider society, their responses to the crime committed by their own was considered as a reflection of the society perception of the sexual violence directed at women and girls. In order to investigate their participation

in the societal activities the respondents were asked to rate their general attendance of family gatherings like funerals, weddings, festive seasons, etc. About 60% of the respondents reported to have been attending various family gatherings as opposed to 40.3% who did not attend any family gathering or celebrations. These results appear to suggest that some of the respondents (38.9%) may have had some anti-social behaviour due to the fact that they reported not to have any interest in attending family gatherings. In addition, this could suggest that they did not feel as if they 'belonged' to their extended families and could detach themselves as family members, especially those who sexually assaulted their family members. It should be noted, however, that 59.7% of the respondents were very much keen and involved in family gatherings.

Regarding the charges, 59.7% reported that their families denied that they had committed the offence, 27.8% reported that their families had accepted, 11.1% did not know whether their families accepted it or not, while 1.4% of the respondents did not know of any family member alive. This finding suggests that most of the respondents' families were defensive and protective of their own and there were issues of gloss-over regarding instances of the sexual violence. Since the family is a part of the society, this could be a reflection of the society perception of sexual violence directed at women and girls. The results are shown in Table 6.1 below.

Table 6.1: Reactions of the family members

Reaction	Frequency	Percentage
Denied it	43	59.7
Accepted it	20	27.8
Don't know	8	11.1
No family members	1	1.4
Total	72	100.0

The issue of gloss-over in the families, and by extension the society, was confirmed by the fact that 65.1% of the respondent's family who had denied that the respondents had committed the offence (N=43) did not eventually believe it even after the case was

investigated and judgment made. The results are shown in Table 6.2 below.

Table 6.2: Eventual believing for those who denied

Eventual believing	Frequency	Percentage
No	28	65.1
Yes	13	30.2
Don't know	2	4.7
Total	43	100.0

Respondents were asked if there were discussions of coerced sex in their area of residence. About 53% reported that in the societies that they came from people did not discuss issues of coerced sexual intercourse with women and girls. In addition, 25% were not sure if there were such discussions while 22.2% reported some form of discussions. Only 1.4% of the respondents indicated some truth in this. In another question regarding the belief that there are cases of sexual violence, 55.6% of the respondents reported that in the societies that they came from, people believe that girls/women can be forced into sex as compared to 23.6% who were not sure while 18.1% reported that there were no such beliefs. Only 1.4% reported that this was quite true while another 1.4% reported that this was slightly true.

6.7 Conclusion

The findings presented above suggest that the social environment that the social environment that the respondents grew in could have predisposed them to committing the crime. This was largely because of their general attitude they grew up with regarding the members of the opposite sex. For example, the fact that some of them witnessed some form of violence in their families could have influenced them to sexually violate their victims. In addition, the findings indicate that some individuals were influenced by their peers to commit the crime. Finally, the belief in 'male superiority' is illustrated by respondents who committed the crime due to the influence of negative cultural practices like having forced sex with a woman as a pathway to marriage. Such misinformed beliefs

emanating from an individuals background could have predisposed these men to committing the sexual crimes.

Chapter Seven

Other Factors that Could Predispose Men to Rape

This chapter describes other factors, other than individual motivations and socio-cultural factors, which could have predisposed the respondents' to commit the sexual crime.

7.1 Occupation

The occupation of the respondents in the survey is presented in Tables 7.1 below.

Table 7.1: Occupation before imprisonment

Occupation	Frequency	Percentage
Casual labourer	24	33.3
Petty trader	14	19.4
Farmer	9	12.5
Matatu tout	5	6.9
Watchman/security guard	4	5.6
Driver	2	2.8
Pastor	2	2.8
Clerical officer	1	1.4
Farm supervisor	1	1.4
Teacher	1	1.4
Plumber	1	1.4
Petrol attendant	1	1.4
Carpenter	1	1.4
Radio/TV technician	1	1.4
Radio technician	1	1.4
Forest guard	1	1.4
Electrician	1	1.4
Student	1	1.4
Hotel attendant	1	1.4
Total	72	100.0

As shown in Table 7.1, about a third of the respondents (33.3%) were casual labourers, followed by petty traders (19.4%) and farmers (12.5%). The occupation of the death row convicts (Table 7.2) tended to conform to that of the survey which indicated that most of the respondents were working in the informal sector by the time they committed the offence.

Table 7.2: Occupation before imprisonment for death row convicts

Occupation	Frequency	Percentage
Jobless	3	21.4
Casual labourer	2	14.3
Driver	2	14.3
Farmer	2	14.3
Manager	2	14.3
Business man	1	7.1
Lab. technician	1	7.1
Hawker	1	7.1
Total	14	100.0

People working in the informal sector do not have a stable employment that would guarantee a stable income. As such, a majority of them are unlikely to plan for their future finances adequately. This may lead to failure of an individual to marry, or where marriage has taken place, it may lead to separation. Due to financial instability, an individual may start using alcohol or other drugs like bhang in order to stop thinking about his problems. This may lead to marital misunderstanding between the husband and wife and may actually predispose a man to committing either spousal rape or raping somebody else due to the fact that he is not having sex with his spouse. It should also be noted that some of the respondents were in occupations that allowed them close interaction with the general public while others were entrusted with matters of security. Such individuals could have used their positions to sexually take advantage of the girls or women they were supposed to take care of.

7.2 Place of origin

The place of origin was taken into consideration in order to investigate the spatial distribution of sexual crimes in the country. The respondents' places of origin are presented in Figure 7.1 below.

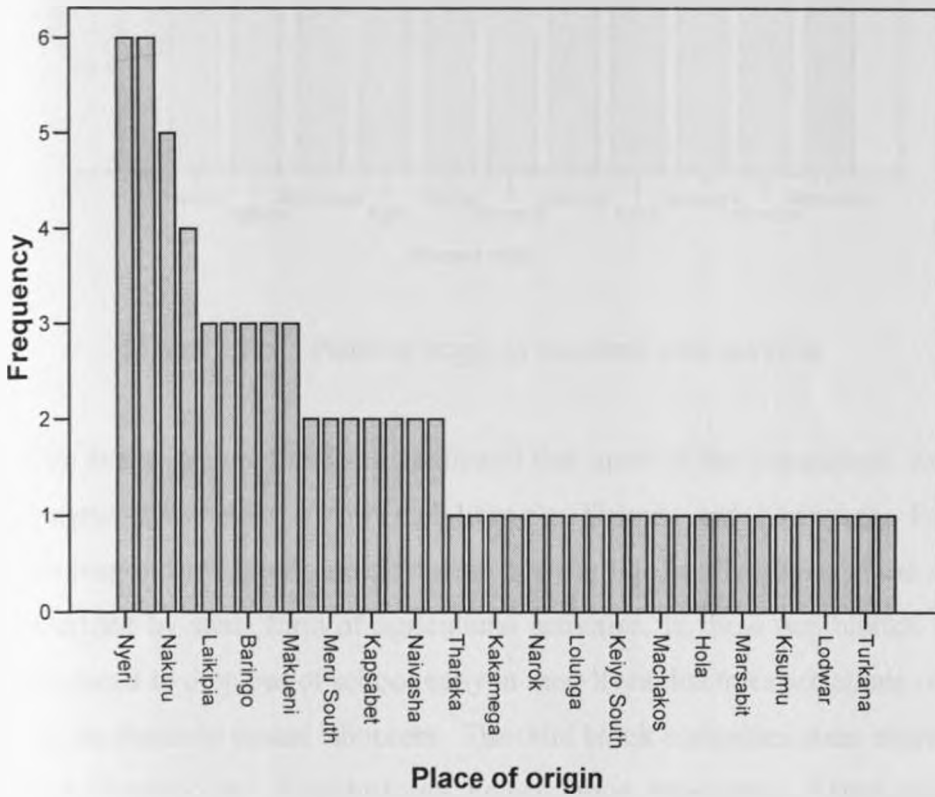


Figure 7.1: Place of origin of the respondents

The place of origin for the death-row convicts is presented in Figure 7.2 below.

