

CURBING CAMPUS BASED SEXUAL VIOLENCE IN NIGERIA'S TERTIARY INSTITUTIONS THROUGH THE INSTRUMENTALITY OF THE LAW*

Abstract

The upsurge in sexual violence globally has attained a frightening dimension. There is hardly any crime more grievous than rape maybe with the possible exception of murder. The pain experienced by the victim and parents are second to none. In Nigeria for instance, where the incident is under-reported due to ignorance, illiteracy, poverty and fear of stigmatization on the part of the victims. The media is awash with stories of sexual violence on daily basis. More frightening is the fact that in Nigeria, the tertiary institutions which ought to be the citadel of knowledge and for character molding has turned to be the bastion of sexual violence. This work will attempt to explore the possible causes of campus based sexual violence in Nigerian tertiary institutions and proffer solution on how this crime against humanity can be curbed. In doing so we are going to examine the meaning, forms, history, causes and consequences of sexual violence in the Nigerian tertiary institutions. We will also look at campus based sexual violence in other jurisdictions. Equally germane to this discourse, is to explore the International and National legal framework in respect of sexual violence and proffer solutions on the prevention of campus based sexual violence.

Keywords: Campus, Sexual Violence, Nigerian and Tertiary Institutions

1. Introduction

Sexual violence in general has gained both international and local recognition, over the past two decades. Many college campuses are no longer safe havens, especially for female students unlike their male scholars.¹ Researchers on campus sexual crime indicate that the female students are more at risk than her peers who are not student.² In June, 2020 the Nigerian police recorded 717 rape cases between January and May, 2020. The United Nations Declaration on the Elimination of Violence against Women recognizes violence against women as an ongoing barrier to gender equality and women's human rights and freedoms.³ In Nigeria, tertiary institutions include Universities, Colleges of Education, Polytechnics, and Mono-technics. We must stress the point here that tertiary institution is a microcosm of the entire society and cannot be insulated from it. Possible reasons for campus based sexual violence are that most campuses are more male dominated. Thus, more often than not, there is some sort of reluctance towards protecting women's sexual rights; and again the social myth that women's sexuality is private – a matter between the man and woman concerned only which should not be talked about in public.⁴ In such communities, where cases of sexuality are seen only from male-lens and not from a more holistic approach there must be some negative impacts on the orientation of the people and the community in general, on the values of womanhood and manhood.⁵ The manifestation of this inequality is in form of the denial of a woman's right to dignity. Indeed many women especially young ladies between the ages of 15-40 years suffer under the claws of violence in Nigerian Campuses.⁶ Perhaps in reaching these incompatible deeds against women, Kofi Annan was correct to state that violence against women is perhaps the most shameful Human Rights violation and as long as it continues we cannot claim to be making real progress towards development and peace.⁷ Colleges, tertiary institutions or universities are meant to be safe places with the mission to educate students and develop their character positively. The campuses are often considered to be the 'temple of wisdom' thus granting no form of justification for sexual violation and such related activities which demeans its academic standards. Sexual violence in Nigeria was under reported as a result of stigmatization.⁸ In addition, there is absence of effective mechanisms to address Sexual Assaults on campus, thereby preventing easy access to seek justice against the perpetrators. Consequently, it breeds a society where people live in fear and subjugation, while perpetrators feel mighty and right in their acts. All these therefore make university campuses an

*By **Onyinyechi DRESSMAN, LL.M, B.L, PhD Candidate**, Faculty of Law, Nnamdi Azikiwe University, Awka. Email: onyinyechidressman@gmail.com. Phone: 07011207918

¹P J Isely and Gehrenbeck-Shim D, 'Sexual assault of men in the Community' (1997)25(2) *Journal of Comm Psych*, 159-166.

²B S Fisher, F T Cullen and M G Turner, 'The Sexual Victimization of College Women' (2000) *Washington D.C: U.S. Department of Justice*. 2.

³United Nations General Assembly Declaration on the Elimination of Violence against Women 1993.

⁴A O Balogun, et al, 'Lecturer's Perception of Causes and Consequences of Sexual Assault in Tertiary Institutions of Kwara State, Nigeria' (2013) 3 (20) *Research on Humanities and Social Sciences*, 82-86.

