Sexual Violence Infrastructures (SVIs): Hotels and Cyberspace as Enablers of Sexual Crimes in Nigeria

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Abstract

Majority of the literatures on sexual violence in Nigeria deals with the crime from a structural perspective; that is – how the legal system or cultural practices within the society creates an enabling environment for different forms of sexual violence. Only very few of these literatures deal with sexual violence at the micro level; which is, to analyse how individuals plan and carry out acts of sexual violence and what instruments they deploy to successfully facilitate such crimes. This paper attempts to address such gaps. The study draws from a prominent criminology theory – routine activities theory to analyse the necessary conditions under which sexual predators select potential targets or victims. These conditions include the availability of three essential factors: existence of a motivated offender (sexual predator), an attractive target, and that the target must lack capable guidance or protection. It argues further that in Nigeria, hotels and cyberspace have become ‘sexual violence infrastructures’ (SVIs), and essentially veritable instruments used in carrying out sexual violence. In the end, it recommends
enhanced surveillance in hotels as a means of curbing their continued use as spaces for sexual crimes.

**Introduction**

Recent global estimates suggest that one in every three women will be raped, beaten, coerced into sex or otherwise abused in her lifetime (Heyzer, 2003). For Africa, and countries of the global south where the legal and institutional frameworks of law enforcement are weak, the situation may be far worse.

In Nigeria, a number of studies has been done regarding some of the most important manifestations of sexual violence in the country. Eze (2014) highlighted the lack of institutional frameworks in the rising scale of sexual violence. Zenn and Pearson (2014) dealt on the instrumental use of women by Boko Haram in its ongoing campaign of terror in Nigeria and how gender-based violence is targeted at Christian women. Antai (2011) observed how control exercised by male in intimate relationships (given the patriarchal nature of Nigeria’s society) easily manifests into sexual violence or domestic violence against women. Chika (2011) argued on how Nigeria’s section 6 and section 282 of the Nigerian Criminal and Penal Codes respectively, in contrast with current global trends, sanctioned marital rape. Additionally, the works of Ameh and Abdul (2004) as well as Oyediran and Isiugo-Abanihe (2005) demonstrated that a large percentage of Nigerian women found domestic violence justifiable.

Most of these literatures however, does not deal with the subject of sexual violence at the micro or individual level. In order to sufficiently unpack the ways and conditions within which sexual violence is carried out, it is important to understand the factors which allows individuals to accomplish it. Sexual violence as a concept encompasses acts which include but not restricted to sexual assault, sexual harassment, rape, genital mutilation, women and child trafficking, and forced exposure to pornography (Eze, 2014). It is exigent to note here that the context of sexual violence discussed in this paper is exclusively limited to rape. For this paper, rape is defined as a type of sexual assault involving vaginal or anal penetration; a forceful or unconsented sexual intercourse initiated by one or more persons against the other. The act may be carried out by physical force, coercion, or with a person who is unconscious, incapacitated or below the legal age of consent (Adeyemo, 2013).

This present study therefore proposes a theoretical explanation of sexual predation as a prelude to sexual violence. To do so, it combines a well-known criminology theory – *routine activities theory* as well as an important component of

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1 The term is used here to mean: obtaining or trying to obtain sexual intercourse with another person in an abusive or criminal manner. From the foregoing, a person who indulges or attempts to indulge in sexual crimes such as rape, child molestation or any form of sexual assault is referred to as a sexual predator (Filler, 2001).
sexual violence – sexual violence infrastructures (SVIs) in analysing why sexual predators are able to successfully carry out acts of sexual violence on their targets. The paper begins by offering a brief historical overview of how rape has largely being condoned within the Nigerian state over the years, which creates grounds for more insidious manifestation for the crime. It then goes on to analyse the routine activities theory, its importance in the understanding of sexual predation and sexual violence and its relatedness to sexual violence infrastructures. The concept of sexual violence infrastructure is then introduced to offer a contextual understanding of how hotels and cyberspace (Facebook specifically) acts as enablers of sexual violence in Nigeria. Further to this, multiple examples are cited, of how hotels serve as conducive facilities where acts of rape are easily executed and how the cyberspace is used by sexual predators to lure unsuspecting targets. Finally, it contends that improved surveillance and security measures in hotels could significantly limit the use of hotels as a sexual violence infrastructure.