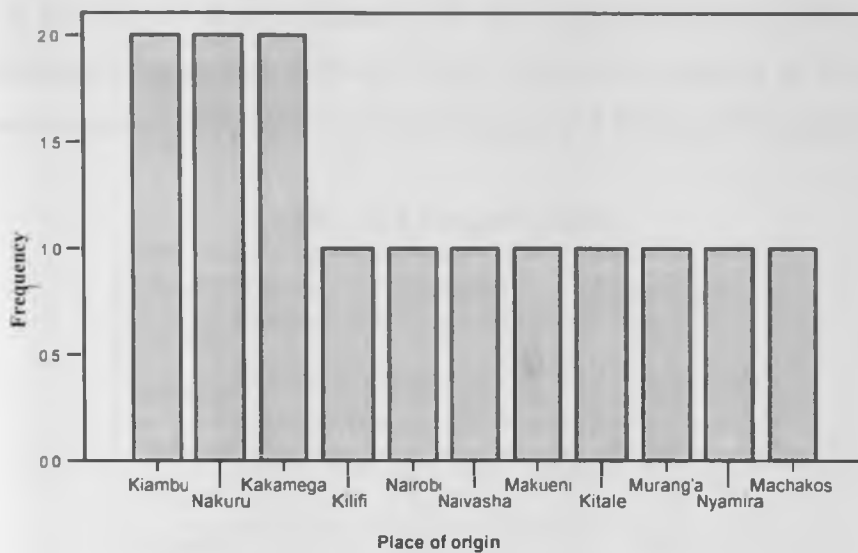


Figure 7.2: Place of origin of the death row convicts

A closer look at the geographic blocks indicated that most of the respondents were from the fertile agricultural areas of Nyeri, Murang'a, Nakuru and Kirinyaga. Following closely were respondents from semi-arid areas like Baringo and Laikipia. These areas are also characterized by some form of agricultural activities. In these two blocks, children may be influenced to drop out of school early in their lives due to expectations of getting employed in the farms as casual labourers. The third block comprises areas characterised by tea farms (Kericho and Kiambu) and flower farms (Naivasha). These areas have people from all over the country who move into such areas in search of casual jobs. The last block is characterized by areas (with the exception of Nairobi) where a majority of the residents practise pastoral farming. In such areas children are likely to drop out of school to take up herding chores assigned by their parents or guardians. This is because their parents may have a negative attitude to education and may view it as a waste of time and money.

7.3 Ethnic affiliation

Analysis of the survey data indicated that the respondents were from 17 ethnic communities across the country (Tables 7.3 and 7.4), with a majority of them from the Gikuyu community (43.1%), followed by the Kalenjin (13.9%) and Abaluyia (8.3%).

Table 7.3: Ethnic affiliation

Ethnic affiliation	Frequency	Percentage
Agikuyu	31	43.1
Kalenjin	10	3.9
Abaluyia	7	9.7
Turkana	4	5.6
Akamba	4	5.6
Kipsigis	3	4.2
Abagusii	2	2.8
Somali	2	2.8
Ameru	2	2.8
Luo	2	2.8
Ambeere	1	1.4
Rendille	1	1.4
Ilchamus	1	1.4
Pokomo	1	1.4
Maasai	1	1.4
Total	72	100.0

Table 7.4: Ethnic affiliation of death row convicts

Ethnic affiliation	Frequency	Percentage
Abaluyia	5	35.7
Agikuyu	3	21.4
Abagusii	2	14.3
Akamba	2	14.3
Mijikenda	1	7.1
Luo	1	7.1
Total	14	100.0

The findings that most offenders were from the Gikuyu community could be an indication that perhaps men from this community have higher chances of committing violent crimes. However, the finding could also be a reflection of the fact that the Agikuyu are the largest community in the country and thus Gikuyu men have higher chances of being included in the survey than men from other communities.

7.4 Young age of the victim

About four per cent of the respondents indicated that they had sex with their girlfriends. However, analysis of the survey data revealed that as much as these respondents had a mutual agreement for sex, their so-called girl friends were underage and so their act actually constituted defilement. An example of a testimony from a respondent who had sex with an underage girlfriend is summarized in Box 7.1 below.

Box 7.1: Testimony on sex with an underage girlfriend

Case 1: 40 years old, single, defilement of a sixteen-year old girl

We had agreed to have sex with her. She was my girlfriend and we loved each other so much. She came into my place where we had sex.

7.5 Poverty

Poverty is linked to both the perpetration of sexual violence and the risk of being a victim of it. Children of poor backgrounds may have less parental supervision when not in

school, since their mothers may be at work and unable to afford childcare. The children themselves may, in fact, be working and thus be vulnerable to sexual exploitation. According to a social worker in a community-based organization that assists rape victims, some men had informed her that to approach a mature woman on the subject of sex was difficult and thus they would target children from poor families because they knew that without money, the victim's family could not cater for the legal costs that would be required if he is arrested. Thus, poverty may make girls and women vulnerable to rape and can also predispose men to rape.

7.6 Time when the crime was committed

As regards time of the offence, 51.4% committed the crime during daytime while 37.5% at night time. In addition, about 11% of the respondents had raped their victims over and over again. The findings indicate that contrary to other crimes, most of the sexual offenders, especially those that target children, committed the offence during daytime. Those who committed the crime in the evening (37.5%) probably used darkness to camouflage themselves thus facilitating their committing of the crime. Presumably, this could have decreased their chances of being caught in the act and their being seen by the victim clearly. Among those who raped at night were respondents who had raped women who were drunk. The findings indicate that the women who were under the influence of alcohol were all raped at night. This is the time, perhaps, they were going back to their places of residence. Analysis of the survey data revealed that 11.1% of the respondents were stepfathers to the victims. Thus, since they were residing in the same house with the girls, they could commit the offence any time they got an opportunity. The time of committing the crime is shown in Table 7.5 below.

Table 7.5 Time of committing the crime

Time	Frequency	Percentage
Early morning/ morning/ midday/ afternoon	37	51.4
Evening/ early at night / late night	27	37.5
Any time	8	11.1
Total	72	100.0

7.7 Place where the crime was committed

The data from the survey further revealed that 47.2% of the respondents committed the offence in their houses while 18.1% did so in the victim's house. The rest of the respondents committed the offence in the areas shown in Table 7.6 below.

Table 7.6: Place of crime

Place	Frequency	Percentage
Perpetrator's residence	34	47.2
Victim's residence	13	18.1
Bush	11	15.3
By the roadside	3	4.2
Hotel	3	4.2
Maize plantation	2	2.8
Friend's house	2	2.8
Tea farm	1	1.4
On the bus	1	1.4
Work station	1	1.4
The river side	1	1.4
Total	72	100.0

The findings in Table 7.6 indicate that many of the sexual offenders (47.2%) committed the offence in their places of residence. This is, presumably, because they felt more comfortable in their houses as they were not likely to be blamed for the offence since it

could have been assumed that the girl or the woman was looking for a man to have sex with. Considering that defilement cases were the majority in this study, indications are that most of these girls could have been easily lured into the perpetrators' homes.

Chapter Eight

Voices from the Death-row Convicts

8.1 Introduction

This chapter presents the narrations of death-row convicts who were charged with other crimes including rape. As noted in chapter 4, these respondents were found guilty of robbery with violence, a crime that attracts a death sentence under Kenyan law. The respondents in this category were requested to write a narration of their sexual encounter on the questionnaire that was provided. All the respondents wrote their narrations in English, and these are presented verbatim in order to give them a chance of speaking out directly about the sexual encounter. However, pseudonyms are used in the presentation in order to ensure confidentiality of the respondents.

8.2 Narrations from death-row convicts

Box 8.1: George 40 years old, married

She was a sexy lady (my secretary) and used to dress in a sexy manner. I was her immediate boss. She used to write me hot sms's (short message services) but couldn't give in when I met her. After a fortnight long educational seminar in Malindi, I reported back on duty. She came gave me a big smile and hugged me. I couldn't resist her charm. I pressed her 'butt' against my bosom. I kissed her on the lips raised her mini-skirt tore her underpants and did my nasty thing without her consent. She left her specs and the torn underpants in my office. I picked them and headed straight home. She went straight to the police and reported that I had raped her and forcefully retained her gold coated specs one, earring and her pant. The pant and the specs were recovered from my house and the earring collected in the office floor. I was arrested and charged with robbery and rape. That simple incidence ended my beautiful career. I will regret it forever.

Box 8.2: Oscar, 32 years old, married

I raped a stranger. This was at gun point and instead of shooting; she consented to have sex with me. She was a well built lady with striking beauty. I found her having sex with her boyfriend by the time I stormed the house. I was taking alcohol bhang und cocaine.

Box 8.3: Jacob, 35 years old, married

It was on Saturday afternoon and I hadn't gone to church on that day. I can remember it was around half past one in the afternoon when I heard somebody knock on the door. I attended the knock and immediately came in a neatly dressed lady whom I knew as a friend to my girlfriend. She made a stop at the door step to take off her high heeled shoes since my floor was carpeted. It was during this process that led her to displaying everything hidden underneath her thighs. That was the time things started going 'red'. She entered into the room and started inquiring about my girlfriends whereabouts. I can't remember the answer I gave. She started dancing to the tune of my music from my 3-CD changer music system. She started singing with some romantic gestures matching with the music composer. During this time we were also discussing the day's events. Later, she went to the kitchen for a drink and came back with a glass of juice and took back her sit. It was from the way that she was sitting that sent my blood boiling to uncontrollable degree. She could open her legs wide often as we were cracking jokes. She could pull up her mini-dress right up to her buttocks. Sleeping on the three people seat made her buttocks protrude like mount Zion. This mountain saw darkness and nothing was left unturned.