⁵I E Nwosu, 'Mobilizing People's Support for Development: An Analysis of Public Enlightenment Campaigns in Africa' (1986)1 (1) *Africa Media Review*, 48-65.

⁶Gender violence is a wide term that connotes acts of oppression towards women it includes but is not limited to rape, prostitution, discrimination etc.

⁷Kofi Annan Secretary General of the United Nations (8 March 1999) at <www.un.org/news/press/docs/1999/19990308.sgs> Accessed 5 April, 2015.

⁸O Adamolekun, 'Sexual Harassment on Campus: A Counselor's Reflection' (1989) *Nigerian Journal of Counselling and Development*, 4, 53-57.

important environment not to be ignored.⁹ The focus of this work is how to curb campus based sexual violence in Nigerian tertiary institutions.

2. Meaning of Sexual Violence

Sexual violence has been defined as “any sexual act, attempt to obtain a sexual act, or acts to traffic for sexual purposes, directed against a person using coercion, harassment or advances made by any person regardless of their relationship to the victims in any setting, including but not limited to home and work.”¹⁰ Sexual violence cut across both gender. A learned author has argued and rightly in our view that women are more likely to be victims of sexual violence than men. She described sexual violence as when a woman is physically pressured, coerced, forced against her wish by a male counterpart to have sexual intercourse with him against her consent or she is afraid of the consequences for her refusal to do so.¹¹ Sexual violence exists in many forms. But in this concept, it would include rape within teacher- student relationships, male student – to female students, unwanted sexual advances or comments, violent act against sexual integrity of women, including fantasized sexual postures, bullying and including all of the aforementioned acts in the definition.¹² This work sees campus based sexual violence as the use of physical force, coercion, intimidation, harassment or indecent advances made against the victims (usually females students) by either person(s) in authority or fellow students of tertiary institution for the purpose of procuring sex with the victims. Sexual violence continues to be a security challenge to many female students in most Universities.

3. Forms of Sexual Violence

Sexual violence takes place in different forms and circumstances. This includes the following: Gang rape, Rape by strangers, Systematic rape during armed conflict, Unwanted sexual advances or sexual harassment, including demanding sex in return for favours, Sexual abuse of mentally or physically disabled people, sexual abuse of children, forced marriage or cohabitation including the marriage of children, denial of the right to use contraception or to adopt other measures to protect against sexually transmitted disease, forced abortion, violent act against the sexual integrity of women, include female genital mutilation and obligatory inspection for virginity, and forced prostitution and trafficking of people for the purpose of sexual exploitation.¹³

4. History of Sexual Violence

Sexual violence can be traced back to the Greeks and Romans civilization where women were seen as property without any rights over their bodies or sexual integrity. Sexual violence in form of rape was therefore considered as property crime only affecting their owners. During armed conflicts sexual violence rape was viewed as a normal characteristic of war. In ancient Greek, women were usually taken as booty of conquest. In the middle ages, the patriarchal hegemonic nature of the society reinforced and perpetuated sexual violence. In peace time, female spouses had no right to refuse sex with their husbands. Even though law punishing rapes existed, sexual violence was usually considered as justified or inconsequential. This position prevailed till the era for the search for territories outside Europe after the industrial revolution. Hence, the practices of sexual violence particularly against women were transported to the colonies including Nigeria. Gradually, over the centuries, laws and customs of war changed in the direction of the wider understanding of sexual violence and the need to protect the victims. For instance, during the American civil war, the US started to codify the customary rules regulative land-based wars. With the *LeibaCode* of 1863, President Lincoln tried to regulate the conduct of union soldiers and prohibited explicit rape. After World War I, a War Crimes Commission was established in order to bring war criminals before justice. Forced prostitution and rape was seen as grave violation of the customs and laws of war. But if we may ask what on earth must have necessitated or must have been responsible for the upsurge in sexual violence particularly sexual violence in our tertiary institution?

5. Possible Causes of Campus Based Sexual Violence

A learned author¹⁴ posits that the root causes of sexual violence include the following;

⁹O O Badejoko, et al, ‘Sexual Assault in Ile-Ife, Nigeria’ (2014) *Niger Med J.* 55, 254-259.

