# The Protector Becoming The Perpetrator Adverse Impact Of Sexual Abuse On Children

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#### **ABSTRACT**

In India for every 155th minute a child less than 16 years is raped, for every 13th hour a child under 10 years and one in every 10 children are sexually abused at any point of time which makes India a country where the world's largest number of Child sexual abuse occurs. Sexual abuse is a heinous crime which leaves the survivor of the same in despair, depression and desolation. The short term and long-term effects of sexual abuse are numerous and devastating. Hence when a child or an adolescent has been abused sexually, empathetic understanding is more helpful as the incident of sexual abuse and the effects of sexual abuse tend to hamper an individual's emotional and psychological development as well as social wellbeing. The present study tries to understand the effects of sexual abuse on the adolescent girls who have experienced sexual abuse in any form. The study also makes an attempt to understand survivors' overall opinion about the incident, perpetrator, issues and the social aspects of sexual abuse. The data was obtained by using quantitative method i.e., using questionnaires and inventories and qualitative method i.e., structured interview.

**Keywords:** Child Abuse, Sex, Law etc.

## I. INTRODUCTION

To start with, 'Sex' in every sense, is obscure in our country, and still, most of the people, except a very small proportion in the urban areas, cannot talk about sex freely. Thus, any research associated with the word in any form, can pose difficulty. This becomes even more problematic when the word sex is associated with the child. On top of this, the problem of sexual abuse, involving both the child and sex together, can lead to exasperated responses from layman population. In the sacrosanct image of the family, where parents are the 'ultimate protectors' of the child, the possibility of a child getting sexually abused by a family member or even a known outsider is unacceptable. Thus, the idea of conducting a research study exploring histories of sexual abuse was challenging. On top of that, locating the 'self' of an adolescent, being constructed in the midst of these experiences, embedded in the process of transition in and out of the street, demanded a careful understanding of each individual and with him/her at a deeper level. But the enormous amount of work already done on the topic has helped in the process of conducting this research

## II. CHILD SEXUAL ABUSE: EVOLUTION OF THE CONCEPT AND THE CURRENT SCENARIO

of this theory by Freud proved to be biggest blow to research in the area CSA (Bolen 2002). Instead of facing CSA as a problem, Freud denied its existence by rationalizing it as sexual fantasies of daughters towards their fathers and thus, restricted the realm of theoretical and practical understanding of this phenomenon only to father daughter incest for years to come. Eventually, the discourse of CSA was observed as confined only to females.

Struggling with this wave of denial, CSA first began to appear on the agenda of mental health and child welfare in 1970s. Since then, professionals belonging to varied fields like, sociology, social work, psychology, psychiatry, medicine and nursing have attempted at understanding the nature, scope and impact of this issue. Empirical work done in the decade of 70s-80s, has been very well compiled and analyzed by Finkelhor (1986), where he expressed concern about accuracy in estimating prevalence and quantified effect of CSA and set a solid foundation for further studies in the area. According to his review of the studies conducted till then, prevalence of CSA ranged from 6 - 62 percent for females and from 3 - 31% for males, the wide range bringing forth, the differences in the conceptualization of the topic in hand.

'Effect' was one aspect of CSA which, though studied extensively, suffered from the complexities associated with dealing with such a latent and controversial issue. There were many discrepancies in defining the term and diverse methodologies for measuring the impacts. Though studies of that time clearly suggested that children suffer from negative emotional effects of CSA, lack of standardized measures, innumerable definitions and resistance in acceptance of sexual abuse as a reality, left great scope for research in the area of CSA and its impact on children.

With the advent of 90s, the mental implications and psychopathological effects of child sexual abuse in adult victims found support by empirical evidence through the works of researchers like Jumper (1995) and; Mullen, Martin and Anderson (1996); suggesting low self-esteem and poor self-concept, depression, psychological symptomatology; increased rates of psychopathology, sexual difficulties, interpersonal problems respectively, as long term impact of child sexual abuse. It has scientifically proving the impact of sexual abuse on mental health and as an important factor triggering mental illness, along with focus on a variety of mediating factors increasing vulnerability viz gender and background characteristics like marital conflicts and scholastic performance.