Box 8.4: Mike, 34 years old, married

My wife had disappeared to her parent's house the previous week and I was used to performing sex with her always. I raped a stranger. The woman was wearing a transparent cloth and immediately she greeted me my body got erected. I tried to seduce the woman but she refused to abide by my views. The woman had a good body structure which I had never seen in my life. I committed the offence because I was totally drunk. As I tried to talk to the woman she refused.

Box 8.5: Ben, 40 years old, married

I met her (the victim) drunkard and I was also drunk. I am so sorry to tell you this because it was a secret. This lady was wearing a mini skirt and I admired her very much and I raped her.

Box 8.6: John, 32 years old, married

I raped my girl friend because she was 'improperly' dressed. Most of the time, she used to come and visit me but has never come to sleep with me. My occupation was hawking and as you know, hawking business enables one to have money all the time. So due to this, there came a day I left my house to town to have fun with my friends. We all met at a popular club within the town. When we arrived, we chose a suitable place to sit and eventually ordered for something to eat and bottles of beer. After three bottles, one of my friends suggested that we should stand up and dance a little bit in order to create space in our bellies for other bottles of beer which were already on our table. After dancing a little, I excused myself for a chance to go to the toilet. I relieved myself and then came back to join others in a dance. I was consuming bhang at the time.

As I was coming back squeezing myself through the people who were dancing, I had somebody hold my hand so firmly and I had to stop to see who it was. I couldn't believe my eyes to see my girlfriend firmly held round her waist by somebody who claimed to be her long term lover. It was dark and the only thing I imagine and expected to see was somebody lying dead covered in a pool of blood. Before I could do so, someone came in my mind asking me 'do you know that anger profits nothing?' Immediately, I refrained myself from that and hid my anger behind a smile.

The man released the lady and I went with her to join others in a dance. We danced together and I had to ask her so many questions about how she came to know the man she was previously dancing with and all was told. We left the club late that evening and I took my girlfriend to my house to spend a night there. It was unfortunate that she was on her menstrual period. I forced her to have sex with me which led to her becoming pregnant. We never came into terms with her over that even as I suggested marriage, but she went to the police and reported the matter. I was arrested and charged.

Box 8.7: Joshua, 40 years old, separated

I raped a stranger. I found the girl having sex with a man. It was simple; I pulled the man off and continued with the girl. The reason is simple. I found them in the act got aroused and got tempted to do it. It was totally coincidental and not pre-planned. I had been taking alcohol and bhang.

Box 8.8: Peter, 24 years old, separated

I raped someone I knew. We were in a group of four men. We aimed at destroying a family I had difference that arose as a result of jealousy due to my development so we organized for revenge deal. Just to rape. I was consuming alcohol, bhang, cocaine and heroine at the time.

I had lived as an angry tiger under the influence of alcohol and bhang as my weapon. So I could do anything that I thought best for me regardless of the impossibilities you may think of. In my village, there lived a very beautiful learned lady. I liked her over a long time but later her mother stepped in and separated us just like heaven and earth. I was very angered by that and a quick thought struck my mind. I got my peers masked our selves, robbed the house and raped everybody in the house including the woman's husband and the daughters. I raped due to excess use of drugs. The time I needed a woman (for sex), I could not request but order her for sex, otherwise I could even kill for it.

Box 8.9: Patrick, 34 years old, single

I raped a woman who was my workmate. I raped her after a disco. She was in a transparent miniskirt. I had taken alcohol at the time. She was attractive, sexy, beautiful and seductive. Her posture was upright and her pride was okay. She was in miniskirt and the clothing was tight on the body. Her lipsticks were red hot and she was proud. I was stronger and robust than her so I overpowered her. I was drunk and did not know I was wronging her.

Box 8.10: Vincent, 30 years old, single

I raped a bar maid. We were the two of us. We were drunk. I raped her behind the bar. She didn't consent but seemed to enjoy. The following day she reported the case to the police and I was arrested.

Box 8.11: Kim, 30 years old, single

I had raped two strangers. The first one I just helped her after she asked for shelter. It is a long story but at night I asked for it and she refused. So I had to use force. The second one when committing the robbery I found her at her bedroom naked. Immediately I erected I forgot everything and I forced her back to bed.

I raped two women, my employer's wife and my employer's maid in the main house

The maid incidence

We were left just the two of us in the compound. Our boss and his family had gone on a family outing at the coast after he had come from a business trip abroad. It was during the day. The watchman used to report at around 6pm and he was yet to come. It was around midday. The maid summoned me from my servant quarters for lunch. She told me that she was feeling lonely and that I should go and take lunch at the main house because the family was away. She gave me a hip of CDs and asked me my taste. I replied that I didn't mind any. Her choice was a pornography movie. The actors were either nude or scantily dressed. I couldn't control my emotions. I pulled the maid to the sofa; I caressed her and kissed her. She begged me not to continue. I thought she meant the opposite. I undid the kikoi around her waist. We were now on the floor. I raided her petticoat and penetrated her from the side of her pant. Once I was in, she participated as well- to my amusement. She consented to remove her knickers for the second round. After the whole episode, she cried and told me that I had offended her and that she could never forgive me. She reported it to no one and it remained a secret between us. She avoided me and only communicated when it was absolutely necessary. She was later impregnated by the boss and left. Yes that was it, RAPE. I had committed it.

The employer's wife incident

After the maid left, my employers decided never to employ ladies again. I was invited in the main house. Once the husband was away, the wife could start behaving in a funny way walking half-naked before me and watching romantic movies in my presence. She could even make comments about the feeling of the actors. She was 47 years and I was just 23. After watching a very hot movie, she requested me to go and do her bed. I obliged. While emerging from her bedroom, I caught her red-handed trying to touch her pants the way she had seen in the TV. I went to her, she held my hand. Again on the very floor, I did it without consent. My emotions had been triggered by the movies I had seen and the funny reactions from the mama. I did it three times. I thought that she enjoyed. In the evening, I heard the wrath of the boss once he learnt the truth. I told the watchman to open the gate for me. He refused. I wrestled him and took away the keys and his mobile phone. They reported the case. I was arrested and charged with raping 'mama' and robbing the watchman using violence. I was sentenced to death for robbery and 10 years imprisonment for rape. Here I am now in prison, unaware of the next move.

Analysis of these narratives indicates that the respondents had some form of formal education due to their ability to write in English. However, the many grammatical mistakes in most of their texts seem to suggest that their level of education is low. In addition, the figurative descriptions from their narratives portray instances of rape hallucinations among some individuals. The descriptions create a sense that most of these respondents enjoyed forcing their victims into sex. The obvious determination to force their victims into sex point out to the individual motivations to commit rape. Some confessed that they raped due to the influence of drugs like bhang and alcohol. These respondents were either under the influence of drugs or took advantage of a woman who was drunk. Other men raped due to sexual access either because their victims were under them, as in the case of the manager who raped his secretary, or during the process of robbery. Other respondents attribute the crime to watching pornography while others could be said that to have had perverted sexual fantasies, as evidenced by the description of their victims prior to the crime. It could thus, be concluded, that these respondents used rape as an expression of 'power' over their victims.

Chapter Nine

Discussion

9.1 Introduction

This chapter discusses the individual motivations, socio-cultural factors as well as other factors that could predispose men to acts of rape. In addition, the study hypotheses are presented and tested accordingly. Finally, the chapter discusses the main findings of the study.

9.2 Individual motivational factors for rape

The study findings seem to suggest that there are individual factors that motivate men to committing rape. Such motivational factors could stem from the way a man has been socialized to view members of the other gender. From a tender age, both men and women are socialized to accept different roles. This, in effect, shapes an individual's world view in terms of beliefs, values and attitudes towards the other gender. Such a world-view is subsequently reinforced by socialization agents like the family, the community, the mass media and peers. Mass media information may pass out in form of pornography or images that portray women as the weaker sex. It is such information that could create sexual hallucinations in men and thus predispose them to committing rape.

According to Karpowitz and Kenner (2008), post secondary education is the most successful and cost-effective method of preventing crime. In fact, the *Columbia Daily Tribune* (2008) notes that effective crime prevention starts before children enter kindergarten. The paper recommends that providing low-income children with access to a high-quality early programme dramatically reduces the later incidence of crimes, consumption of drugs or exposure to pornography. In addition, formal education gives men a chance to interact with women and to know them better at an early age as well as giving them (men) knowledge on the consequences of, for example, drug use or watching pornography. As observed by the social welfare officer of Naivasha Maximum Security Prison, low level of education in men could contribute to their increased chances of

raping women. He noted that an educated person has a better understanding of the consequences of crimes as compared to an uneducated person. Such an individual, he adds, is in a better position to negotiate for consensual sex and respect a woman's rights regarding her sexuality unlike an uneducated man. A social worker working in a support group that gives assistance to rape victims recommends that one strategy of reducing sexual violence related crimes in our society is by educating the community. To quote her, *"There is need to establish support groups in the community where rape survivors know that they can report and get the right medical care and legal support and also educating children on self defence and things to watch for in identifying a potential rapist and if they are confronted, what they should do."*

The fact that 90.2% of the respondents in the survey had no formal education or only very little, having not studied beyond primary school level, could be an indication that education has a bearing on rape. To find out if education and charges had a significant relationship, a chi-square test on the two variables was conducted. The results are as shown in Table 9.1 below.