¹⁰WHO Violence against Women: A Priority Health Issue 1997. United Nation Organization, Declaration on the Elimination of all Forms of Violence Against Women; UN General Assembly 1993, New York A/RES/48/104.

¹¹Y Olomjobi, *Human Rights on Gender Sex and the Law in Nigeria* (Princeton Publishing Co 2013) P 59.

¹²N A Adeleke, et al ‘Sexual Assault against Women at Osogbo Southwestern Nigeria’ (2012)15 (2)*Niger J Clin Pract.* 190-193.

¹³D G Ado, E N Anthonia, & B Babagana, ‘Prevalence and Nature of Sexual Assault among Female Students in a Tertiary Institution in Maiduguri, Nigeria – A Cross Sectional Study’ (2010)3(4)*International Journal of Health Research*, 199-203.

¹⁴Susan Carney, ‘Sexual Assault Awareness, Prevention Activities to Teens Aware and Involved’ suite 101.com April 2 2007 <http://youthdevelopment.suite101.com/article.cfm/sexual_assault_awareness_month > (accessed January 11,2010)

Defective Examining Procedure: Lack of clearly defined marking scheme and non institutionalization of examination vetting process, gives lecturers the leeway to oppress and intimidate females who refuse their sexual advances, irrespective of their actual performance in that course. Professor Richard Akindele by Obafemi Awolowo University, Ile Ife was reported to have been sacked for demanding sex from Monica Osagie a postgraduate student to upgrade her mark. It is amazing and disturbing that this is happening in an environment that is often believe to be a molding and filtering ground for building a virile leaders and intellectuals that will mount the stage of leadership tomorrow.¹⁵ When a female student demands for her script to be reassessed by a neutral and independent lecturer, her hopes are dashed because of the comradeship which exist among lecturers. This exposes the student to further victimization by disgruntled morally bankrupt lecturers in the faculty. Most Universities have sorted this issue while others are yet to follow suit.

Security Challenge: insufficient or lack of adequate security network of most developing states tertiary institutions and other security agencies has led to great insecurity of females. Lecturers and male students terrorize female students on campus. There are multiple cases of rape in broad daylight by lecturers in the office or by male cultist in very obscure location on campus¹⁶ including hostels, track roads and even class room.

Decline in Cultural Values: Parents should inculcate good moral values in their children early in life in order to prevent sexual violence as charity begins at home. There is cultural decadence mainly in the tertiary institutions, female students dress worse than high-class prostitute. In fact, there is a saying on campus that the female students are the ones raping the male students/lecturers by their provocative dresses. For instance, most Nigerians female students in the Southern part of Nigeria wear seductive club clothings to school than in the North. This is definitely not an excuse for rape.

Decline in Academic Standard: Students are not willing to work hard by burning midnight candle; rather, they prefer to engage themselves in prostitution and cultism. Consequently, female students are not willing to study because they can easily procure very good grades by sleeping with their respective lecturers or offering cash payment.

Proliferation of Cultism: In an attempt to protect themselves from sexual harassment and intimidations, female students form social groups which later metamorphosed into cult groups. This cultism has very negative effects and has contributed to increase in campus- based sexual violence such as lesbianism, bestialism, etc.

Gender Inequality: Campus based sexual violence is a leading form of violence against women as stated by the alarm raised by the United Nations Declaration on the Elimination of Violence against Women.

Sexual violence is a serious public health and human right problem with both short and long-term consequences on women's physical, mental, sexual and reproductive health. Whether sexual violence occurs in the context of an intimate relationship or within the larger family or community structure, or during times of conflict, it is a deeply violating and painful experience for the survivor.

6. Effect of Campus Sexual Based Violence

There are perceived consequences of Campus Based Violence in a tertiary institution. These include unwanted pregnancy/unsafe abortions, reduced self-esteem as a result of shame and embarrassment, poor image of the institution, emotional and psychological traumatic stress disorder, drop out of school, poor academic performance as a result of emotional disorder, difficulty in interpersonal relationship and sexual adjustment, sexual transmitted disease and hiv/aids, persistent gynecological diseases e.g. pelvic inflammatory diseases¹⁷ The effect of sexual violence goes far beyond physical injuries. The long-term effects on women's mental health and well-being can be very devastating, women who experience violence as listed above identify an emotional effect¹⁸. While the vast majority of incidences are unreported, in nearly all cases of sexual violence against women, the abusers are male and the offenders are $\frac{3}{4}$ (three quarters) of reported cases with a large proportion of these people being casual acquaintances or friends. Young women on college campuses are especially at risk of sexual assault and abuse. Victims of "sexual assault" are discouraged from reporting the assault and seeking follow-up cares.

