

# ALCOHOL INTOXICATION AS A CAUSE OF RAPE: A STUDY OF MALE RAPISTS INCARCERATED AT KAMITI MAXIMUM PRISON IN NAIROBI, KENYA

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## ABSTRACT

**Purpose of the study:** to examine how alcohol intoxication drives men to rape among convicted male rapists in Kamiti Maximum Prison in Nairobi, Kenya.

**Research Method:** The study applied a mixed methodology and thus adopted a concurrent triangulation research design. This means that both qualitative and quantitative data were collected and analyzed. Qualitative data were collected through interviews with convicted male rapists, while quantitative data were collected through a survey of the same participants.

**Findings:** The study found that alcohol intoxication was a significant factor in many of the rapes committed by the participants. Some of the participants reported that they were unaware of what transpired during the offence, while others appeared to have taken alcohol in anticipation of the offence.

**Conclusion:** The study concluded that alcohol intoxication can be a contributing factor to rape. The researchers recommend that different stakeholders such as families, religious organizations, educational institutions, and government agencies partner to provide environments that limit access to alcohol and drugs.

**Recommendations:** The study makes the following recommendations: Families, Religious organizations, Educational institutions and Government agencies should enforce laws that restrict the sale and consumption of alcohol and drugs.

**Keywords:** *Alcohol Intoxication, Rape, Male Rapists, Incarcerated, Kamiti Maximum Prison*

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## INTRODUCTION

Studies define rape as a sexual assault involving force or threat of force that may include vaginal, oral, or anal penetration without valid consent (Abbey et al., 2001). It can be perpetrated against individuals of various backgrounds and by different types of perpetrators (Ngubane et al., 2022). While historically rape was considered a crime against the victim's father or husband, it is now recognized as an offense against the victim (Kameri-Mbote, 2001; Kenya National Assembly, 2006). Rape is a significantly underreported crime, leading to an underestimation of its prevalence. Only 16-33% of rape incidents are reported, and there is a rising trend in its occurrence (Chaudhury et al., 2017; Merrill, 2004). Studies indicate that at least 35% of women globally have experienced rape, with North America showing a high prevalence (Tofte, 2011; Nelson, 2010). Women are the most common victims of rape, and men are the most common perpetrators (Heiskanen, 2010).

The underreporting of rape cases has been observed in various countries, such as Great Britain and Italy, where perceptions of low conviction rates contribute to the lack of reporting (Nelson, 2010; Lonsway & Archambault, 2012). Biological, socio-cultural, and psychological factors influence sexual behavior, including rape (Maweu, 2022; White & Sorenson, 1992; Chaudhury et al., 2017). Alcohol consumption has been identified as a leading contributor to rape. Intoxication plays a significant role in facilitating rape, with studies showing that alcohol is involved in a high percentage of reported rape cases (Johnson et al., 1978). The risk of rape is influenced by the alcohol consumption patterns of both the offender and the victim, as well as the drinking context (Johnson et al., 1978). Patterns of alcohol consumption show higher rates during weekends and evenings (Lac et al., 2016; Room et al., 2012).

Theories have been developed to explain how alcohol facilitates rape. The alcohol myopia theory suggests that intoxicated individuals experience impaired cognitive processes, leading to a focus on obtaining sex without considering potential dangers (Johnson, 2014). The attribution theory explains behavior based on enduring personal qualities or situational circumstances (Johnson, 2014; Heider, 1958). Alcohol's effects on aggression are explored through the alcohol myopia and I3 theories, which highlight neuropsychological changes that tip the balance towards aggressive responses (Parrott & Eckhardt, 2018). Alcohol's role in

facilitating rape can be attributed to its pharmacological and psychological actions. Heavy alcohol consumption correlates with impaired executive functions and an increased attention towards alcohol-related stimuli (Field et al., 2010; Christiansen et al., 2013). Additionally, alcohol's disinhibiting effects and expectations of increased sexual aggression can contribute to aggressive sexual behavior (Begue & Subra, 2019; Meyer, 2000).

