

Empirical Assessment of Factors and Practices that Aggravates Defilement in Uganda.

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ABSTRACT

In our society today, defilement continues to be one of the most prevalent vices that have led to increased cases of early pregnancies and abortions among school going children. The study aimed at analyzing the practice in Uganda regarding defilement. The objective of the study were to establish factors and practices that aggravates defilement in Uganda. A descriptive design methods were used to get in-depth information about the topic and to critically analyze the laws about defilement and practice in Uganda. Stratified random sampling was used. The respondents were grouped into three categories that is the; law makers, the police and parents; each category makes a sub group. In each sub group, random sampling of ten (10) respondents was done for easy representation of all sample categories to make an overall total of 30 respondents selected. The researcher used a questionnaire as a major tool for data collection. A questionnaire was formulated and designed in a structured self-administered questionnaire fashion. Additional data was also collected through review of events as they were reported in the newspapers, internet, text books, newspapers, journals, law books regarding the topic understudy during the study period. This research tool was preferred because it is essential and enabled the study to come up with facts, figures, opinions and detailed information. Results of the study revealed that Uganda has laws in place that criminalize defilement however the citizens practices have over the years led to increased cases of defilement cases in Uganda and Kampala in particular because having a good law that is not translated into good practice or even guard the children against defilement is a very big waste. The study results revealed that defilement is still a very big challenge in Kampala district and has led to high school dropout, early pregnancies and spread of diseases especially sexually transmitted diseases which are all harmful to children. Therefore, the government together with all the other stake holders including parents have a very big role to play if defilement is to be reduced in Kampala. This calls for increased public sensitization about the defilement law as well as the practices that should be stopped due to their negative contribution towards increasing defilement in Uganda, so that the lives of the children are protected. The study recommends the law enforcement authorities to make sure that the law takes its course especially those that are brought to court should make sure that the right procedure is followed as stated in the law.

Keywords: Constitution of Uganda, defilement, law, pregnancies and abortions.

INTRODUCTION

Just like most democratic countries, Uganda has a set of well stipulated laws and policies. For instance, the Law in Uganda defines defilement as the act of having sex with a girl under 18years, it is sad to note that often defilement involves relatives, married men or professional people in the community, some men defile their own daughters [1].

The 1995 Constitution of Uganda defines a child [2] as a person below the age of 18 years. The Children Act Cap 59 provides

that a child is one below 18 years which is in conformity with the constitution.

In our society today, defilement continues to be one of the most prevalent vices that have led to increased cases of early pregnancies and abortions among school going children. This has further contributed to high school dropout rate and wide spread of HIV/AIDS infections among the youth [1,2,3,4,5,6].

In Uganda, defilement still remains to be one of the major illegal acts in the country

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under the laws of Uganda [3]. According to the current law, Section 123 (1) of the Penal Code Amendments Act (2007) provides that any person who performs a sexual act with another person under the age of 18 years commits a felony known as defilement and is liable to life imprisonment."

With a number of strategies have been adopted by the government of Uganda to sensitize the public about defilement for instance, a number of campaigns have been initiated to run through print media, audio visual technology, radio, television explaining the dangers associated with defilement and penalties that befall whoever is found guilty. In the year 2006 alone 15,385 children [5] were defiled while in 2007 a total of 12,230 children and this is just a tip of an iceberg only mentioning cases that were reported to authorities leaving out cases that happen and are never reported or mentioned but continue to impose harm to children [6,7]. Despite the fact that the government in partnership with a number of non-governmental organizations have tried to educate the public about defilement, cases regarding defilement still top police and media reports despite availability of the laws and penalties associated with defilement in Uganda. This study therefore

Research Design

The researcher used a descriptive design to get in-depth information about the topic to critically analyse the laws about defilement and practice in Uganda. Stratified random sampling was used. The respondents were grouped into three categories that is the; law makers, the police and parents; each category makes a sub group. In each sub group, random sampling of ten (10) respondents was done for easy representation of all sample categories to make an overall total of 30 respondents selected.