Understanding Sexual Violence in Nigeria: A Brief Historical Perspective

In Nigeria, there is a general culture of indifference to the enormity of rape or other forms of sexual violence. This is evidenced in both the legal statutes and in the lack of resolution on reported rape cases. Although statistical data are hard to come by, out of the 678 cases reported in Lagos State Police Command alone (between March 2012 and March 2013) only 6 of those cases were resolved (The Eagle Online, 2013). It is also important to recall that in 2009 when four policemen gang-raped two students of the Enugu State University, they were merely suspended and dismissed, despite the outrage and repeated demands for justice by NGOs and advocacy groups (Obiagwu, 2014). Suffice it to note also that sexual assault on married women is afforded legal backing in Section 55 of the penal code and Section 6 of the criminal code. Both sections explicitly states that there can be no recognition for rape within marriage (Chika, 2008) in contrasts to current global trends.

These situations would have been outrageous if the country did not have a dated history of indifference to sexual violence. In the pogrom of August 1966 where tens of thousands of Igbo (people from Nigeria’s South East region) living in the Northern parts of Nigeria were murdered in the streets and in the middle of the night, hundreds if not thousands of women were said to have been violated, and murdered during this period (Oguibe, 1998). This would mark the first time coordinated campaigns of mass rape would occur in Nigeria. Yet such violence – despite its despicable and humungous scale never attracted the attention of the Nigerian government till date. No probe was initiated, nor any arrest or conviction recorded.

In October 1999, security forces who were sent to break a civilian protest in Choba community in Rivers State raped 67 women (Ugwuonye, 2013). There was
equally a Human Rights Watch eye witness account of how this was orchestrated by uniformed forces in military vans (Amnesty International, 2000).

In November 1999, a military campaign which was predicated to quell insurgency in Zaki Biam – Benue State soon descended into an occasion of mass rape in that community. Despite the outrage, President Olusegun Obasanjo who ordered the military intervention never probed these grievous misconduct.

Furthermore, the laws in Nigeria appear to further victimize and humiliate women. The rigorous requirement involved in producing authentic evidence of rape such as getting a medical report as well as a police report and within the shortest possible interval of any rape incident in question seems to stack the odds of proof against the victim (Ejim, 2013).

Section 357 of the Criminal Code Act, CAP 77, LFN, 1990 clearly states:

Any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent, if the consent is obtained by force or by means of false threats or intimidation of any kind, or by fear of harm, or by means of false or fraudulent representation as to the nature of the act, or in the case of a married woman, by personating her husband is guilty of an offence called rape (Masuba, 2013: 53).

While the law may appear to offer protection to the victim of rape, the key word to focus on is “consent”, as it is the victim’s duty to prove that she did not consent to the rape. This is a significant departure from the way in which rape is addressed under the law in other (developed) countries in which the individual accused of rape can claim the defence of consent, but then bears the burden of proving that the victim consented.

These legal defects, coupled with various precedents of official indifference towards sexual violence offers a perspective on how the issue remains at best, on the fringes of national consciousness.

**Routine Activities Theory**

Routine activities theory was first proposed by Cohen and Felson (1979). They argued that there were three main elements in the daily routine of individuals that influenced the way crimes occurred within a society. The first element was the existence of a motivated and potential offender, second was availability of an attractive and suitable target, and third was the absence of a capable guardian protecting against a violation (Cohen and Felson, 1979). For violent crimes (sexual violence particularly) to be committed, these three elements must intersect. In order words, when one of the element is lacking, the likelihood of sexual assault succeeding is considerably reduced.
For Wittebrood and Nieuwbeerta (2000) there are two core assumptions from the routine activities approach to criminal violations. The first is that a criminal opportunity structure is established from patterns of routine activities and lifestyle as the potential offender makes contact with the target, and secondly, the selection of a specific target is determined by the value the offender subjectively places on the target’s level of guardianship (Wittebrood and Nieuwbeerta, 2000).