## III. CHILD SEXUAL ABUSE: THE INDIAN SCENARIO

In the decade of 70s-80s, India was struggling with its limited capacity in providing basic health, nutrition and education facilities to increasing child population. Thus, any reflection or concern on an issue as latent as 'sexual' abuse was out of bounds. Even then, India has made some progress in dealing with this most heinous and dangerous forms of maltreatment, starting predominantly with abuse in terms of malnutrition and child labour to the more controversial forms like sexual abuse and commercial exploitation of children, child trafficking and child prostitution.

When research on the subject was in its infancy in India, Finkelhor and Korbin (1988), some of the leading researchers in the world on sexual abuse of children, proposed that it is an international issue crossing boundaries of state, nations, cultures and commonly held notions of family and moral boundaries associated with it. Back home, in a breakthrough for 'child abuse' as an area of concern, National Seminar on Child Abuse in India was organized by NIPCCD, in the year 1988, where different aspects of child abuse and response of professionals towards this menace was discussed. But a major drawback remained i.e. the participants drawing heavily on the empirical and theoretical literature of the west, to develop an understanding of child abuse and, empirical work on the Indian scenario was lacking. Also, sexual form of abuse had not developed other than its use under the umbrella term of 'Child Abuse'.

While India finally initiated exploration of the emotional, social and psychological squeal of sexual abuse in childhood in the 90s, the research was mostly focused on the prevalence of the phenomenon. But, to take lessons from, it had access to a plethora of research in the west, to conceptualize the effects of sexual abuse on **4213 | Lakshmi Prasanna Bolem** The Protector Becoming The Perpetrator. Adverse Impact Of Sexual

children as well as adults. Another major influence on this area had been the research and development in the discourse of women and mental health. The influence of it was felt in the Indian subcontinent with initiatives like National Seminar on Indian Women and Mental Health, 1996, by Indian Council of Social Science Research (ICSSR), Bangalore, recognizing sexual abuse as a feminist concern, posing a threat to the safety and integrity of children as well as women, in a male dominated society. Feminism urged that child sexual abuse is an expression of male dominance over women and children, imposing heterosexuality on them. With increasing subjectivity towards comprehension of sexual abuse as a lived experience, socio-psychological aspects like shame, guilt and disclosure occupied an important place in understanding CSA in the unique social structure of our country.

However, at this juncture, CSA was not recognized as a separate crime and was rather looked at under the umbrella of crime against women. This made the prosecution of offenders in sexual assaults against minors difficult to convict. A lesson was learnt in the famous case of Ruchika Girhotra who was sexually abused by a senior police officer in 1990. In spite of an eyewitness, the accused was convicted after nineteen years, sentenced for just six months, on the charges of "molesting" a minor, because of lack of a proper law to deal with sexual crimes against children. A separate law to protect children against such forms of abuse became the priority of the child rights activists. The extensive media coverage on the increasing incidents of violence and rape cases in the country brought the concern in public eye. And thus, passing of the Protection of Children against Sexual Offences Act of 2012 came, as the much needed judgment at the time. This development has been a result of constant efforts made by the NGOs and social activists who have provided empirical evidence proving the extent of the problem. But the struggle in this country keeps taking new turns as the society is still struggling in creating a harmonious ground between acceptance of sexuality and the moral grounds propagated by social institutions. It was visible from the debates held across platforms with regard to the age of consent in engaging in sex and the protectionist stand of the Indian justice system with regard to it

## A. Child Sexual Abuse

Child Sexual Abuse (CSA) definitions differ in each discipline, social system, research efforts and laws. There are several kinds of child sexual abuse, which includes seduction by a relative or a forceful act done by an unknown person. Sexual abuse is difficult to define since it can take different forms, with diverse levels of occurrence, the disparity in situations in which it can happen and the diversified relationships that it may be connected with 58 The World Health Organization has defined child sexual abuse as:

"Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not development ally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to: the inducement or coercion of a child in prostitution or other unlawful sexual practices: the exploitative use to children in pornographic and materials" 59

CSA is hence the physical or psychological abuse of a child with sexual intentions, generally done by an elder being, who is in a position of influence and/or confidence vis-à-vis the child. Such infringements comprise both the penetrative and non-penetrative acts such as kissing, touching or caressing child's genitals or breasts, vaginal or anal intercourse or sex. It may also consist of non-contact activities, for instance, involving kids in making of or watching at pornographic stuff or viewing sexual actions or encouraging children to act sexually or inappropriately as well as voyeurism. The dynamics and consequences of child sexual abuse are many times different to that of the adult sexual abuse and thus, such abuse cannot be handled in the same way. Features which describe child sexual abuse include:

i. The perpetrator generally attempts to use the child's confidence and hide abuse instead of using physical force or violence.

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- ii. The culprit is a known or trusted care giver in most of the cases.
- iii. It most of the time happens for numerous weeks or even years and the acts become more aggressive with time.
- iv. Mostly there are cases of incest or intra-familial abuse.60

India is home to more than 430 million kids, approximately one out of five of all youngsters on the planet. In 2007, a broad research survey covering over thirteen states was led by the Ministry of Women and Child Development, Prayas and UNICEF. It revealed that of the 12,447 kids who were a part of the study, 53% informed about sexual abuse. In the aforementioned report, among the individuals who asserted to be sexually abused, 57% were young boys. 72% of the victims never revealed the sexual violation to anybody and just 3% of them really reported to the police. As stated earlier, the culprit was known to the victims. For instance, 31% of the assaults were conferred by the victims' uncle or neighbour or a known person.61

Sexual abuse of children occurs in a number of ways for instance child rape be it vaginal, anal, oral or through insertion of fingers or other foreign objects into the vagina or anus of the child, child molestation, child pornography, sexual assault, sexual grooming, paedophilia, voyeurism i.e., unsolicited watching or gaining sexual satisfaction from looking at private parts of the child, sexual acts or objects secretly, exhibitionism meaning unwanted and deliberate exhibition or exposure of one's private parts to the child etc. These are the examples of child sexual abuse, but there are other forms of abuse or maltreatment also which the researcher would focus upon.

#### IV. LEGISLATIVE POLICY AND CHILD ABUSE IN INDIA

In India, there are plethora of laws regarding children. Many rights have been provided to the children in India in the light of rights guaranteed under the Constitution. The Constitutional rights guaranteed to children in the country are discussed above. In the background of Article 15(3)109, many Statutes have been incorporated so as to protect and upheld the rights of children. These statutes touch very subjects like

- a. "The Right of Children to Free and Compulsory Education Act, 2009;
- b. The Child Labour (Prohibition and Regulation) Act, 1986;
- c. The Child Labour (Prohibition and Regulation) Amendment Act, 2016;
- d. The Bonded Labour System (Abolition) Act, 1976;
- e. The Factories Act, 1948;

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- f. The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994;
- g. The Prohibition of Child Marriage Act, 2006;
- h. The Immoral Trafficking Prevention (Regulation and Prevention of Misuse) Act, 1986,
- i. The Information Technology Act, 2000;
- j. The Probation of Offenders Act, 1958;
- k. The Guardians and Wards Act, 1890,
- l. The Hindu Adoption and Maintenance Act, 1956;
- m. The Juvenile Justice (Care and Protection) Act, 1986;
- n. The Juvenile Justice (Care and Protection of Children) Act, 2000;
- o. The Protection of Children from Sexual Offences Act, 2012;
- p. The Juvenile Justice (Care and Protection of Children) Amendment Act, 2015 etc."
- q. The Indian Penal Code, 1860 also contains several provisions so as to protect the rights of children in the country. The procedural law of India i.e., the Code of Criminal Procedure, 1973 has also been amended time to time so as to make it consistent with the need of the hour concerning child rights.