¹⁵ N Nseyen, (2018, June 20) Sex-for-marks: OAU sacks Professor Richard Akindele. *Daily Post*, 56.

¹⁶ *Ibid*

¹⁷O O Balogun *et al* 'Lecturer's Perception of Causes and Consequences of Sexual Assault in Tertiary Institutions of Kaduna State, Nigeria. *Journal of Research on Humanities and Social Sciences* Vol. 3 No. 20, 2013.

¹⁸A S Cass, Routine Activities and Sexual Assault: An Analysis of Individual and School-Level Factors. *Violence and Victim* 2007; 22: 350-355.

7. Legal Frame Work

Several laws have been put in place to protect the rights of women internationally, regionally as well as domestically.

International Legal Framework

There are various international laws, treaties and conventions that expressly prohibit discrimination against women which includes acts of sexual violence be it at the tertiary, college or women generally. At the global or international level, they include:

United Nations Declaration of Human Rights 1948

The United Nations Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights.¹⁹ It prohibits torture, inhuman and degrading treatment or punishment and provides for equality before the law.²⁰ The implication of this historical document from the various provisions is that the rights and dignity of women must be respected. In the light of the above, campus based sexual violence is a violation of human dignity.

Declaration on the Elimination of Violence against Women 1993²¹

The Declaration on the Elimination of Violence against Women condemned all forms of physical sexual and psychological violence against women. While this instrument has been ratified, it is yet to be domesticated as part of the Nigerian law. The Committee on the Elimination of Discrimination against women recommended that States parties must:

- I. Ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women and respect their integrity and dignity²² and
- II. Take all legal and other measures that are necessary to provide effective protection of women against gender-based violence including effective legal measures, including penal sanctions civil remedies and compensatory provisions to protect women against all form of violence. The committee also requested that states parties include information on legal measures that have been taken to overcome violence against women.

Convention on the Elimination of All Forms of Discrimination against Women 1979

CEDAW reinforces State responsibility in ensuring without delay any act or practices of discrimination against women are brought to a halt²³ and for state parties to take appropriate measures to eliminate discrimination against women in order to guarantee equal rights with men in the field of education.²⁴ The CEDAW Committee enumerated a wide range of obligations of State related guidelines to combating sexual violence, including ensuring appropriate treatment for victims in the justice system, counseling and support services and medical and psychological assistance to victims in the justice system, counseling and support services and medical and psychological assistance to victims.²⁵

International Covenant on Civil and Political Rights 1966

International Covenant on Civil and Political Rights Article provides for right to be treated with humanity. No one is entitled to be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one should be subjected without his free consent to medical or scientific experimentation.²⁶ Everyone have the right to liberty and security. All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guaranty everyone equal and effective protection against discrimination on ground such as race, colour, sex, language or other status.²⁷ The convention defines torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”²⁸ In a resolution in 1993, the United

¹⁹ UNDHR 1948, ARTICLE 1

²⁰ UNDHR 1948, Article 3 and 5

²¹ Article 1

²² Para 24(b) Committee on the Elimination of Discrimination against Women; General Recommendation No 19 (1992) on Violence Against Women.

²³ CEDAW, Article 2

²⁴ CEDAW, Article 10

²⁵ Committee on the Elimination of all forms of discrimination of “Violence against Women”, “General Recommendation No. 19 (Eleventh Session, 1992) U.N. Document CEDAW /C/1992/L.1/Add, 15.

²⁶ CEDAW, Article 7

²⁷ Article 9 and 26

²⁸ Convention against Torture and other Cruel Inhuman and Degrading Treatment or Punishment Article 1.