Essentially, the routine activities theory conceives of crime, not as a random occurrence within the society but a systematic process where the selection of targets by offenders involve a rational decision. Generally, offenders often ensure that the targets of their violence meet a set of criteria that holds specific value to them, and in this regard, those who lack guardianship become particularly attractive targets (Boudreaux, 2001). The concept of guardianship invoked here can be referred to as a formal or informal social control mechanism that reduces accessibility to an attractive target by acting as a willing or capable protector (Chan et al, 2011). Therefore the extent to which a potential target has or lacks guardianship increases or decreases the vulnerability of such person becoming a victim of sexual violence.

The understanding of sexual violence infrastructures (SVIs) which can be broadly defined as any instrument that can be used to facilitate sexual assault, is crucial to understanding and appreciating the practical manifestation of the routine activities theory during the gestation and execution periods of sexual assault. SVIs are able to significantly aid the facilitating of sexual assault because offenders are able to interact with potential targets in places like hotels and cyberspace which are largely devoid capable guardianship. By carefully studying their targets, sexual predators therefore use SVIs to capitalize of the vulnerabilities of their targets and isolate them from any guardianship that may otherwise protect them.

**Defining Sexual Violence Infrastructures (SVIs)**

The concept of sexual violence infrastructures (SVIs) is novel, one I have coined, for the purpose of this paper, in order to put in better context how hotels and cyberspace serve as tools that support sexual assault. SVIs can be defined broadly as any instrument or thing that can facilitate or be used in carrying out acts of sexual violence. In Nigeria, Hotels, cyberspace, and sedative drugs are examples of instruments that can be used to accomplish sexual violence. Hotels, because of the way they operate: maximum avoidance of interference in the activities of guests by hotel authorities or staffs. Cyberspace is an important SVI due to the anonymity it offers the offender. In other words, it offers a fluid medium where potential targets cannot confirm the true personality or intention of their would-be assailants. Sedatives drugs (Raphenol, Valium, etc.) can also serve as SVI given how they can be used to induce the victim into a semi-conscious or unconscious state where consent may no longer be sought and resistance to sexual assault becomes near impossible.
It is instructive to note that, for an instrument or thing to have SVI capability, it must be able to satisfy four conditions: a. it must be capable of enabling the sexual predator accomplish the task of sexual violence, b. It must be within the control of the sexual predator, c. it must be capable of being used to lure a target without raising suspicion, d. it must be capable of isolating the target from any form of guardianship that may otherwise protect them. Below, I offer insights on the functionality of hotels and cyberspace as critical SVIs to sexual predators.

**A. Hotels as SVI:**

In Nigeria, hotels can be a very useful SVI for a number of reasons. In the first instance, a person who checks into a hotel anywhere in the country is never asked to provide evidence of identification. They are simply given a form to fill in their data but no further checks are done to ascertain if indeed the data corresponds with a real form of identification (driving license, international passport, national ID etc.). In other words, sexual predators can conveniently assume a pseudo personality or submit names that cannot be used to identify them in the wake of their crimes. Also, they are able to evade further scrutiny by luring subsequent targets to different hotels given the rampant availability of these facilities.

Hotels provide adequate cover for the sexual predator in a way his home is incapable of. For in their homes, there is a risk that the shouting or yelling of a distressed voice would alert interest or the curiosity of neighbours. And while sexual predators are aware of the despicability of their actions, they are wary of developing a reputation for such sociopathic behaviour – as this would decrease their chances of luring in more unsuspecting victims.