Data collection

The researcher used a questionnaire as a major tool for data collection. A questionnaire was formulated and designed in a structured self-administered questionnaire fashion. Additional data was

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analyses the law and practice in Uganda regarding defilement [8,9,10].

Justification of the study

The government of Uganda has put in place laws protecting the citizens against injustice among which defilement is highly condemned but the vice has continued to happen in our society. This study critically analysed the laws in place related to defilement and what is really practiced in Uganda regarding the same subject. If the study results are used they should guide law makers' on decision making in future and the general public to understand issues that aggravate or contribute towards defilement and the best ways to deal with it in Uganda. Despite the availability of clearly defined laws on defilement, it has continuously increased showing that there is a knowledge gap about what are the practical ways that government, community, parents, police need to do to reduce its incidence. This study came up with recommendations that should be implemented if the vice is to be put to an end. A copy of the results is available in the university library.

Aim of the study

To critically analyze defilement law and practice in Uganda.

Specific objective

To assess factors and practices that aggravates defilement in Uganda.

METHODOLOGY

also collected through review of events as they were reported in the newspapers, internet. text books, newspapers, journals, law books regarding the topic understudy during the study period. This research tool was preferred because it is essential and enabled the study to come up with facts, figures, opinions and detailed information.

Research Questionnaire

A simple and easy to understand questionnaire was prepared in advance containing structured questions that were put together for all categories law makers, police and parents before going for data collection. This guided the researcher and also ensured that time was effectively used to cover the intended questions and to avoid making mistakes or forgetting to gather data about certain vital questions.

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However, other tools like interviews and observation were also used but at a low level. The questionnaire was formulated following the research questions and objectives of the study for consistence and generation of relevant data.

Data analysis

All the information gathered from the field was sorted, edited, classified for analysis arranged manually according to research objectives. After transcribing, data was analyzed and converted into percentages for graphical presentation. Analyzing data collected enabled the researcher to examine, compare and contrast as well as interpret and develop meaningful conclusions basing on the aim and objectives of the study.

Sample Population, selection and size

This study intended to reach out to parents, law makers and the police officers in Kampala district. A sample size of 30

Demographic characteristics of respondents

Respondents were requested to indicate their gender so that the research study can quantify how many participated by gender and also to ensure that there is gender

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people was targeted for information gathering. Each category was represented by ten (10) people chosen randomly. Gender representation was given consideration in that half of the overall samples are women.

Data presentation

Research findings are fully presented in chapter four, results are presented in tables, Statistical charts and graphs with written explanations according to each study objective for easy understanding.

Ethical considerations

The researcher sought consent from the respondents selected to participate in the study before the questionnaires are delivered to them. Confidentiality was ensured and highly valued during the study and to avoid jeopardizing the whole process, respondents were not requested to indicate their names on the questionnaires.

RESULTS

balance in the study. The table below shows the respondents number by gender for all categories. In the study 53% of the participants were Female while 47% were Male.