Nations General Assembly declared that prohibiting gender discrimination include eliminating gender – based violence and instructs all States to pursue all appropriate means, without delay a policy of eliminating violence against women²⁹

Protocol to the African Charter on Human and Peoples Right on the Right of Women in Africa

This was promulgated to uphold women's rights and recognize the important role women play in society. In recognizing the rights of women, the Protocol upholds that woman shall have the right to dignity including the protection of her human and legal rights. The law also provides that parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence. Women are entitled to be respected. There is need for the state to provide adequate security to forbid all forms of exploitation, cruel, inhuman or degrading punishment and treatment. State parties must take appropriate and effective measure to enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public.

National Legal Framework

The Constitution of the Federal Republic of Nigeria³⁰ is to the effect that no one should be subjected to torture, inhuman and degrading treatment or punishment based on community, ethnic group, place of origin, sex or religion. The law provides that no one should be subject to any form of discrimination. These sections are powerful guarantors of women's rights in Nigeria. For instance, Section 352 of the Criminal Code Act, applicable in Southern Nigerian provides that any person who assaults another with intent to have carnal knowledge of him or her against the order of nature is guilty of a felony, and is liable to imprisonment for fourteen years. Also, the law went further to expressly outlines what constitute the offence of rape and the penalty for defaults who act contrary to the law.³¹ It provides that any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent, if such consent is obtained by force or by means of threat or intimidation of any kind, or by fear of harm, or by means of false and fraudulent representation as to the nature of the act, or, in the case of a married woman, by impersonating her husband, is guilty of an offence which is called rape³². Some states of the federation have also enacted laws protecting women against sexual violence. The Criminal Code Act deals with the punishment for rape which is life imprisonment. The Criminal Code Act also deals with the offence of attempted rape and also prescribes the punishment of 14 years imprisonment for same.³³ For instance, Ekiti State has enacted a Gender Based Violation Law (2011) to address gender-based violation particularly against women. The Penal Code³⁴ is more elaborate in its definition of Rape and the element needed to be proved to uphold a charge of rape, unlike the Criminal Code which is more detailed in its definition of other sexual related offences but not specific on Rape.

8. Campus Based Sexual Violence in Nigeria

In Nigeria, most tertiary institutions are faced with the challenge of sexual assault or violence. Sexual assault and rape cases are reported in various universities in Nigeria. Rape is not just common in Nigeria but the true national prevalence is difficult to obtain for obvious reasons, which include poor national statistics and poor reporting. Among 400 female students of Ebonyi State University over a two months period March 1 – April 30th, 2004, well-structured, self-administered questionnaires were randomly distributed to them in sealed envelopes. These questionnaires were answered in their privacy and returned sealed. Three hundred and fifty nine (359) questionnaires were returned but only 327 were properly filled and were consequently analyzed.³⁵ Information regarding demographic characteristics, sexual activities, rape experience, time of rape, knowledge of the rapists, venue of rape, events surrounding the rape and whether or not the victim reported the incidence, were obtained information also obtained included post-rape experience, treatment offered and suggestions on how to reduce the menace of rape.³⁶ According to Ugochukwu et al³⁷, the response rate was 81.8% while the incidence of rape was 19.3%. 17.7% occurred in fair- skinned females and 1.6% in the dark-skinned females. Most rapes occurred in the afternoon

²⁹United Nations General assembly, "Declaration on the Elimination of Violence against Women, A/RES/48/104, December 20, 1993

³⁰Constitution of the Federal Republic of Nigeria, 1999 as Amended, Section 34

³¹Criminal Code, Law of The Federation of Nigeria 2004, Sections 358

³²Criminal Code, Law of The Federation of Nigeria 2004, Sections 357

³³Criminal Code, Law of The Federation of Nigeria 2004, Sections 359

³⁴Laws of the Federation, 2004 Cap p 89

³⁵O Ugochukwu, J Umeora and Johnson A Obina, 'A Survey into the Prevalence and Pattern of Rape in a Nigerian tertiary institution' (2015)*International journal of innovation and scientific research*, 349-353.