Table 9.1: Cross tabulation of charges versus level of education

Variables	Pearson's value	DF	Critical value of χ^2
Charges verses Level of education	48.293	60	43.773

*All significant tests at $\alpha = 0.05$

The chi-square results at the stated confidence level confirmed that the relationship between the charges and the level of education was not a chance event and, thus, significant. Therefore, the study hypothesis that men with low level of formal education are more likely to commit rape than men with higher levels of education was accepted.

Men who are less educated may not be financially stable and may feel 'threatened' by educated or well-to-do women. Such men may view women as opponents to be oppressed

(either within the domestic circle, as in the case of a spouse, or women relatives, or outside such domain), and may use rape as a 'tool' of executing that oppression. In addition, such men are likely to be traditionalists. In case of a marital problem, they may not give their spouses a chance to express their ideas in an effort to resolve the conflict. It is such men that could have attributed their committing of the crime to marital problems. Men with low level of education could fail to see any other avenue of sexual gratification except rape when their spouse dies (another marital problem). Being elderly and probably financially unstable, they could have ended up raping younger girls, who due to their age, could have been naïve and less informed on sexual issues.

As pointed earlier, some men with low level of education could feel inferior to women who are more educated than they are. Such men may feel shy or afraid to negotiate for consensual sex with a woman. Consequently, they may end up forcing a woman or a girl into sex.

Low levels of education could contribute to an individual's ignorance on the effects of drug abuse. Past studies have shown that alcohol has a psychological effect in that it reduces inhibitions, clouds judgment and impairs the ability to interpret cues. For example, according to Parker and Auerhahn (1998), bhang and other drugs like cocaine have been noted to lead to distorted perception of sight, sound, time and touch, hallucinations, delusions, impaired memory and disorientation. These effects could have led to an individual committing the crime. The fact that most of the respondents (65%) had exposed themselves to drugs would have led to their committing the offence. It should also be noted that a high number of respondents (45 %, N=20) indicated that they could not remember the first time they consumed bhang. This confirms the observation that long-time consumption of bhang leads to memory loss (Personal communication, Dr. Gakunju, 2008).

A chi-square test done to find out if the relationship between the type of drug used and the charges indicated some significant relationship between the two variables. The results are shown in Table 9.2 below.

Table 9.2: Cross tabulation of charges versus drugs consumed

Variables	Pearson's value	DF	Critical value of χ^2
Charges verses type of drugs consumed	124.434	72	43.773

*All significant tests at $\alpha = 0.05$ (95%)

The study findings suggest that some men, under the influence of drugs, may rape with the attitude that they will not be held responsible for the crime because they were under the influence of drugs. This, in essence, is what could be referred to as 'hiding behind the mask' of drugs in perpetrating the crime. Thus, the use of drugs does not only predispose men to raping women but can also be a strategy used by some of them to 'argue out' that they had no intention of committing the crime.

9.3 Socio-cultural factors predisposing men to rape

According to Meehan (2000), the underlying debate in child rearing is the question of nature versus nurture, with nature being the inborn skills and qualities of a person and nurture being the skills and qualities people acquire through their experiences and their environment. The debate revolves around that which determines the type of adult that the children will develop into. While a few characteristics, e.g., skin colour, are apparently inborn, others believe that the way we nurture our children determines what kind of adults they will be. To put the discussion on hold, psychologists have now concluded that nearly all human qualities result from a complex interaction between nature and nurture (Meehan, 2000). Secondly, in a series of studies, Baumrind (1967) gathered information on child-rearing practices. Her findings revealed that children of parents who were demanding, and placed such a high value on conformity were anxious, withdrawn, and unhappy, and when interacting with their peers, they tended to react with hostility when frustrated.

Comparing my study findings with those of Baumrind indicates that the childhood social environment surrounding the respondents was very crucial in shaping their behaviour. Some respondents reported to have grown in environments that were physically or

emotionally abusive. This could have led to their committing the crime. In addition, it is clear from the study that most of the respondents grew up in societies where they did not discuss sexual matters with their parents or guardians. It is in such societies where there is a gloss over of issues related to gender-based violence and, thus, men in those societies are predisposed to violating women. This could have led to many men committing rape.

It is within a society that an individual identifies his peers. Such peers could shape a person's attitudes, beliefs and values. As suggested by the study findings, some respondents committed rape because of influences from their peers.

To investigate issues of gloss-over on sexual crimes, a chi-square test was done on the charges and the respondents' families' belief that they (the respondents) committed the crime. The results are shown in Table 9.3 below.

Table 9.3: Cross tabulation of charges versus eventual believing

Variables	Pearson's value	DF	Critical value of χ^2
Eventual believing for those families that had initially denied verses charges	56.059(a)	36	43.773

*All significant tests at $\alpha = 0.05$ (95%)

The chi-square results at the stated confidence level revealed that the relationship between the two variables was not a chance event and was thus significant. Therefore, the hypothesis that men who grow up in societies that tend to gloss over issues of rape were more likely to engage in rape episodes in their later lives was accepted. This is because the family is a unit of the wider society and thus is a reflection of the attitude held by the society.

Finally, the findings that 57.1% (N=63) liked the sexual experience portrays the respondents' attitudes and beliefs regarding the use of force in having sex. Besides, the fact that 34.9% blamed their victims for the sexual encounter points out the deliberate nature of the crime. Finally, the fact that some individuals (4.2%) could have used rape as

a pathway to marriage concurs with a past research which has shown that some girls are 'forced' to marry their rapists so that their families are not dishonoured (Krug *et al.*, 2002).

9.4 Other factors that could predispose men to acts of rape

Though it has been reported that men who are sexually abused at an early stage in life could end up sexually abusing someone in their adulthood (see, for example, Eron and Huesmann, 1986), the findings of this study show that none of the respondents in the survey had a history of having been sexually abused. Thus, the hypothesis that men who have suffered from rape or attempted rape in their childhood are more likely to be sexual offenders in their adulthood could not hold in this study. It was, thus, necessary to identify factors, other than the individual motivations or socio-cultural factors, that could have contributed to the sexual crimes in this study.

According to Santangelo (2005), high fertility rates and a rapid population growth could prove to be a more serious obstacle to poverty reduction than AIDS in most African countries. In many cases, being part of a large family has become a cause of poverty rather than of wealth and pride (Kruijk, 2002). The fact that most of the respondents (83.3%) reported that their guardians did not have enough resources to cater for the basic needs of their families, could have led to their dropping out of school pre-maturely. Thus, some of the respondents could have involved themselves in petty crimes early in their lives to substitute what they were getting from their homes even before dropping out of school or immediately after dropping out of school. In the process, such criminal activities could have predisposed them to committing sexual crimes later in their lives.

Furthermore, it has been observed in many countries that unemployment rates and crime rates are positively associated. This is because unemployment may lead to a greater incidence of crime (see, for example, Papps, 1999). Results from my survey data revealed that a majority of the respondents were working in the informal sector by the time they committed the offence. Thus, such men did not have a stable form of income. As compared to individuals with a stable form of income, these respondents were more likely to commit crimes including violent crimes like rape and defilement.

Finally, the fact that most of the respondents did not have a stable income could have meant that they were either living in slums, in rural areas or they were being housed by someone else. In the slums, for example, house rent is low. Consequently, one would expect high number of people who normally live in overcrowded quarters in the slums. Such areas are characterised by crimes like brewing of illicit drinks and use of drugs. The indulgence of an individual in such activities would thus predispose him to committing sexual crimes including rape.

9.5 Main findings of the study

In July 2006, the Kenya government enacted the Sexual Offences Act to curb the spread of the heinous crimes of sexual violence against women and children (FIDA, 2007). The Act sought to make provision for sexual offences, their definition, prevention, and protection of all persons from sexual crimes. It also sought to enhance penalties for sexual offences. The fact that about one-third (34.7%) of the respondents were imprisoned in the year 2007 could be a reflection of the fact that most of the sexual offenders in Kenya are being arrested and prosecuted using the new legislation.

The fact that 63% of the respondents in this study sexually violated an acquaintance, confirms past studies which have reported that most of the sexual offenders molest girls or women that they already know. According to UNICEF (2006), for example, millions of children are sexually or physically abused by family members or acquaintances. My findings also revealed that slightly over a half (52.8%) of the sexual violation was committed on girls below 18 years of age. This concurs with the global research which indicates that nearly 50% of all sexual assaults in the world are committed against girls aged 15 years or younger (UNFPA, 2005). In addition, according to Population Communications Africa (2002), a majority of the victims of violence are girls; 60% of women who have experienced violence reported age at first abuse between ages 6 and 12 years, while 24% between ages 13 and 19 years. Another study done in Kenya indicated that 25% of women between 12 and 24 years lost virginity by force (The National Aids Council of Kenya, 2002). These findings support the theory that most of the girls have

their first sexual intercourse with an older partner and, that this sex is usually coerced (see Erulkar, 2004).