The arousal theory suggests that alcohol consumption increases the concentration of stress hormones, leading to increased frequency and intensity of behavior (Kallmen & Gustafson, 1998; Anderson et al., 2005). Alternatively, alcohol can facilitate rape by disinhibiting behavior and reducing cognitive capacity (Begue & Subra, 2019). Research indicates that alcohol facilitates rape through its double action of provoking behavior and inhibiting sensitivity to danger (Begue & Subra, 2019). However, some argue that the attempt to explain rape using pharmacological theories is inconsistent (Meyer, 2000). Studies have found a relationship between alcohol intoxication and aggressive sexual behavior. Elmquist et al. (2016) found higher levels of aggression among individuals with co-morbid compulsive sexual behavior and substance use disorders. Abbey et al. (2003) found a linear relationship between alcohol consumption and the level of sexual violence displayed by perpetrators. Other studies have also shown the involvement of alcohol in sexual assaults (Lovett & Horvath, 2009; Steirnstromer et al., 2020; Ramsoomar et al., 2021).

The attribution theory suggests that situational or dispositional factors influence rape. Men who drink heavily are more likely to be in social environments conducive to rape (Abbey et al., 2001). Alcohol can be used as an excuse for engaging in socially unacceptable behavior (Abbey et al., 1994). Expectations of alcohol's effects can also shape behavior, with men who believe alcohol makes them sexually aggressive more comfortable forcing sex (Abbey et al., 1994; Seto & Barabaree, 1997). Several studies have examined the characteristics of perpetrators and victims of rape. Steirnstromer et al. (2020) found that offenders in rape cases were often young, single, and unemployed, while victims were often unconscious or drunk. Other studies have highlighted the association between alcohol use and perpetration of intimate partner violence (Fulu et al., 2013; Maingi, 2020). The prevalence of intimate partner violence varies across different regions, with factors like alcohol use and cultural differences playing a role (Fulu et al., 2013).

Research by Abbey (2011) suggests that alcohol facilitates rape through both pharmacological and psychological mechanisms. Intoxicated males may misinterpret a woman's level of sexual arousal and believe that forced sex is enjoyable for the victim. Johnson (2017) argues that rapists are usually aware of their behavior and make a conscious decision to commit the offense. George and Stoner (2000) discuss the alcohol expectancy model, which suggests that people who believe alcohol influences sexual behavior are more likely to exhibit the expected behavior. Horvath and Brown (2006) found that rape incidents were more likely to occur at the victim's residence when the victim was sober and the offender was drunk. Mognetti et al. (2022) found that alcohol use increased the risk of rape, and it impaired the executive functions of both the victim and the perpetrator. Abbey et al. (1996) found that alcohol consumption increased the likelihood of men mistaking ambiguous social cues for sexual interest.

### **STATEMENT OF THE PROBLEM**

Current studies show that the number of rape cases, around the country, is on the rise and that most victims are female and most perpetrators are men (Ajema et al, 2010). Although studies record that alcohol impact on men's sexual behavior, there are no studies that have been done on the topic in the country and therefore the need for this study.

### **OBJECTIVE OF THE STUDY**

- i. To assess the prevalence of alcohol and drugs among convicted male rapists in kamiti maximum prison.
- ii. To evaluate the role of alcohol intoxication as a drivers of rape cases in Nairobi, Kenya

### **THEORETICAL FRAMEWORK**

The study was guided by Ajzen's (1991) theory of planned behavior (TPB), which proposes that behavioral incidences can be predicted based on declared intentions to engage in them. According to the theory, the decision to engage in a behavior is influenced by one's beliefs, behavioral intention, subjective norms, and their perceived level of behavioral control (Zhang, 2018). The theory considers behavioral beliefs, normative beliefs and control beliefs as central in determining whether a person will engage in a behavior. It also proposes that in perceived behavioral control, is derived from self-efficacy theory, which suggests that when people believe that they have the required resources, capability to perform a particular task and the required experience; they are likely to engage in a certain behavior (Zhang, 2018).

According to Ajzen (1991), an individual attempt to engage in a behavior, based on their perceived possessing of requisite resources, skills and experiences and reasonable level of environment support to the behavior. Behavioral intention is produced from a combination of attitude toward the behavior, subjective norm, and perceived behavioral control. In the social learning theory of rape, Ellis (1989) explains how people learn how to rape through a four-stage process which includes: the modeling stage where behavior is copied from the environment; the sex–violence linkage stage where the association between sex and violence is created; the desensitization stage, where men get desensitized to the pain of rape victims; and rape-myth-effect stage where stereotypes and prejudices sustain rape acceptance, victim blame and encourages sexual violence. In the context of this study, this theory is particularly relevant because it attempts to underscore the fact the behavior of men to rape largely contributed to by a set of factors, in this case, biological, which strongly influence their decisions make about their sexual behavior.