³⁶*Ibid*

³⁷*Ibid*

(33.4%) followed by evening (31.7%). 87.3% of victims recognized the rapists and could identify them. Most of the perpetrators of rapes were relations of the victims (60.3%). Most of the rapes took place in the residence of the rapists (48.6%). In 100% of cases the rapists were older than the victims. 66.7% of victims did not report to any person and the commonest reasons for not reporting were shame and fear of stigmatization (70.6%). Eighty one percent (81%) did not suffer any physical injury while 90.5% accepted to have suffered a form of psychological trauma. 65.1% were raped only once, while 34.9% were raped more than once. 93.7% involved a single rapist while 6.3% involved mass rape. The rapists used condom in only 1.6% of cases. Only 4.8% of victims used contraceptives after rape incidence. The reasons for not using contraception include lack of knowledge of contraception (48.7%), feeling that they cannot become pregnant (42.5%) while 8.8% felt it was not necessary. This is equivalent outcome of the incident presently observed till date with little dissimilarity.

9. Campus Based Sexual Violence in other Jurisdictions

United States of America

As earlier alluded campus based Sexual violence is of universal application. Today, a shameful culture of sexual violence permeates lots of Americans College Campus. Accordingly, one out of five women are reported to been victims of sexual assault while studying at America's Colleges and Universities today. A current trend estimates that one in three women will be sexually assaulted during her life. Yet for many decades US Colleges and Universities have been quietly sweeping this mounting epidemic under the rug, concealing the truth from both the public and female students alike because the school's reputation and lineage are far important than the safety and wellbeing of their collage codes. However, at the University of Michigan, an internal survey of students' experience with sexual misconduct found that more than 20% of undergraduate women had been touched, kissed or penetrated without their consent. Analysis of College sexual assault reports amongst 1570 Colleges with student enrolments of over 1000 students compiled by the Washington Post reveals that the rate of increasing sex crimes reported to be committed on Colleges campuses from 2010 to 2012 shows a sharp increase of 50% in just three years. In order to curb the upsurge in campus based sexual violence in the USA, the Federal, State and Local Officials became involved as schools struggle to revise their policies and procedures to prevent further incidents. For example, in January, 2014 President Obama appointed the White House Task Force to protect students from sexual assaults. The Task Force report titled "Not alone" in April, 2014 made series of key recommendations. Another legal response to the menace of campus based sexual violence is coming from the State of California. A California bill would impose a mandatory minimum punishment of two years suspension for students found responsible for rape by colleges, signaling a new face in the fight against campus sexual assault.

India

Campus based sexual violence are common in form of rape, intimate partner sexual violence or gang rape.³⁸ It included and form of violence suffered by a person from a biological relative but typically is the violence suffered by women by male members of family or relatives.³⁹ According to National family and Health survey in 2005 the instance of violence was reported to be largest among Buddhist and gain women and highest among Muslim women in India.⁴⁰ The India Criminal Code Law (Amendment) Act, 1982 has a wide scope when it introduced Section 375, 376 A – 376 D which aim is to stop sexual abuse of women in custody or care or control by persons. The punishment section for rape is section 376 with imprisonment of not less than 7 years or life imprisonment with fine. However, when rape is on one's wife who is under the age of 12 years it attracts two years imprisonment. Exception of the above rule is that where rape occurs when the victim is above 15 years, this is not rape. As a matter of fact age should not be a determinant factor when it has to do with this heinous crime. In case of gang rape the sentence is not less than 10 years imprisonment or life imprisonment with fine. The India Criminal code have wide range of rape this include marital rape, gang rape and custodial rape. The India Criminal code also protects the foreigners who are also subject to the law. Women activists in India advocate that female Judges should preside over rape case and female officials made to investigate cases of rape. We hereby recommend that Nigeria should toe this line and the female officials should be adequately trained.

South Africa

The rate of sexual violence in South Africa is amongst the highest in the world. An estimation of 500,000 rape cases takes place in the country every year⁴¹ according to the report by the United Nations office for crime and drug for the period of 1998-2000. South Africa was ranked first for rape per capita. While some group of women in South Africa

³⁸Rosenthal, Elizabeth (6th October, 2006). "Domestic violence plague women worldwide, say Francisco Chronicle.

³⁹Makin Sandra, (1999) Domestic Violence in Northern India.

⁴⁰Women Empowerment in India (PDF) National Family Health Survey, 2015.

