

**Clear and Present Danger! Quid-Pro-Quo Sexual Harassment as a Limitation to  
Female Access to Quality Tertiary Education in South-West Nigeria**

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Gender disaggregated data on tertiary enrolment in Nigeria generally indicate significant levels of disparity between female and male enrolment especially in Northern Nigeria. On the other hand, data for South-west Nigeria show a gradual improvement in female tertiary enrolment rates with less than 10% difference between female and male enrollees. Though encouraging, these data hide a growing and insidious problem which limits female students' access to quality education and may impact on their ability to compete effectively in the workplace and society after graduation. The focus of this paper is on the problem of quid-pro-quo sexual harassment in Universities in South-west Nigeria. With the aid secondary statistical data, the paper identifies sexual harassment as a gendered vice which is often overlooked in Nigerian Universities but with a negative impact on female students' ability to access quality tertiary education – leaving them at a disadvantage and predisposing them to further inequality. The paper highlights the nature and characteristics of sexual harassment and makes a case for urgent action to combat this growing menace as a means of promoting gender equity and encouraging improved female access to quality tertiary education.

*Keywords:* Sexual Harassment, Quid-Pro-Quo Sexual Harassment, South-West Nigeria, Nigeria, Tertiary Education, Universities, Female Students

Sexual harassment refers to any form of unwelcome sexual behaviour intended to place a victim at a disadvantage. Due to its nature and the dynamics of gender in Nigeria, females are more likely to be victims while the perpetrators are more likely to be male. Sexual harassment is believed to be prevalent in Nigerian tertiary institutions thereby placing female students at a greater disadvantage in comparison with their male peers. Its prevalence notwithstanding, not much has been done to combat the menace of sexual harassment in Nigerian tertiary institutions. The focus of this paper is on quid-pro-quo sexual harassment as a gendered problem exposing female students in Nigerian universities to disadvantage and further inequality.

### **Theoretical Framework**

This paper is founded on two major theories. First, the socio-cultural theory views sexual harassment as a consequence of inequalities which have their roots in cultural notions of patriarchy, male supremacy and female subordination. Sexual harassment is thus interpreted as a means of keeping women in their subordinate role (Ladebo 2003). The second theory underpinning this study is the organisational theory which extends the socio-cultural theory from the private sphere into the public sphere and identifies sexual harassment as a perpetuation of existing inequalities in the hierarchy of the organisation - where females are typically at the lower scale (Ogbonnaya et al, 2011). Hence, in the school setting, sexual harassment would constitute an unequal exchange between a male lecturer or senior non-academic staff in a position of power (perpetrator) and female student in a weaker position who would be powerless to challenge or refuse such harassment without the possibility of damage to her academic pursuits.

### **Scope and Objectives of Study**

This study is limited to the South-west region of Nigeria. A number of studies have been conducted on the problem of sexual harassment in Nigerian tertiary institutions. Of these, a good number were conducted in the South-west. Similarly, majority of media reports of sexual harassment in Nigerian institutions locate them in institutions in the South-west. That is not to say that sexual harassment only occurs in that region. Instead, such studies/reports provide useful data which has informed the decision to limit the scope of this study accordingly. The objective of this study is therefore to extend the discourse on sexual harassment in the South-west beyond a quantitative exercise in order to highlight the problem of sexual harassment in universities in South-west Nigeria (a region with the highest levels of gender parity in tertiary education) as a means of demonstrating that, gender parity notwithstanding, sexual harassment negatively impacts on the quality of education available to female university students and places their educational goals in jeopardy with long term implications both for victims of sexual harassment and the wider society.

### **Research Methodology and Structure**

The methodology for this research is doctrinal. It involves desk reviews of relevant sources of information including legislative instruments, journals, media reports and secondary empirical data on sexual harassment in Nigerian universities. This paper is divided into six sections. It continues in section two with definitions of sexual harassment and identification of *quid-quo-pro* as a form of sexual harassment with distinct and identifiable characteristics. Section three examines the problem of sexual harassment in Nigerian universities generally, and universities in the South-west in particular. With the aid of university enrolment data, the South-west is identified as the seat of knowledge with parity in gendered access to tertiary education compared to the Northern region. In section four, the paper discusses the impacts of sexual harassment both to victims and the wider society. The paper proposes avenues for combating this menace in section five and concludes in section six.