Spearman's rho correlation was done on variables that seemed to be related. Initially, a two tailed test was done since it was not clear if the variables were positively or negatively associated. Once this was established, the variables showing a stronger correlation, i.e., family relationship and charges, place of sexual intercourse and age, and age of the girl at defilement and charges, were subjected to one tailed test of the Spearman's rho. The results are shown in Table 9.4 and 9.5 below.

Table 9.4: Spearman's Rho Correlations (Two tailed test)

Variable	Age	Charges	Total number of siblings	Eventual believing for those who denied	Sexual advice by blood parents or classificatory parents
Highest education level		.128	.065		
Age of the girl at defilement	.104	-.364(**)			
Form of family relationship	-.111	-.360(**)			
Use of drugs and/ or alcohol		-.120			
Use of drugs and/or alcohol before rape		.154			
Sexual advice by blood parent or classificatory parents		.154			
Concern of how the family takes him				-.351(**)	-.125
Belief in non-occurrences of coerced sex in his				.180	

area					
Time of day during sexual intercourse		.208			
Place of sexual intercourse	-.249(*)	.092			

* Correlation is significant at the 0.05 level (2-tailed).

** Correlation is significant at the 0.01 level (2-tailed).

Table 9.5: Spearman's rho (One tailed test)

Variables	Age	Charges
Form of family relationship		-.360(**)
Place of sexual intercourse	-.249(*)	
Age of the girl at defilement		-.364(**)

* Correlation is significant at the 0.05 level (1-tailed).

** Correlation is significant at the 0.01 level (1-tailed).

Though the correlation between charges and the form of relationship of the girl and the perpetrator was negative, it was significant. This is because most of the defilement cases in the survey data were committed by respondents who did not have any family relationship with the girl. As such, the more the likelihood that a girl was defiled, the less the likelihood that the perpetrator was her relative.

In addition, the association between the charges and the age of the girl at defilement, though negative, was significant. Thus, the younger the girl, the more the likelihood that her attacker was of a younger age. This is because most of defilement was committed by men of a younger age (in their early 30s). The association between the age of the respondent and the place where he committed the offence also revealed a significant negative correlation between the variables. As such, the older the respondent, the higher

the likelihood that he committed the offence at his place of residence. Presumably, this is because a majority of the respondents were residing in their own houses at the time they committed the crime. These respondents could have lured the young victims into their residences for sex.

Chapter Ten

Summary and Conclusion

10.1: Introduction

This chapter summarizes the individual motivations and socio-cultural factors that could predispose men to acts of rape. Finally, the chapter draws conclusions on the topic of rape in general.

10.2: Summary

The study findings indicate that various individual motivations and socio-cultural factors do influence men to rape women. The individual motivational factors identified to have predisposed the respondents to committing the sexual offence included use of drugs like alcohol and bhang, marital problems like having conflict with a spouse or death of a spouse, inability to negotiate for consensual sex due to being shy or afraid of women, using rape as a form of sexual access, psychological factors like pornographic influence or rape hallucinations, impersonal sex and power, and using rape as a 'tool' of punishment. On the other hand, the socio-cultural factors identified include early childhood environments, gender-based inequality, and peer influence.

10.3: Conclusion

Rape is a human rights issue and a public health concern that has devastating effects upon an individual, her family, the community and the country at large. As evidenced in this study, rape is driven by many factors operating in a range of contexts: individual, social and cultural. However, at the heart of this crime is gender inequality that has existed for centuries. How deeply entrenched a community believes in male superiority and entitlement to sex greatly affects the likelihood of sexual violence taking place, as will the general tolerance in the community of sexual assault and the strength of sanctions, if any, against perpetrators.

To better understand the roots of sexual violence in the context of culture, gender and other social aspects, there is need to further explore men's attitudes and beliefs towards

sexual violence. In many Kenyan communities, men are encouraged to be aggressive and to express their manhood. On the other hand, women are encouraged to be non-aggressive. It is such socio-cultural values that lead men to risk-taking, including having sex with multiple partners, use of alcohol and drugs, and display of dominance over women. It is such dominance that has led to rape of women and girls. The high incidence of rape in this country is a result of such values that have brought about power imbalance between men and women whereby women are expected to assume a subordinate relationship with men. Consequently, rape can be seen as a logical extension of the typical oppression of one gender by the other.

It is important to note that many rapists cannot be distinguished from other men by any means except by the fact that they have been convicted in a court of law. Therefore, prevention of sexual assault requires a better understanding of societal attitudes regarding the nature of rape, the nature of male and female sexual relations and perceptions held by men on sexuality.

Rape, as a type of sexual violence, is a learnt behaviour in men and may lead to a pattern where they have false and unhealthy notions about sexuality leading to their 'justifying' the violent act. Therefore, an important element in preventing sexual violence like rape is the deliberate initiative to incorporate men in interventions geared towards the fight against sexual gender-based violence. However, it is evident that the whole community allows for the acceptance, maintenance, and reinforcement of such behaviour. This is because beliefs about what constitutes sexual violence have greatly influenced the general acceptability of this behaviour, which can, inevitably predispose men to acts of rape. Thus, changing of such beliefs would go a long way in reducing the chances of them committing acts of rape.

What came out clearly in this study is that rape in itself, as with other forms of gender-based violence, emanates from the gender-power relations in our society. Be it as it may, it could be concluded that the individual motivational factors and socio-cultural factors

evidenced in this study do not work in isolation and that, they, both interact in putting men at a heightened risk of committing rape.

REFERENCES

- Abbey, A., T. Zawacki, O. Philip, C. Monique and P. McAuslan, 2001. Alcohol and Sexual Assault. *Alcohol Health and Research World*, 25 (1): 43-51.
- Abma, J., A. Driscoll and K. Moore. 1998. Young women's degree of control over first intercourse: an exploratory analysis. *Family Planning Perspectives*, 30(1): 12-18. Available at <http://www.guttmacher.org/pubs/iournals/3001298.html>. Retrieved on 3rd May 2008.
- Akers, R. 1977. *Deviant behavior: A social learning approach*. New York and Belmont, CA: Wadsworth.
- Allen, L. and Santrock, J. 1993. *The contexts of behavior psychology*. Madison, WI: Brown & Benchmark Press.
- Amnesty International 2002. Kenya rape: the invisible crime. Available at <http://web.amnesty.org/library/Index/engaf320012002>. Retrieved on 12th July, 2007.
- Baber, H. 1987. How bad is rape. *Hypatia*, 2(2): 125-138.
- Bandura, A. 1973. *Aggression: A social learning analysis*. Englewood Cliffs, NJ: Prentice-Hall.
- Bandura, A. 1977. *Social learning theory*. Englewood Cliffs, N.J: Prentice-Hall.
- Bandura, A. and Ribes-Inesta, E. 1976. *Analysis of delinquency and aggression*. Hillsdale, NJ: Lawrence Erlbaum Associates.
- Baumrind, D. 1967. Childcare practices anteceding three patterns of preschool behavior. *Genetic Psychology Monographs*, 75(1): 43-88.

- Berowitz, L. 1962. *Aggression: A social psychological analysis*. San Francisco, CA: McGraw-Hill.
- Blumberg, R. 1979. A paradigm for predicting the position of women: policy implications and problems. In Jean Lipman-Blumen and Jessie Bernard (Eds). *Sex roles and social policy*, pp. 113-142. London: Sage.
- Bootzin, R., G. Bower and J. Crocker, 1991. *Psychology today*. New York: McGraw-Hill.
- Bourgois, P. 1996. In search of masculinity: violence, respect and sexuality among Puerto Rican crack dealers in East Harlem. *British Journal of Criminology*, 36: 412-427.
- Boyer, D. and Fine, D. 1992. Sexual abuse as a factor in adolescent pregnancy and child maltreatment. *Family Planning Perspectives*, 24(1):4-11.
- Broude, G. and Greene S. 1976. Cross-cultural codes on twenty sexual attitudes and practices. *Ethnology*, 15:409-429.
- Brownmiller, S. 1975. *Against our will: men, women and rape*. Washington, DC: Ballantine Books.
- Centerwall, B. 1993. *Television and violent crime*. New York: The Public Interest.
- Central Bureau of Statistics (CBS). 2004. *Kenya demographic and health survey, 2003*. Calverton, Maryland: CBS, MOH and ORC Macro.
- Choquet, M., J. Darves-Bornoz, S. Ledoux, R. Manfredi and C. Hassler 1997. Self-reported health and behavioral problems among adolescent victims of rape in France: results of a cross-sectional survey. *Child Abuse and Neglect*, 21: 823-832.

Columbia Daily Tribune. 2008. Cut Crime With Early Education. Available at http://www.redorbit.com/news/education/1287748/cut_crime_with_early_education/.

Retrieved on 25th April 2008.