There is also a common assumption that a girl, lady/woman who voluntary walks into a hotel room with a man is most probably there to have sex. This dubious assumption makes the hotel staffs generally hesitant to probe into any overt or blatantly suspicious move; succumbing to the fear that such course of action would be considered intrusive.

Sexual predators are aware of these, and they exploit it. When for example, the Nigerian police interrogated suspects involved in the killing of the 26 year old girl – Cynthia Osukogu, two of them confessed that she had been the sixth victim of their racketeering activities which bordered on luring girls from cyberspace to hotels where they were robbed, violated and killed (Ezeobi, 2012). Hotel also was the location of choice for Sampson Otisi, a supposed pastor who on 13 September 2013 raped a 12 year old girl until she lost consciousness (Daily Post, 2013). Likewise, on 16 May 2015 in Ojo Lagos, a 14 year old girl was cajoled and taken to a hotel by her aunt where she was raped by a man who had offered her guardian some money in exchange (Nigerian Monitor, 2015).
Within this established and systematic pattern of sexual assault, one sees the practical manifestation of the routine activities theory: willing offender, availability of target, and non-existent or incapable guardian. One vital element is however missing, and that is the SVI. For it is this that enables the three elements in the routine activities theory to play out. In other words, willing offenders would have witness a practical limitation if the hotels in which they violate their targets were not available. The concept of SVI therefore compliments or enriches the overall understanding of how sexual predators carry out sexual assault and the conditions which makes it easier for them to successfully carry out their criminal plans.

B. Cyberspace as SVI:

New communication technologies and information channels have revolutionized access to information and media delivery. And this has partly rendered the cyberspace as an out-of-control and unregulated sphere, capable of serving both decent and sinister interests. According to Hughes (2002) information technologies and new communication channels are being used to facilitate sexual exploitation of women and girls locally, nationally and transnationally. The cyberspace, through new and improved media formats and applications, has diversified the means by which sexual predators can easily reach their victim (Hughes, 2002). Jaishanker (2008) refers to this as the space transition theory: the movement of persons from the cyber space to the physical space as a prelude to the occurrence of physical violence. It implies essentially that, otherwise sociopathic characters (sexual predators, conmen, paedophiles, etc.) are likely to pose as decent individuals online while their actual character would be made manifest when their encounter with their target transits from cyber to the physical space.

The cyberspace is also an important SVI due to its tendency to guide efficient yet anonymous communication. This anonymity, combined with sometimes the lack of face-to-face communication can easily erode normal social inhibitions that allows strangers to approach intimacy from a critical distance (McGrath and Casey, 2002). It allows instead for dialogue and familiarity to rapidly develop without the usual apprehension or embarrassment that may normally constrain the victim from becoming easily acquainted with the potential offender (Durkin and Bryant, 1995). Shockingly, Daru et al. (2010), found from empirical data obtained from victims whose familiarity with their assailants began from cyberspace, that 77% knew their assailants. In other words there is often a level of familiarity between the sexual predator and the target which quickly develops over cyberspace, but with the later totally oblivious as to the true intention of the person on the other end of the media screen.

In Nigeria, Facebook has become the platform of choice for sexual predators that seek victims through the cyberspace. It is an SVI that has been used on different
occasions to lure women to locations where they are robbed, raped and sometimes killed.

There has been in fact series of cases that points to a growing pattern of offenders fishing for targets online and deepening ties with them until they are able to meet with them in reality. It is also pertinent to once again invoke the case of Cynthia Osokogu to buttress this point. The young lady lost her life to a group of boys who had established contact with her via Facebook and posing as managers in modelling business (Nwammuo, 2013).

There has also been further similar cases since then. For example on 7 November 2012, a young lady – Akabugu Nkiriku was reportedly thrown down from a three-storey building during a scuffle to escape a rape attempt on her first date with a man she met on Facebook (Ynaija, 2012). On 22 October 2013, the Nigerian police arraigned in court 35 year old Omowuyi Kelvin who detained a 25 year old girl he met via Facebook and invited from Benin to Lagos, and on arrival detained and repeatedly raped her for five days afterwards (Xclusive Nigeria, 2013). Furthermore, on 23 March 2015, a lady – Adekemi Faboro was reported to have died in the house of her lover – Christopher Ezekiel whom she had recently met on Facebook (Onyebula, 2015).