The above laws protect children from abuse and exploitation as well as provide them various rights for his/her development to its full. Presently, the statutes, particularly, concerning to child abuse are discussed in detail. The Indian Penal Code, 1860 is the first and foremost law in India which deals with the crimes committed against body, property, documents etc. There are some sections in the Code which applies to all the persons 4215 | Lakshmi Prasanna Bolem The Protector Becoming The Perpetrator. Adverse Impact Of Sexual

irrespective of age and sex for example rape, murder, dacoity, kidnapping, abduction, theft etc. Then there are some sections of the Code which are particularly related to offences against children, for instance, provisions relating to causing of miscarriage or child rape or kidnapping or buying and selling of a minor for the purpose of prostitution etc.

#### V. METHODOLOGY

### A. Research Design

The research design was based on the mixed methodology (combining qualitative and quantitative methods) and an appropriate technique was employed.

## B. Sample Size

The researchers followed various other methods such as stratified random sampling, purposive sampling, etc, depending on the situation and convenience. The Researcher identified and selected 150 female Childs.

#### C. Tools for Data Collection

- Primary Data: Primary Data for this research were collected mainly through questionnaire and the qualitative data were collected from Focus Group Discussions.
- Secondary Data: Secondary Data were collected from various survey reports, relevant books, journals, internet sources, published articles, newspapers, dissertations and the records maintained at Child Protection Unit.

#### D. Statistical Tools

After the data were collected, it was subjected to different statistical processes like Percentage, Mean to find out the solutions for the research questions.

## VI. RESULTS & DISUCCION

#### A. Demographic Distribution of Respondents

Table 1: Distribution of Respondents According to their Age

	Age	N	%
1.	5-10	45	30
2.	11-15	55	37
3.	16 to 18	50	33
	Total	150	100

The above table represents the distribution of respondents, according to theirage. Age is one of the important variables which is associated with child abuse. Here the researcher selected the elder children whose age group is between 14- and 17. During this period, the children get hormonal changes in their body and experience their masculine and feminine characters and they are prone to be subjected to various forms of abuses, due to their freedom to mobilize and change in physical structure. This is the apt age to understand the issue and try to get a solution to the issues.

The age of the respondent is divided into three categories, as given in the Table. As per the Table, more than one third of the respondents were 15 years, the remaining respondents were more or less equal in number, belonging to 14 years and 16& above years at 33% and 32% respectively.

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Table 2: Distribution of Respondents According to their Education level

S.No	Education	N	%
1.	9th standard	45	30
2.	10th Standard	55	37
3.	+1	50	33
	Total	150	100

The above Table provides distribution of respondents, according to their educational standard. To maintain the dignity of parents and teachers in the school and society, is determined by the quality of education of their children particularly from ninth standard onward which makes the students on stress, sometime this may lead to children at risk and abuse of the students by violating their rights such as alienated from the society, paving way for some sort of abuses.

Keeping this view, the Researcher collected data on this variable, Standard of Study of the respondents.

According to the above table 37% of respondents have studied 10<sup>th</sup> Standardand 9<sup>th</sup> and 11<sup>th</sup> standard was 30 and 33 % respectively.

As far as, Standard of study of the respondents was concerned, the tableindicates that one third of respondents are in  $10^{th}$ ,  $9^{th}$  and  $11^{th}$  as 37%, 30% and 33% respectively.

This shows that child abuse/ control and stress increased according to their age and standard, proportionately, created by the anxiety to get more marks in the public exams. The table analysis shows that the students those who are going to appear for the public examinations are at more risk than the others.

Table 3: Distribution of Respondents According to the Family Type

Type of the Family	N	%
Joint Family	25	8
Nuclear Family	266	89
Extended Family*	9	3
Total	300	100

As far as their family type is concerned, the above Table shows a vast majority of respondents (89 %) represent nuclear families followed by only 8% of the respondents represent joint families, . The remaining 3% come under the extended family. In other words, the concept of living in joint family or extended family systems, has been destroyed due to economic crisis, education, and some other reasons. When children live in a Nuclear family, they are alienated from the grant parents love and affection and they missed moral stories and behavior pattern like respecting elders, safety and etc.