⁴¹Medical Research Council (MRC) South Africa: The Black Race and Rape 2009.

estimates that a woman is raped every 26 seconds, the South African police estimates that a woman is raped every 36 seconds. Since the early 1990s, there have been a number of important studies on the nature and practice of sexual harassment and sexual violence in South Africa and neighbouring countries.⁴² The Parliament of South Africa has enacted the Criminal law (Sexual Offences and Related Matters) Amendment Act, 2007 which has been in effect since 16 December 2007. The comprehensive Act seeks looks to review and amend all laws dealing with sexual offences and strengthening them. The amendment defines sexual violence as including, but not limited to the forms of rape outlined in this article.

10. Ways of Curbing Campus-Based Sexual Violence in Nigerian Tertiary Institutions

The word campus-based sexual violence or any sexual act creates or connotes an embarrassing, hostile, humiliating or offensive environment for the victim. The prevention of campus based sexual violence is a *sine qua non* for all tertiary institutions in Nigeria. This can be achieved through the following means: Public enlightenment is a critical tool in changing behavior, attitude, beliefs and value system of people.⁴³ Hence there is need for enlightenment through the media devices - television, radio and print media, to educate students and lecturers about the evil associated with sexual violence and possible consequences highlighted. Passage of enabling and specific laws by the Nigerian legislature is necessary to address the issues of sexual violence in the country with particular reference to tertiary institutions in Nigeria. The Nigerian University Commission should push for stricter, more specific and transparent vetting procedures in the tertiary institutions to ensure that lecturers grade papers without vindictiveness or favour. The Nigerian media should conduct more investigative reports to expose the negative phenomenon of campus-based sexual violence.⁴⁴ Some international legal frameworks have been put in place to protect women from sexual violence. The United Nations strategy is to ensure emergency contraception for victims of sexual violence to prevent unwanted pregnancies with its associated risks. There is need to strengthen advocacy on sexual harassment and integrate messages on the prevention of gender based sexual violence into programs/project. Enforcement of already existing legal framework on the protection of women from sexual violence is necessary. These include international, regional and municipal laws. This approach involves functional, skilled and synchronized services involving the criminal justice system, the police, social services and sexual assault services. Victims/survivor of sexual assault/violence in the tertiary institution should be encouraged to break their silence so as to ensure a successful prosecution of the perpetrators.

11. Conclusion and Recommendations

From the above research it is certain that Campus based Sexual violence is indeed a challenge that calls for immediate attention to be addressed. It can be seen that Nigeria like any other tertiary institutions lacks the enabling legislation to curb sexual harassment and violence. There is need to create serious and viable environment for advocacy to ensure a stress-free academic environment that will promote decent gender relationship between students on the one hand and student/lecturer on the other hand devoid of sexual harassment/ violence. It is only when this is done that female students can truly be free to achieve their ambition, dreams and aspiration in life without fear of any form of harassment. Parents should inculcate good moral values in their children early in life in order to prevent sexual violence as charity begins at home. It is necessary for a guidance and counseling department in tertiary institutions to have a Gender Based Violence Unit that will handle all forms of sexual harassment/violence. Morality is an essential part of the law. Law is essentially a set of rules and principle created and enforced by a state. There is need for the enforcement of already existing laws to curb the formation of cult groups and rustication of any students found to be members of such groups. Laws for the protection of every citizen especially women need to be reviewed in view of the high rate of sexual violence experienced in the country on daily basis. Drastic steps for the actual implementation of various laws for the protection against gender-based violence in tertiary institution have long been overdue. Also, laws to prohibit sale of hard drugs, use of coercion on female students by lecturers should be enacted by the University Commission. Students need to be sensitized; lecturers and non-teaching staff are to be informed on the dangers of sexual harassment and violence. Prompt prosecution of cases of sexual violence in tertiary institution and punishment of perpetrators will act as deterrent to future offenders.

⁴²Dominant researchers here have been Finchilescu (1994), Gaidzanwa (1997), Gouws and Kritzinger (1995), Et cetera

⁴³O Eze 'Prevention of Sexual Assault in Nigeria' (2013) 11 *Journal of Department of Pathology, University College Hospital, Ibadan*, 65-70

⁴⁴Hourled K "Sexual Harassment Plaques Nigerian schools Los Angeles Times, March 25, 2007 cited in Okorafor P. N. *et al.* 16