TABLE 1 RESPONDENTS BY GENDER

GENDER	NUMBER OF RESPONDENTS	PERCENTAGE
FEMALE	16	53%
MALE	14	47%
Total	30	100%

Source: Primary data from respondents gender analysis, 2017

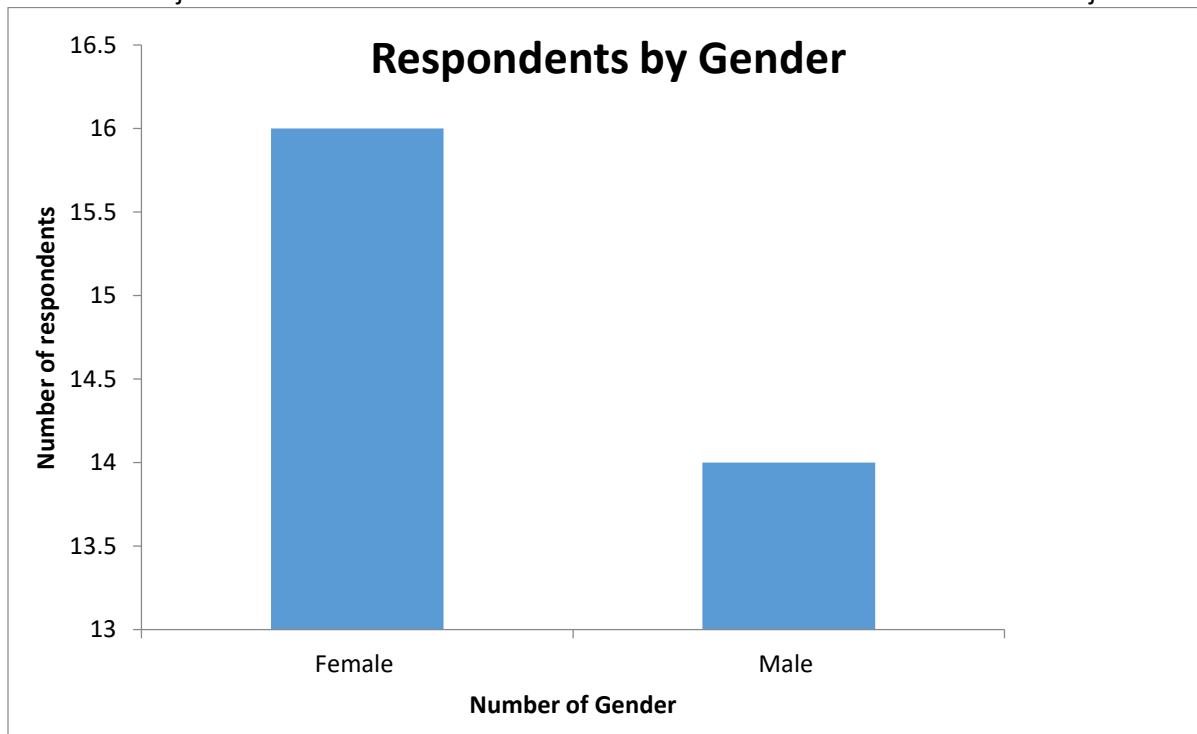


Figure 1: Respondents by Gender

Factors and Practices that aggravate defilement.

It was found out that defilement has increased in Uganda over the years and this carries along its negative effects such as early pregnancies, HIV/AIDS, sexually transmitted diseases, high school dropout rate.

When respondents were asked whether in their opinion defilement has increased or reduced in the last ten years, eighty percent(80%) said that it has greatly increased while eighteen (18 %) percent said it has reduced, only two (2%) percent declined to answer the question.