Crowe, I. and George, W. 1989. Alcohol and human sexuality: Review and integration. *Psychological Bulletin*, 105:374-386.

Crowell, N. and Burgess, A. (Eds).1996. *Understanding violence against women*. Washington, DC: National Academy Press.

Daly, M. and Wilson, M. 1983. *Sex, evolution and behavior*, 2nd edn. Belmont, CA: Wadsworth.

Dean, K. and Malamuth, N. 1997. Characteristics of men who aggress sexually and of men who imagine aggressing: risk and moderating variables. *Journal of Personality and Social Psychology*, 72:449-455.

Dobash, E. and Dobash, R.1992. *Women, violence and social change*. London: Routledge.

Drieschner K. and Lange, A. 1999. A review of cognitive factors in the aetiology of rape: theories, empirical studies and implications. *Clinical Psychology Review*, 19:57-77.

Dusek, V. 1984. Sociobiology and rape: *Science for the People*, 16:10-16.

Ellis, L. 1989. *Theories of rape: Inquiries into the causes of sexual aggression*. New York: Hemisphere Publishing Corporation.

Eron, L. and Huesmann, L.1986. The role of television in the development of prosocial and antisocial behavior. In D. Olweus, J. Block, & M. Radke-Yarrow (eds.), *The development of Antisocial and Prosocial Behavior: Research, Theories, and Issues*. New York: Academic.

Erulkar, A. 2004. Experience of sexual coercion among young people in Kenya. *International Family Planning Perspectives*, 30 (4): 182-189.

Federation of Women Lawyers (FIDA). 2007. A shadow report to the 5th and 6th combined report of the government of the republic of Kenya, on the international convention on the elimination of all forms of discrimination against women. Available at <http://www.iwraw-ap.org/resources/pdf/Kenya%20SR%20final.pdf>. Retrieved on 24th April 2008.

Flanzer, J.1993. Alcohol and other drugs are key causal agents of violence. In R. J.Gelles & D. R. Loseke (Eds). *Current Controversies on Family Violence*, pp. 171-181. Thousand Oaks, CA: Sage.

Government of Kenya (GOK). 2006. *Office of the Vice President and Ministry of Home Affairs Strategic Plan 2005-2008*. Available at www.homeaffairs.go.ke/downloads/strategicplan2006final.pdf. Retrieved on 8th August, 2007.

Griffin, S. 1971. Rape: the all- American crime. *Ramparts*, 10: 26-56.

Grisso, J.1999. Violent injuries among women in an urban area. *New England Journal of Medicine*, 9 (341): 1899-1905.

Groth, N.1971. *Men who rape*. New York: Random House.

Gwartney-Gibbs, P., J. Stockard, and S. Bormer 1983. Learning courtship aggression: the influence of parents, peers and personal experience. *Family Relations*, 35:276-282.

Heise, L., K. Moore and N. Toubia 1995. *Sexual coercion and women's reproductive health: A focus on research*. New York: Population Council.

Hilberman, E. 1976. Rape: The ultimate violation of the self. *American Journal of Psychiatry*, 133: 436.

Holstrom, L. and Burgess, A. 1979. The husband's and boyfriend's initial reactions on rape. *The Family Coordinator*, 28: 21-330.

Honwana, A. 2008. Untold war stories: Young women and war in Mozambique. Available at <http://web.uct.ac.za/org/agi/pubs/newsletters/vol6/war.htm>. Retrieved on 7th May, 2008.

Human Rights Watch 2004. Deadly delay: South Africa's efforts to prevent HIV in survivors of sexual violence. *Human Rights Watch*, 16 (3A). Available at <http://www.hrw.org/reports/2004/southafrica0304/>. Retrieved on 20/09/07.

Institute of Development Studies (2007): Social-cultural factors

Available at <http://www.eldis.org/go/topics/resource-guides/health/key-issues/universal-access-to-sexual-and-reproductive-health-services/factors-affecting-access/socio-cultural-factors>. Retrieved on 2nd February, 2008.

Jewkes, R. 2002. Intimate partner violence: causes and prevention. *Lancet*, 359: 1423-1429.

Karpowitz, D. and Kenner, M. 2008. Education as Crime prevention: The case for reinstating Pell Grant Eligibility for the incarcerated. Available at http://64.233.183.104/search?q=cache:wP7O0CxfKnEJ:www.bard.edu/bpi/pdfs/crime_report.pdf+education+and+crime&hl=en&ct=clnk&cd=2. Retrieved on 26th April, 2008.

Kenya Prisons Service (KPS) 2007. *Service Charter for the Office of the Vice president and the Ministry of Home Affairs, Republic of Kenya*. Available at www.prisons.go.ke. Retrieved on 4th September, 2007.

Koff, C. 1974. Marijuana and sexual activity. *The Journal of Sex Research*, 10(3): 194-204.

Krug, E., L. Dahlberg, J. Mercy, A. Zwi and R. Lozano (Eds). 2002. *World Report of violence and Health*. Geneva, Switzerland: The World Health Organization. Available at www.who.int/violence_injury_prevention/violece/global_campaign/en/chap6.pdf
Retrieved on 20th October, 2007.

Kruijk, H. 2002. *Economic studies of poverty in Africa from intercultural perspective*. Available at <http://home.wanadoo.nl/piotrek/scriptie.htm>. Retrieved on 25th April, 2008.

Lerner, M. 1980. *The belief in a just world*. New York: Plenum Press.

Lisak, D. and Roth, S. 1990. Motives and psychodynamics of self-reported, unincarcerated rapists. *Journal of Personality and Social Psychology*, 55: 584-589.

Lubit, R. and Russett, B. 1984. The effects of drugs on decision-making. *The Journal of Conflict Resolution*, 28: 85-102.

Luster, T. and Small, S. 1997. Sexual abuse history and problems of adolescence: exploring the effects of moderating variables. *Journal of Marriage and Family*, 59:131-142.

Malamuth, N. 1996. The confluence model of sexual aggression: Feminist and evolutionary perspectives. In D. Buss and N. Malamuth (Eds.). *Sex, power, and conflict: Evolutionary and feminist perspective*, pp. 269-295. New York: Oxford University Press.

Malamuth, N. 1998. A multidimensional approach to sexual aggression: combining measures of past behavior and present likelihood. *Annals of the New York Academy of Science*, 528: 113- 146.

Malamuth, N., T. Addison and M. Koss 2000. Pornography and sexual aggression: are there reliable effects and how can we understand them? *Annual Review of Sex Research*, 11:26-91.

Margaret, D. 1998. *The social learning theory*. Available at <http://www.criminology.fsu.edu/crimtheory/bandura.htm>. Retrieved on 5th June, 2007.

Matasha, E., T. Ntembelea, P. Mayaud, W. Saidi, J. Todd, B. Mujaya, and L. Tendo-Wambua-1998. Sexual and reproductive health among primary and secondary school pupils in Mwanza, Tanzania: need for intervention. *AIDS Care*, 10:571-582.

McDonald, M. (Ed.) 1994. *Gender, drink and drugs*. Oxford: Berg Publishers.

McLean, A. 2008. Prisons overseas: promoting human rights tolerance and freedom. Available at http://prisonersoverseas.com/?page_id=446. Retrieved on 8th April, 2008.

Meehan, C. 2000. Parental influences on children's character and skills. Available at <http://www.angelfire.com/ms/perring/meehan.html>. Retrieved on 25th April, 2008.

Miczek, K., F. Joseph, M. Haney, J. Tidey, J. Vivian and E. Weerts 1994. Alcohol, drugs of abuse, aggression, and violence. In: A.J. Reiss and J.A. Roth (Eds). *Understanding and Preventing Violence, Vol. 3*, pp.377-570. Washington, DC: National Academy Press.

Miller, M. 1999. A model to explain the relationship between sexual abuse and HIV risk among women. *AIDS Care*, 11:3-20.

Millet, K. 1971. *Sexual politics*. New York: Avon Books.

Ministry of Health 2004. *National guidelines on medical management of rape and sexual violence*. Nairobi: Division of Reproductive Health, Ministry of Health.

- Morell, R. (Ed.) 2001. *Changing men in South Africa*. Pitermaritzburg: University of Natal Press.
- Morgan, R. 1980. Theory and practice: pornography and rape. In Lederer, L. (Ed). *Take Back the Night: women on pornography*: 134-40. New York: William Morrow.
- National AIDS Control Council (NACC) 2002. The Kenya National HIV/AIDS Strategic Plan (KNASP) 2005/6-2009/2010. Available at http://www.nacc.or.ke/downloads/KNASP_2005-2010_Final_Report.doc. Retrieved on 2nd February, 2008.
- National AIDS Council of Kenya 2002. *Mainstreaming gender in the Kenya National HIV/AIDS strategic plan 2000-2005*. Nairobi: National Aids Control Council. Available at http://educationclearinghouse.nairobiunesco.org/docs/Kenya_Mainstreaming_Gendet_int_o_National_AIDS_Strategy.pdf. Retrieved on 1st October, 2007.
- Nowrojee, B.1996. Shattered lives: Sexual violence during the Rwandan genocide and its aftermath. Human Rights Watch report. Available at <http://hrw.org/reports/1996/Rwanda.htm>. Retrieved on 8th October, 2007.
- Palmer, C. 1989. Is rape a cultural universal? A re-examination of the Ethnographic data. *Ethnology*, 28: 1-16.
- Papps, K. 1999. Unemployment and crime: New evidence for an old question. Available at <http://people.cornell.edu/pages/klp27/unemployment.pdf>. Retrieved on 24th April, 2008.
- Parker, R. and Auerhahn, K. 1998. Alcohol, drugs and violence. *Annual review of sociology*.24:291-331. Available at

<http://arjournals.annualreviews.org/doi/abs/10.1146/annurev.soc.24.1.291>. Retrieved on 28th April, 2008.