#### B. Nature of Sexual Abuse experienced by the Survivors of Sexual Abuse

This section of the study provides information about the nature of sexual abuse where in the number of times the participants have been the victim of sexual abuse, age during the experience of sexual abuse, type of sexual abuse, and the level of disturbance experienced because of the incident of sexual abuse is explored. This information gives an insight about the most common forms of sexual abuse and age at which girls are the target for sexual abuse mostly.

Table 4: Percentage of adolescent girls who have experienced sexual abuse once, twice, three times and multiple times

Nature of Sexual Abuse experienced	N	%
Once	132	88
Twice	10	7
Three times	6	4
Multiple times	2	1
Total	150	100

Among adolescent girls with the experience of sexual abuse majority of them (88%) have experienced sexual abuse only once and very few i.e. nearly one percent were sexually abused multiple times. Lowest age amongst the participants at which the incident of sexual abuse happened is at the age of six years.

Table 5: Age of the survivors of sexual abuse when the incident of sexual abuse occurred

Age of the survivors of sexual abuse	N	%
6	4	2.6
7	3	2
8	6	4
9	7	4
10	12	4.6
11	4	2.6
12	16	10.6
13	13	8.6
14	14	9.3
15	27	18
16	23	15.3
17	15	10
18	6	4
Total	150	100

The maximum number of abuse incidents happened around 12 to 17 years of age. It is also noticed that around 15 percentage of the participants experienced sexual abuse before the age of 12 years. The result is in accordance with the review undertaken by Kumar, Pathak, Kumar, Rastogi and Rastogi (2012) which mentions that teenagers are at the high risk of experiencing sexual abuse. United Nations International Children's Education Fund (UNICEF) survey on demographic and health reported that ten per cent of Indian girls might have experienced sexual violence when they were 10–14 years of age and 30% during 15–19 years of age and overall, nearly 42% of Indian girls have experienced the trauma of sexual violence before their teenage.

Table 6: Percentage indicating the nature of sexual abuse experienced by the survivor

nature of sexual abuse experienced	N	%
Kissing	15	10
Fondling of genitals	13	8.6

Fondling of breasts	45	30
Other fondling	49	32.6
Perpetrator masturbates self	10	6.6
Forced to masturbate	6	4
Vaginal Intercourse	5	3.3
Forceful exposure to pornography	7	4.6
Total	150	100

Fondling of different parts of the body like thighs, back, buttocks, waist (as reported by 33.33 % of the survivors of sexual abuse) and fondling of breasts (as reported by 30 % of the survivors of sexual abuse) are the most common forms of sexual abuse. Some of the other methods of sexual abuse experienced are forcefully kissing, masturbating against the survivors, fondling with their genitals. However 3.3 percent of the participants were abused through vaginal intercourse and 4 percent of the participants were forced to masturbate the perpetrator. Forceful exposure to pornography was also reported by 4.6 percent of the participants. Majority of the participants of the study were exposed to more than one method of sexual abuse in one incident only or in different incidents.

## C. Details of the Perpetrator of Sexual Abuse

Details pertaining to the age, relationship between perpetrator and the participant of the study, and closeness with the perpetrator was enquired to understand the characteristics of the perpetrator of sexual abuse.

Table 7: Percentage of participants to whom the perpetrator was known and was a stranger

Percentage of participants to whom the perpetrator was known and was a		%
stranger		
Unknown	69	46
Known	81	54
Total	150	100

Many earlier research studies have proved strongly that usually perpetrators of the sexual abuse are known people, the same is true in the present study too.54 percent of the perpetrators were known to the survivors. The perpetrator was either a friend, cousin, teacher, uncle, neighbor, father etc., and all the perpetrators were males. 46 percent of the perpetrators were complete strangers to the survivor and the incident of sexual abuse took place in a public place wherein the perpetrator was a co-passenger in bus or auto, stranger in a fair or exhibition, bus conductor etc.