## **RESEARCH METHODOLOGY**

The study adopted a quantitative design and used descriptive surveys. It targeted 869 respondents, who comprised of 826 males convicted of rape and 43 Prison Welfare Officers, from which a sample size of 40 convicts and 11 Prison Officers was picked using convenient sampling technique. Questionnaires were used to collect data from the male convicts while interviews were used to collect data from Prison Officers. Quantitative data was analyzed descriptively using frequencies and percentages using the Statistical Package for Social Sciences (SPSS 23) and presented using tables.

## **RESULTS AND DISCUSSIONS**

This section presents the findings of the study guided by the objectives.

### **Response Rates**

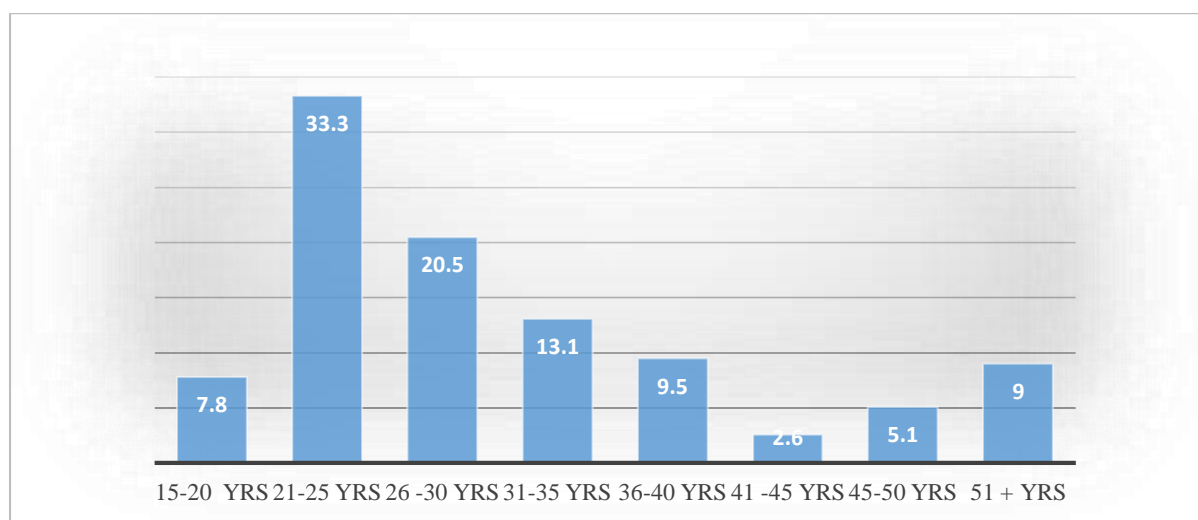
In this study, 40 questionnaires were administered to convicted respondents, only 39 forms were filled and returned; and only nine (9) Prison Welfare Officers out of the targeted eleven (11) were interviewed at Kamiti Maximum Prison. This yielded a questionnaire return rate of 97.5% for male convicts and a response rate of 81.8% for Prison Welfare Officers. According to Creswell (2014), that is a response rate above 75% is adequate and can be used to generalize the study outcomes to the target population.

## Results and Discussion

This section presents and discusses the following; the demographics of respondents, the prevalence of alcohol and drug use among convicted male rapists and the role of alcohol intoxication in causing incidences of rape.

### Demographic Information

The study found that most convicted rapists were between 21 to 30 years, accounted for (53.8%) and the number of cases appear to generally reduce with increase in age, ebbing at ages 41 to 45 but rising sharply at fifty years and above. A majority of rapists were married people 60% and had not gone beyond primary school in their education. On ethnic distribution, agikuyu accounted for 30.8%, the ameru people contributed 20.5% while Somali people were the least and accounted for 5.1% of sample. On educational background, 71.8% had a primary school certificate, and only 10.3% had attained a secondary school certificate.