Population Communications Africa, National Council of Women in Kenya with the Ford Foundation and CIDA/GESP- 2002. *Gender Series: Violence and Abuse of Women and Girls in Kenya*. Nairobi: Population Communications Africa.

Reiss, A., and Roth, J. (Eds). 1994. *Understanding and Preventing Violence*. Vol. 3. Washington, DC: National Academy Press: 377-570.

Rozee, P. 1993. Forbidden or forgiven? Rape in cross-cultural perspective. *Psychology of Women Quarterly*, 17: 499-514.

Sanday, P. 1981. The socio-cultural context of rape: a cross-cultural study. *Journal of Social Issues*, 37: 5-27.

Sanday, P. 1979. *The socio-cultural contexts of rape*. Washington, DC: National Technical Information Service, United States Department of Commerce.

Santangelo, J. 2005. Reducing poverty in Africa, population growth may be bigger hurdle than AIDS. Available at <http://www.medicalnewstoday.com/articles/32682.php>. Retrieved on 25th April, 2008.

Scully, D. and Marolla, J. 1984. Convicted rapists' vocabulary of motive: excuses and justifications. *Social Problems*, 31: 530-44.

Scully, D. and Marolla, J. 1985. riding the Bull at Gilley's". Convicted Rapists Describe the Rewards of Rape. *Social Problems*, 32 (3): 251-263

Seigel, L. 1992. *Criminology*. St. Paul, MIN: West Publishing Company.

Smith, D. 1976. The social context of pornography. *Journal of Communication*, 26: 16-24.

Smith, M. 2004. *Encyclopedia of Rape*. New York: Greenwood Press.

Sutherland, E. 1939. *Principles of criminology*. Philadelphia: Lippincott.

Tiemoko, R. 2004. Elimination of violence against women and girls: a necessity. A Foreword of *Sexuality in Africa Magazine*, 1(3). Available at <http://www.arsrc.org/downloads/sia/sep04/sep04.pdf>. Retrieved on 30th November, 2007.

UNAIDS 2006. *Violence against women and girls in the era of HIV and AIDS: a situation and response analysis in Kenya*. Available at http://data.unaids.org/pub/Report/2006/20060630_GCWA_RE_Violence_Women_Girls_Kenya_en.pdf. Retrieved on 20th September, 2007.

UNAIDS/WHO 2004. AIDS epidemic update. Geneva: UNAIDS/WHO.

Government of Kenya (GOK) 2006. *Office of the Vice President and Ministry of Home Affairs Strategic Plan 2005-2008*. Available at www.homeaffairs.go.ke/downloads/strategicplan2006final.pdf. Retrieved on 8th August, 2007.

UNFPA 2005. *State of world population*. Available at www.unfpa.org/swp/swpmain.htm. Retrieved on 20th September, 2007.

UNICEF 2006. *Child protection information sheet: violence against children*. Available at www.unicef.org/publications/files/child_protection_information_sheet.pdf. Retrieved on 20th September, 2007.

UNICEF 2000. *Domestic violence against women and girls*. Florence, Italy: Innocenti Research Centre.

Watkins, B. and Bentovim, A. 1992. The sexual abuse of male children and adolescents: a review of current research. *Journal of Child Psychology and Psychiatry*, 33: 197-248.

Weis, K. and Sandra, B. 1973. Victimology and rape: the case of the legitimate victim. *Issues in Criminology*, 8: 71-115.

White, P. and Rollins, J. 1981. Rape: A family crisis. *Family Relations*, 30 (1): 103-109.

Appendix A: Questionnaire for the inmates

Questionnaire number: _____ Date: _____

Name of the respondent (Optional): _____

Name of the Prison: _____

Start time: _____ End time: _____

Hallo. My name is Samuel M. Muchoki. I am a post-graduate student from the University of Nairobi. I am here today trying to find out the individual motivation and socio-cultural factors predisposing a person to rape. I will take about 30 minutes of your time. I ask for your permission that we may discuss the issue of using force to have sex with a woman or a girl. Your experiences and opinions are important to me. I assure you that the information you give is confidential and is not intended to harm you in any way. I would only ask that you feel free and answer my questions truthfully. If you agree, I may use your real name. However, if you do not, I will not use your name in presenting my findings. I ask for your permission to participate in this study.

Thank you for agreeing to participate

1(a)	What is your age?	_____ Years
1(b)	What is your religion?	Catholic () Protestant () Muslim () None () Other, specify () _____
2	What is your marital status?	Single () Married () Separated () Divorced () Widowed ()
3	What was your occupation before imprisonment?	Skilled () specify _____ Semiskilled () specify _____ Unskilled () specify _____
4(a)	What is your district/ area of origin?	_____
4(b)	Ethnic affiliation	_____

Now I would like to ask you some specific questions on your imprisonment

5(a)	In which year and month were you imprisoned?	_____
5(b)	For how many years were you imprisoned?	_____

5(c)	Name all the charges preferred against you	Rape() Attempted rape () Others specify () _____
Now I would like to ask questions specifically on you past life		
6(a)	How many wives did your father have?	_____
6(b)	How many siblings do you have?	Boys () girls () None () Go to Q7 Don't know () Explain _____ _____ go to Q7a
6(c)	Were you raised together with them or not?	Together () Not together ()
7(a)	Were you raised by a single blood parent or by both blood parents?	Single blood parent () Both blood parents () ...go to Q9(a) Blood mother and a stepfather() go to Q 9(a) Blood father and a stepmother() go to Q 9(a) If none of the above() go to Q 7d
7(b)	If by a single parent, was it your mother or your father?	Father () mother ()
7(c)	How come a single parent raised you?	_____ go to Q 9a
7(d)	If none of your blood parents raised you, who raised you?	_____
8	How come you were raised by him/ her?	_____
9(a)	Were you raised in a rural area or in an urban area?	Rural area () urban area () both ()
9(b)	Were you raised as a single child or with other children?	Single child() with others () If with others, who were they? _____

10(a)	What is your highest level of education?	None () Primary level () which class? _____ Secondary level () which form? _____ Tertiary institution () go to Q 11
10(b)	Why did you drop at this level?	_____
11	Which specific problems did you have when you were growing up?	_____
12	Did you grow up in an abusive family environment?	Yes () Explain _____ No ()

I now wish to ask you specific questions relating to sexuality in your past life

13(a)	Have you ever been sexually molested or abused?	Yes () How? _____ No () go to question 14
13(b)	At what age were you first sexually molested?	_____
13(c)	How many times have you been sexually molested?	_____ Times
13(d)	What is the relationship of the person(s) who molested you?	_____
13 (e)	Did you report the matter?	Yes () No () go to Q 13h
13(f)	If yes to whom?	_____
13(g)	What action was taken?	_____ go to Q 14a
13(h)	If no, why?	_____
14(a)	Had you ever been previously convicted of any crime by a court of law?	Yes () No () go to question 15
14(b)	If yes, what were the charges?	_____

Now I would like to ask you specific questions on the rape/attempted rape episode. Please feel free to answer me or even interrupt me with a question or any concern in the session

15(a)	Had you had sex before the rape episode?	Yes () No () go to Q17
15(b)	At what age did you have your first sexual experience?	_____ Years
15(c)	Would you describe the person you had sexual experience with; was she older or younger than you or were you of approximately the same age?	Younger () Same age () Older ()
15(d)	Was the sex consensual?	Yes () No () Explain _____ _____
15(e)	If not, who demanded to have sex from the other?	Myself () The sexual partner ()
15(f)	Have you ever been infected with a sexually transmitted infection?	Yes () No () Don't know ()
16(a)	Approximately how many girls/women have you ever had sex with?	_____
16 (b)	In all these occasions, did you use condom?	Yes () No () Explain _____
16(b)	In the times you have ever had sex, did you ever force any woman/girl into having sex with you?	Yes () No () go to Q 17 Explain _____
16 (c)	How many times have you ever had sex with women/girls against	_____

	their will?	
17	For the specific charges that landed you in prison, do you think that you forced the woman/girl into sex?	Yes () No () Explain your answer _____ _____ _____
18(a)	What was the average age of the woman who you had a sexual encounter with?	_____ years
18(b)	(For those who raped) Did you use any protection while having sex?	Yes () No () go to Q 19 If Yes, what did you use? _____
18(c)	Did you have prior arrangement for using the protection?	Yes() No () Explain _____
18 (d)	Was the sex oral, vaginal or anal?	Tick as many as may be applicable Oral () ,Vaginal(), Anal (), Others. () _____ _____
I would like to ask you some questions related to the woman/girl that you had sex with		
19(a)	Who was the woman or girl you had sex with?	Acquaintance() friend () stranger () go to Q 20 relative() go to Q 19b Other() explain _____ go to Q 20
19(b)	If relative, what is the relationship?	_____
20	What prompted you into desiring to have sex with this woman/ girl?	