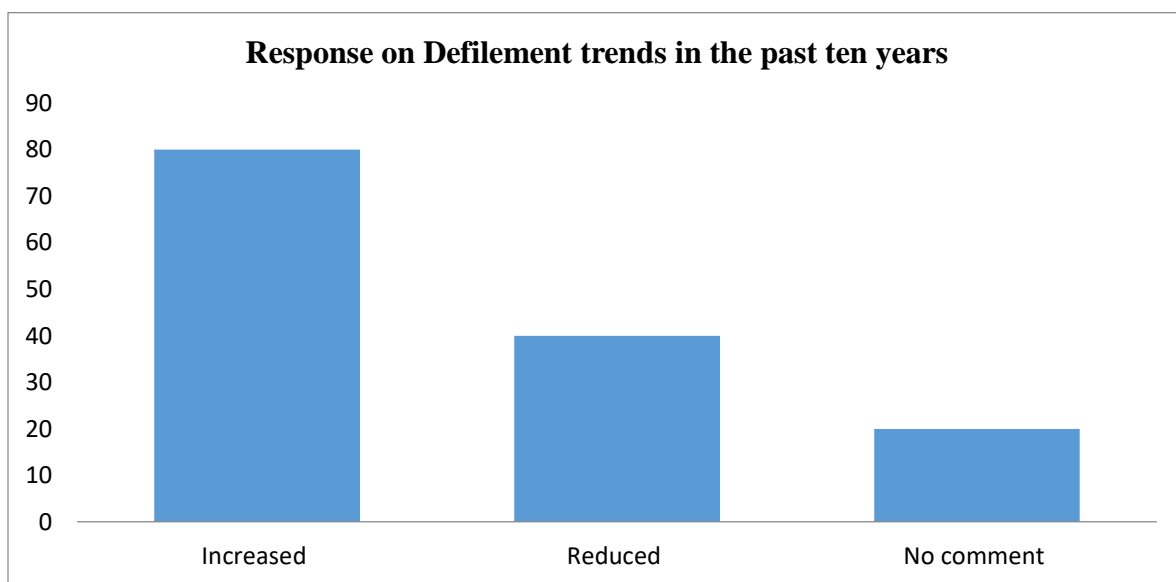


Figure 2: Primary data from the field, 2017

This shows that there is a lot that needs to be done to double the effort in the fight against defilement in Uganda.

The increasing defilement cases and incidents in Uganda are majorly attributed to the following factors as revealed by respondents;

TABLE 2: CAUSES OF INCREASED DEFILEMENT CASES IN KAMPALA DISTRICT

RESPONSE (S)	PERCENTAGE (%)
Poverty	39
Technology	30
Media	20
Urban life style	11
Total	100

Source: primary data from field

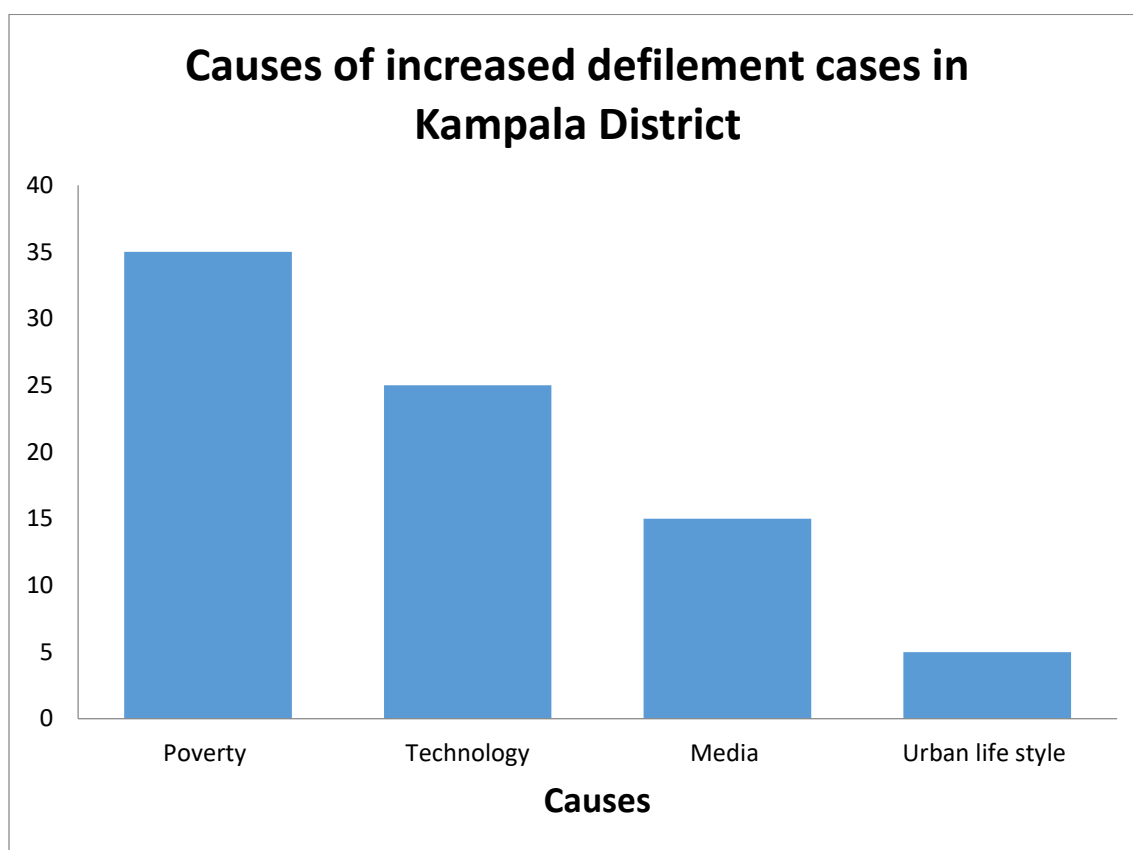


Figure 3: Causes of increased defilement cases in Kampala district

The respondents came up with four major causes of increased defilement cases in Kampala and these were Poverty (39%), technology (30%), Media (20%), urban life style (11%).