**Figure 1: Age Distribution of Rapists**

### Prevalence of use of alcohol and drugs among convicted male rapists

The study used the alcohol, smoking and substance involvement screening test (ASIST) to assess the prevalence of consumption, severity of use and the extent to which alcohol influenced the offending behaviour. On the prevalence of use of alcohol and other drugs, the study found that 52.8% had used alcohol, 60% had smoked cigarettes and other tobacco products, and 51.7% had used cannabis. Other substances of abuse which were reported

included amphetamine 50%, inhalants 8.3% and sedatives 2.8%. Most offenders had used cigarettes and tobacco products (60%), followed by those who had used alcohol (52.8%), and those who had used cannabis were accounted for 51.7% of the respondents. Thus, study established a significantly high number convicted sex offenders had a past history of consuming alcohol. The study also noted the possibility of some sex offender having been abusing multiple drugs which impact on their cognitive functioning.

On the question of the frequency at which rapists were using alcohol and other substances of abuse, the study found that 61.1% abused tobacco products daily, 30.6% were abusing cannabis daily and 27.8% were consuming alcohol almost daily. The study noted that 33% of respondents abused alcohol occasionally, towards and over the weekends and in reasonably high amounts. The number of respondents who indicated that they use alcohol occasionally was more than those who use of tobacco products and cannabis occasionally. The finding on occasional use of alcohol in high amounts concurs with past studies in traditional cultures, where heavy drinking of alcohol occurred during occasions, mostly outside working hours, over the weekends and after 5 pm (Room, et al., 2012). People tended to consume alcohol towards and over the weekend and drink in large amounts. The motives for drinking varied from drinking to cope with life demands, during the week days to drinking to enhance the weekend experience, over the week end (Room, et al., 2012).

On level of education of drunken sex offender, the study established that a majority of drunk sex offenders where had attained a primary school certificate 55% and 17% held secondary school certificate. This might suggest that low levels of education could contribute to either challenges of inability to verbally negotiate for sexual favors or the need to drink alcohol either to reinforce their courage to use it as lame excuse to rape. Existing literature suggests that when people believe that alcohol can influence sexual behavior take alcohol in anticipation of a sexual encounter and displaying the post drinking behavior (George & Stoner, 2000). Consequently, it is possible that the state of being intoxicated can be used as an excuse for rape (Abbey, Ross, & McDuffie, 1994).

### **The role of alcohol intoxication in causing rape**

Lastly, the study examined the role alcohol intoxication in facilitating of aggressive sex by asking respondents whether alcohol intoxication contributed to their behavior. The findings

showed that 33% blamed their behavior on alcohol or a misunderstanding of the prevailing circumstances, 22% could not explain what transpired during the offence, while a small minority, 9%, claimed that the allegations, of rape, were trumped up to punish them. This outcome compares with past studies which found alcohol intoxication to predispose the alcoholic to aggressive behavior through its pharmacological effects that (Parrott & Eckhardt, 2018). Binge drinking, which is taking four or more drinks for women in one occasion or five or more drinks in one occasion for men, has been found to undermine the capacity for rational thought of the offender and the ability for self-defense of the victim (Mukamal, 2020). Alcohol intoxication alcohol has also been found to undermine the capacity for cognitive processing, judgment, and self-protection of the victim (Johnson, Gibson, & Linden, 1978). This study noted that a reasonable number of respondents thought that there was no violent sexual encounter. The other point of concurrence is the finding that most sex offenders preferred to drink towards the weekend and over the weekend; and that those who drink alcohol occasionally take it in larger quantities (Lac, Handren, & Crano, 2016).

## **CONCLUSIONS AND RECOMMENDATIONS**

The study findings, it is evident that alcohol intoxication played a role in facilitating rape incidences among the male rapists who had been incarcerated at Kamiti Maximum Prison. The study suggests that alcohol can facilitate rape through both its pharmacological and psychological properties. As a psychoactive substance, alcohol can interfere with one's judgment leading to poorly thought decisions and can impact on biological foundations of behavior. The study noted that most sex offenders were 30 years and below, had limited levels of education and had used alcohol prior to the offending incidence. This can suggest that sex offenders could be people with confidence deficits, who use inappropriate amounts of alcohol on purpose and may be of limited social skills. As a consequence, they could be turning to alcohol to boost their confidence, or who look for lame excuse for accessing sex by force. It is also opined that alcohol could lower the rapist's sensitivity to moral expectations and therefore make it possible for them to rape. The study recommends that different stakeholders such as families, religious organizations, educational institutions and government agencies partner to provide an environment that limits access to alcohol and drugs.



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