21	Did you plan ahead of time to have sex with this woman/ girl?	Yes() No() go to Q 23
22	How did you strategize into having sex with this woman/girl?	_____ _____ _____
23	Did you initially try to persuade the woman/girl into having sex with you?	Yes() no () If yes how? _____ _____ If no why? _____ _____
24	Apart from having sex with this woman/girl, what else did you do to her?	_____ _____ _____
25 (a)	What time of the day did you have sex/want to have sex with this particular person?	Morning () Midday () Afternoon () Evening () Early at night () Late at night () Around midnight () Early morning () Can't remember()
26 (a)	Was the girl/woman from your area of residence?	Yes () No() Don't know ()
26 (b)	Where did you have sex/want to have sex with this girl/woman?	_____ _____
27	Did you have the sexual encounter alone or with other men?	Alone () with a group () how many men? ____
28 (a)	What specific reason(s) do you think made you desire to have sex with the girl/woman?	_____ _____
28 (b)	Did you like the sexual act?	Yes() No () Explain _____

29(a)	After the incident, did you feel sympathy for the woman/girl?	Yes () no () did not think about it () Explain _____
29(b)	What was the initial reaction of your family members after they had that you had forced/wanted to force sex with the girl/woman?	Denied it () Accepted it () Others () explain _____ _____ _____
29(c)	Did they eventually believe it or not?	Believed it() Did not believe it ()
30(a)	Given a chance of not being caught, would you have sex with a girl/woman you admire against her will?	Yes () No () Explain _____ _____ _____
30(b)	Do you think that the girl/ woman acted in a way that made you desire to have sex with her?	Yes () No () Explain? _____
31	Do you feel that you had a responsibility of protecting the girl/woman you raped?	Yes () No () Explain _____
Before I conclude, I wish to ask you some questions on your social life		
32(a)	Have you ever beaten a woman/girl?	Yes () No()
32(b)	Have you in the past exposed yourself to hardcore pornography, which shows acts of forcing a woman/ girl into sex?	Yes () No () go to Q33

33	At what age did you first expose yourself to pornography?	_____ _____
34	Do you think that the desire to have sex with the woman/girl was prompted by watching violent pornographic movies/ reading magazines?	Yes () No () Don't know()
35	Have you ever desired to force a woman/girl into having sex with you?	Yes () explain _____ No ()
36	Have you ever taken any drugs (alcohol, cannabis, etc?)	Yes () which ones? _____ No () go to Q 33
37	At what age did you first consume the drug(s) Name specific drug and age	1. 2. 3. 4.
38	Do you normally attend family social gatherings?	Yes() If yes, which one(s) _____ _____ No () If no why? _____ _____
39	Did you grow up in areas prone to violence?	Yes () Explain _____ _____ No ()
40	Did your elders (parents/elder brothers, etc.) talk to you about sexual behaviour when you were growing up?	Yes () if yes, what did they tell you? _____ _____ No()

41	Did you discuss forcing a girl/woman into having sex with your peers when you were growing up?	Yes () What did you discuss? <hr/> No () <hr/>
----	--	--

As I conclude, I wish to ask you very fast, some specific questions on sexuality

Rating scale:

1. Extremely 2. Quite 3. Slightly 4. Neither 5. Quite 6. Slightly 7. Extremely

Intentions

42. I intend to force a woman/girl into sex in the future if I like her but she does not comply.

Extremely unlikely 1 : 2 : 3 : 4: 5: 6: 7 : Extremely likely

43. Given a chance, I would force any woman into having sex with me provided that I have high chances of not being caught by anybody.

Definitely true 1 : 2 : 3 : 4: 5: 6: 7 : Definitely false

Attitude towards rape

43. For me to force a woman/girl into having sex is

Enjoyable: 1 : 2 : 3 : 4: 5: 6: 7 : Un-enjoyable

Subjective norm

44. The people in my life whose opinions I value would

Approve: 1 : 2 : 3 : 4: 5: 6: 7 : Disapprove of my forcing a girl/woman to have sex with me.

45. The people in my life whose opinions I value would force a girl/woman into having sex with them 1 : 2 : 3 : 4: 5: 6: 7 : would not force a girl/woman into having sex with them.

46. Many people like me would force any woman/girl to have sex with them.

Extremely unlikely: 1 : 2 : 3 : 4: 5: 6: 7 : Extremely likely

47. Many people like me would force a woman/girl they admire to have sex with them.

Extremely unlikely: 1 : 2 : 3 : 4: 5: 6: 7 : Extremely likely

Perceived behavioural control

48. For me to force a girl/ woman into having sex with me in the future is

Impossible: 1 : 2 : 3 : 4: 5: 6: 7 : Possible

49. If I wanted to, I could force a girl/ woman to have sex with me in the future.

Definitely true: 1 : 2 : 3 : 4: 5: 6: 7 : Definitely false

50. How much self-control do you believe you have over forcing a girl/woman into having sex with you in the future?

A lot of control: 1 : 2 : 3 : 4: 5: 6: 7 : Very little control

Control beliefs

51. How often do you have sexual fantasies with a girl/woman?

Very rarely: 1 : 2 : 3 : 4: 5: 6: 7 : Very frequently

Motivation to comply

52. Generally speaking, how much do you care about what you did?

Not at all: 1 : 2 : 3 : 4: 5: 6: 7 : Very much

53. Generally speaking, how much do you care about what your family thinks about what you did?

Not at all: 1 : 2 : 3 : 4: 5: 6: 7 :Very much

54. Generally speaking how much do you care what your close friends think about what you did?

Not at all: 1 : 2 : 3 : 4: 5: 6: 7 : Very much

Behavioural beliefs

55. Having sex with a virgin can cure AIDS.

Impossible: 1 : 2 : 3 : 4: 5: 6: 7 : Possible

56. Being imprisoned will help me correct my behaviour of forcing a girl/woman into sex.

Extremely unlikely: 1 : 2 : 3 : 4: 5: 6: 7 : Extremely unlikely

Thank you for your time.

Appendix B: Key informant interview guide

Name: _____

Occupation: _____

Institution: _____

1. How would you define rape?
2. Causes of rape in society.
3. Social and cultural factors that predispose a man to rape.
4. Individual motivational factors that predispose an individual to rape.
5. Vocabularies used by rapists to describe rape.
6. Relationship of men who rape towards women/girls (attitude towards women).
7. Family background is likely to make an individual commit rape.
8. Best way to rehabilitate sexual offenders.

Appendix C: Self-administered questionnaire for death-row inmates

Name: (optional): _____	
Date: _____ Prison: _____	
<p>My name is Samuel Muchoki. I am an anthropology student from the University of Nairobi. I am trying to find out the reasons that push a man to rape or defile a girl or a woman. The information that you give is intended for research purposes. I kindly request you to answer the following questions. Your experiences and opinions are very important to me. I assure you that the information you give is confidential and is not intended to harm you in any way. I would only ask that you feel free and answer my questions truthfully. If you agree, you may use your real name. However, if you do not agree, do not write your name.</p> <p>Thank you for agreeing to participate in this research.</p>	
1(a)	What is your age? _____ Years
1(b)	What is your religion? _____
2	What was your marital status by the time of imprisonment? Single () Married () Separated () Divorced () widowed ()
3	What was your occupation before imprisonment?
4(a)	What is your district/ area of origin?
4(b)	Ethnic affiliation
Now I would like to ask you some specific questions on your imprisonment	
5(a)	Which year were you imprisoned?
5(b)	Write all the charges pressed against you 1. 2.
Now I would like to ask questions specifically on you past life	
	What is your highest level of education? None() Primary level () class _____ Secondary level ()form _____ Tertiary institution ()
	How many times have you ever raped/ defiled? _____ times

8	Who was the woman/ women or girl(s) you raped/defiled? e.g. stranger, some one I knew, employer, e.t.c. Name all of them	
9	Did you rape/ defile the girl/woman(s) alone or in a group of other men?	Alone () in a group () how many men? _____ Explain
10	Have you ever taken any hard drugs (alcohol, bhang. etc?)	Yes () which ones? No()
11	Kindly narrate below all the reasons that made you rape this/ these woman/ women or/ and girls. (If you need more space, write at the back of this paper). Thank you	