Poverty

It came out clearly that Poverty is one of the leading causes of increased defilement

cases in Uganda and most especially in Kampala district.

It was revealed that girls from poor families are prone to defilement especially by working class men who have money to spend on them, to pay for outings and in turn the girls pay with sex. These older boys/ men exploit girls with small favours and girls unknowingly end up being

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defiled. Some of the young girls have bad groups who introduce them to expensive life style, buying expensive clothes, jeans, jewellery which their parents/ guardians can't afford and they end up taking on any offer that comes without looking at the future negative effects.

Technology

In Kampala today, having a mobile phone is regarded as number one essential. Old men have ken this as an advantage to win girls and defile them. They buy for girls expensive phones that have internet, watch films, music so that they keep in touch with them without any other persons' knowledge and in the end girls give in to sex because they can't afford to say no to a generous man like that after all they see no effect with having sex.

Media

The liberalisation of the media and communications industry has lead to increased number of television stations, radio stations, newspapers most of which publish articles, show segments on air that cause young people to want to try out what they see which are in most cases portrayed

Factors and Practices that aggravate defilement

Defilement continues to happen in urban areas and the factors that have continued to promote its occurrence discussed in chapter four and the most outstanding factors are; poverty, urban lifestyle, technology, media which have in most cases put children at a risk of being defiled. In society, Children a vulnerable and practices like opting to settle defilement cases locally at home without involving the law puts children at a greater risk of being defiled again and again especially bly the rich who can pay for their way out, give poor parents money so

Results of the study revealed that Uganda has laws in place that criminalise defilement however the citizens practices have over the years led to increased cases of defilement cases in Uganda and Kampala in particular because having a good law that is not translated into good practice or even guard the children against defilement is a very big waste. The big

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as good, trendy, up to date. It was revealed that the increased number of televised films, soaps have made young children to start engaging in relationships as early as eight years of age in the guise of boyfriend, girlfriend. Others have learnt that having cross generation sex is a trendy lifestyle and these commonly referred to as a "sugar daddy" or 'sugar mummy" and use it as a way of fulfilling their needs because they have a lot of money to spend. Such behaviours a copied in movies watched and portray a modern image as the way to go.

Urban Lifestyle

Urban life has a lot of temptations ranging from food, life style, exposure that all require money to spend. Where parents don't have enough money to meet all these needs in most cases young girls go out to look for them or are initiated into the system by their peers. Despite the presence of the defilement law in Uganda that should be adhered to, there, is still a lot to be done to make sure that defilement is reduced and finally eradicated.

DISCUSSION

that they keep quiet about it. Literature reviewed also showed that poverty is to blame, In a report by Action for Development (Acfode) reported in [5], blamed the increase in defilement cases in the country on high level of poverty and this has given 'bodaboda' cyclists, taxi drivers and video hail operators opportunity to exploit the situation to defile students. Therefore, government needs to look beyond just having defilement law in place but also work towards eradicating the aggravating factors so that the vice is attached both ways [6,7,8,9,10].

CONCLUSION

percentage as shown above showed that poverty, urban life style and technology are the major causes of the increased cases of defilement in Kampala district. The study results revealed that defilement is still a very big challenge in Kampala district and has led to high school dropout, early pregnancies and spread of diseases especially sexually transmitted diseases

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which are all harmful to children. Therefore, the government together with all the other stake holders including parents have a very big role to play if defilement is to be reduced in Kampala. This calls for increased public

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sensitization about the defilement law as well as the practices that should be stopped due to their negative contribution towards increasing defilement in Uganda, so that the lives of the children are protected.

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