To be clear, these instances does not imply that the dominant experiences of Nigerians on Facebook is characterized by falling prey to criminal syndicates who orchestrate acts of sexual violence. Facebook has been able to tremendously expand the scope of online political activism and also act as a veritable networking platform for arts and cultural communities. It also created a space where old friends are able to reconnect with lost acquaintances and make develop networks of new friends. However, in developing networks of new friends, people are nonetheless likely to fall into the hands of criminal elements who pretend to be who they are not. It is in this way that Facebook can be provide an important platform for sexual predators hunting for targets through the cyberspace.

**Recommended Interventions: Improved Surveillance and Security in Hotels**

From the foregoing discussions, the pertinent questions become: what steps need to be taken in order to curb or significantly reduce the use of hotels as instruments of carrying out sexual violence? What type of technology, law, or rules need to be introduced in order to easily identify individuals who use hotel structures as sites of operation? What safety measures exist or can be introduced in order to offer potential victims some form of protection?

For a start, improved surveillance in the form of closed-circuit television (CCTV) video cameras could assist considerably in tracking the movements of those within the hotel premises, and could deter potential sexual predators who would be aware that their movements are recorded or watched. Hotels are attractive places to
commit sexual crimes only when they offer some level of anonymity for the offender. Generally, people are more likely to indulge in a vice or criminal activity if they are convinced of getting away with it. Hence a number of potential offenders are likely to be dissuaded from using hotels as SVI if they are convinced they would be leaving behind evidence of their crime. It is impossible to adequately police the cyberspace in order to fish out sexual predators. More so, such online surveillance raises concerns about individual privacy and civil liberty. Therefore, while the cyberspace may seem a largely unregulated sphere, surveillance and security measures can be implemented in hotels to give potential targets some window of protection. Furthermore, it would also be exigent that panic button alarm systems are installed in hotel rooms, in order to give potential victims a chance to be rescued. These security alarm systems may come in form of a wall switch that can be turned on when a person feels that they may have come under the threat of being raped, molested or face sexual assault. The alarm would signal to the hotel reception or security personnel that someone in a specific room is in danger and needs their timely intervention. The success of this approach would be determined however by how much political will the government injects into it. Formal laws ought to be constituted mandating hotel authorities to equip their facilities with surveillance cameras in public areas of the hotel (gates, terraces, lobbies, hallways, etc.) as well as equipping rooms with panic button alarm systems. These measures, it must be said, while not constituting in themselves a bulwark against sexual violence in hotels, would assist greatly in curbing the ease at which hotel facilities could be used as sexual violence infrastructures.

Conclusion

Sexual violence as a form of gender-based violence in Nigeria is been a topic of a variety of research. Much of the research however have dealt more on the structural conditions that enable such crimes to thrive. This paper on the other hand has focused on analysing sexual violence at the micro or individual level. That is, to understand how offenders or sexual predators plan or carry out acts of sexual violence and the instruments which enable them to accomplish their aim. In order to unpack this complex phenomena, the paper drew from the routine activities theory – highlighting the idea that for an act of sexual violence to occur there must exist a motivated offender, an attractive target, and that such target must be isolated from a capable guardian. While this is the first necessary condition for sexual violence to be hatched, its execution lies in the use of sexual violence infrastructures (SVIs) to facilitate it, because sexual predators are able to lure their victims through cyberspace, and then railroad them to hotel facilities where they then sexually violate the target. The paper goes on to recommend that government intervention in the form of making laws that requires hotel authorities across Nigeria to install security cameras and panic alarms in their facilities would considerably reduce the use of hotels to carry out acts of sexual violence.
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