### **Sexual harassment: Definition and Elements**

The term 'sexual harassment' covers a broad range of acts and may be difficult to define in its different forms. The Committee on Elimination of All Forms of Discrimination against Women (CEDAW, 1992) defines sexual harassment as

'... such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable ground to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment'. (Emphasis added)

Imonikhe et al (2011) referred to various acts which can be classified as sexual harassment including sexual comments and jokes, sexual notes or pictures to physical acts of touching, grabbing or punching. The subjective classification of various acts as sexual harassment raises the problem of objectively determining which acts are sufficiently severe or offensive to warrant disciplinary action. As Abe's study (2012) indicates,

perceptions on what constitutes sexual harassment may differ according to gender. Hence, while males may not readily see touching, pinching or brushing up against a person as sexual harassment, females may view them as such. On the other hand, majority of females may not view indecent dressing as sexual harassment though majority of men would. Whatever the classification or perception, it is noteworthy that both males and females tend to view sexual advances which constitute conditions for the performance of an official act as sexual harassment. Therefore, *quid-pro-quo* sexual harassment does not suffer the problem of categorisation associated with other acts that fall under the broad term – sexual harassment. Ogunbameru (2006) defines sexual harassment as ‘proposals, approaches, moves by any individual occupying a superior, inferior, advantaged, disadvantaged position to seek sexual favours (either overtly or covertly) which makes submission or rejection explicitly or implicitly a basis for the enhancement of academic performance’.

The focus on this paper is on a *quid-pro-quo* sexual harassment in the educational sector and is therefore in line with Ogunbameru’s (2012) definition. *Quid-pro-quo* sexual harassment is characterised by the following elements:

- Uneven power relations due to (official) authority resting with the perpetrator who is usually in a superior position.
- *Quid-pro-quo* (like-for-like) or the possibility of same i.e. where both the victim and the perpetrator require something of the other. For the perpetrator this may be an official act or omission required by the victim e.g. a passing grade in a core course, and for the victim - sexual favours which may be exchanged for the official act or omission due from the perpetrator.
- Sexual coercion of the victim by the perpetrator due to the perpetrator’s superior position.

Sexual harassment is usually defined as a gender neutral vice. However studies have established that it is mostly directed at female students by male lecturers or non-academic staff. (Ogunbameru, 2012; Abe, 2012).

### **Sexual Harassment in Nigerian Universities**

Sexual Harassment is believed to be prevalent in Nigerian Universities with majority of cases going unreported (Omonijo et al, 2013; Imonikhe et al 2011). For instance, Ogbonnaya et al (2011) concluded from their study on sexual harassment in Ebonyi State University in South-east Nigeria that while 89.5% of study participants were aware of female students’ risk of sexual victimisation, 36.7% of female students had actually experienced sexual harassment with 50.9% of such incidences perpetrated by university staff. Similarly, the study by Imonikhe et al (2011) on various forms of sexual harassment in public tertiary institutions in Edo State, South-south Nigeria indicates that at least 70% of teachers and 69% of students believe that sexual harassment exists in their schools.

With respect to universities in the South-west, Ekore’s (2012) study indicates that females have higher perception of acts which constitute sexual harassment. With particular reference to *quid-pro-quo* sexual harassment, 18% of female respondents as against 8.1% of male students agreed that female students in the University of Ibadan fail exams for refusing sexual advances. Abe’s (2012) study on sexual harassment among university students in the Lagos metropolis also indicated that while 23% of male students reported having been physically harassed and none sexually assaulted, 85% of female students had experienced some form of physical harassment and 9% had been physically assaulted. Similarly, from their study on sexual harassment in three faith-based universities in Ogun State, Omonijo et al (2013) established that 40-50% of female students had been sexually harassed though less than 30% of those who were harassed bothered to report the incident to school authorities and no more than 3 cases per annum (14 cases over a five year period from 2008 to 2018) were referred for disciplinary action. The accused staff were all found guilty with 12 dismissed and 2 suspended. These findings vary slightly from those of an earlier study on sexual harassment in three tertiary institutions in Ogun State (Ladebo, 2003). Though Ladebo’s (2003) study also indicated that sexual harassment did exist in two of the three universities (one federal and one state), it was noted that sexual harassment did not exist in the third – a faith-based university. Like Omonijo et al (2013), Ladebo’s research showed that four cases of sexual harassment were referred for disciplinary action between 1998 and 2003. The perpetrators were also found guilty and dismissed.