Table 8: Percentage of participants with various degree of closeness with the perpetrator

participants with various degree of closeness with the perpetrator		%
Not at all Close	66	44
Slightly Close	19	12.6
Somewhat Close	26	17.3
Moderately Close	21	14
Very Close	18	12
Total	150	100

This finding is supported by a study conducted by Kumar, Pathak, Kumar, Rastogi and Rastogi (2012) and Brown (2000) which indicated that 50% of sexual offenders were known persons in the immediate circle and the one whom the survivor trusted. In the present study though for more than half of the adolescent girls with the experience of sexual abuse, perpetrators were known nearly 45.29 percent of them were not at all close to the perpetrator. Rest of the survivors of sexual abuse were close to the perpetrator at various degreesi.e. 11.96 percent were slightly close to the perpetrator, 17.09 percent were somewhat close to the perpetrator, 13.67 percent of the survivors of sexual abuse were moderately close to the perpetrator and 11.96 percent of the participants were very close to the perpetrator. Though there is a belief that children are usually abused by the people whom they do not know and are not really close with, the reality is that most of the times the perpetrator is the one whom the children would have trusted and comes into contact often regularly.

Table 9: Approximate age of the perpetrators (as guessed by the survivors) during the incident of sexual abuse

Approximate age of the perpetrators	N	%
10-20	19	12.6
20-30	14	9. 3
30-40	9	6
40-50	44	29. 3
50-60	26	17. 3
60-70	8	5. 3
Total	150	100

According to the guess made by the survivors of sexual abuse about the age of the perpetrator majority of the perpetrators belonged to 20 to 50 years. The perpetrators below 20 years of age are. 8.54 percent. Only 1.7 % of perpetrators are found in the age range of 60 to 70 years. Nisbet, Rombouts and Smallbone (2005) study reported that there are two peak ages for male sexual offenders to abuse, one being around 14 years and second being in the mid to late 30's.

Table 10: Distribution of the Respondents According Short Term Impact on Sexual Abuse

S.No	Short term impact on sexual abuse	N	%
1.	Felt fear	17	11.3
2.	Stress	27	18
3.	Always tension	15	10
4.	Mental disorder	16	10.6
5.	Poor performance in studies	17	11.3
6.	Inferiority complex	37	24.6
7.	Self-blaming	16	10.6
8.	Cursing others	5	3.3
	Total	150	100

The above Table distributes the respondents according to short term impact of sexual abuse. 11.3% of the respondents said that the performance in studies deteriorated, followed by equal percent of respondents 10% felt tension always, another 10.6% of the respondents felt mental disorder and another 11.3% felt fear. Other impacts were developing inferiority complex, stress and self-blaming etc.

It is inferred from the Table that the victims of sexual abuse recorded in poor performance in studies, and suffered mental disturbances. If no one takes care the children at this stage, it would affect the overall development of the children.

#### VII. CONCLUSION& FINDINGS

- Majority of respondents belong to 15 years of age.
- A vast majority of respondents (89%) are belonging to nuclear family, followed by only 8% of the respondents from joint family. The joint family system has been disintegrating to a greater extent. This may be one of the causes for children not being moulded by the grandparents.
- Amongst the adolescent girls with the experience of sexual abuse majority of them had experienced sexual abuse and less than one percentage of participants had experienced the sexual abuse multiple number of times
- Age wise distribution of the survivors of sexual abuse shows that though the lowest age of experiencing sexual abuse is six years. The maximum number of sexual abuse incidents happened when the survivors were 12 to 17 years of age.
- In slightly more than half of the incidents of sexual abuse perpetrator was a familiar or known person to the survivors. The most common perpetrators were a friend, neighbor, uncle, classmate and teacher. In other incidents the perpetrator was a complete stranger and the sexual abuse happened in a public place like in an auto, bus, fair etc.
- The incident of sexual abuse was very much upsetting for one third of the survivors where as only for nearly four percentages of participants the incident was not at all disturbing
- Fondling of different parts of the body like thighs, back, buttocks, waist and breasts are the most common methods of sexual abuse.

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