### **The South-west Region as the Nigerian Seat of Knowledge and Gender Parity in Education**

The South-west region has always been at the forefront in terms of education in Nigeria. The first university in Nigeria was established in Ibadan, Oyo State. As shown in Table 1, the region accounts for 23.76 of the entire state university student population in Nigeria. The region also has the highest number of universities in Nigeria. As of 2013, 21 out of 50 (42%) of the private universities in Nigeria were located in the South-west (FME, 2019).

	Male	SW as % of Total (M)	Female	SW as % of Total (F)	Total	SW as % of Total
<b>South-west</b>	54727	22.48	49501	28.78	104228	23.76
<b>Nigeria</b>	243384	-	171942	-	438641	-

Table 1: South-west Nigeria state university enrolment 2012/2013 (FME, 2019)

University enrolment statistics in Nigeria generally indicate improved access for female enrollees. This is due to gender parity in university enrolment in Southern Nigeria – especially the South-west. In contrast, the Northern region accounts for the high levels of female illiteracy in Nigeria. Compared to 37.4% in the South-west, 65.3% of females in the Northern region are illiterate (NBS, 2010). Adeyemi and Akpotu (2004) note that there is often a wide disparity between the enrolment figures in Northern and Southern Nigeria with higher female enrolment in the latter. Table 2 shows gender disaggregated enrolment figures for state universities in South-west Nigeria in 2012/2013. For comparison, state universities' enrolment figures from the entire Northern zone are also provided. As shown in Table 2, average female enrolment is 47.49% - almost at par with male levels. Also in three of the seven state universities, female enrolments surpass male enrolments. On the other hand, the average female enrolment in the Northern region is 38.39% with one of seven universities (a university in the Yoruba speaking part of the Northern zone) surpassing the 50% mark.

Region	University	Male	Female	Total	Female as % of Total
<b>South West (SW)</b>	EKSU, Ekiti	8308	8374	16682	50.19
	LAUTECH, Ogbomosho	15890	10920	26810	40.73
	LASU, Ojo	7892	6111	14003	43.64
	OOU, Ago-Iwoye	10309	8343	18652	44.72
	Ondo State University of S & T, Okitipupa	166	46	212	21.69
	OSU, Osogbo	4026	4039	8065	50.08
	Tai Solarin University, Ijagun	8136	11668	19804	58.91
<b>Total (SW)</b>		<b>54727</b>	<b>49501</b>	<b>104228</b>	<b>47.49</b>
<b>Northern Region (NR)</b>	Adamawa University, Mubi	4032	2180	6212	35.09
	Benue State University Makurdi	10227	6803	17030	39.94
	Bukar Ibrahim University,	1323	835	2158	38.69
	Gombe State University	3699	1871	5570	33.59
	IBB University, Lapai	4046	1987	6033	32.93
	Kaduna State University	3860	2721	6581	41.34
	Kebbi State University of S&T	2244	602	2486	24.21
	Kogi State University, Anyigba	13862	9053	22915	39.50
	Kwara State University, Malete	1712	1777	3489	50.93
	<b>Total (NR)</b>		<b>45005</b>	<b>27829</b>	<b>72474</b>

Table 2: Enrolment Figures for State Universities 2012/2013 (FME 2018)

### **Impact of Sexual Harassment on Female Access to Quality University Education**

Considering the levels of gender parity in university enrolment figures, it would be expected that female students in the South-west would have equal access to quality education. However, the focus on numbers alone may hamper an in-depth examination of the quality of learning available to those female students who have gained access to tertiary education, gendered hindrances to the achievement of their learning objectives and the impact of such hindrances on their learning experience and ability to compete with their male counterparts on equal terms. Sexual harassment represents one of such hindrances. It affects opportunities, grades, the learning environment, outcomes and experiences of female students (Imonikhe et al 2011). It may constitute a major hindrance to female access to quality university education because of its impacts – both on victims and the wider society.

#### **Personal Impacts on Victims**

Sexual harassment impacts on victims both physically and psychologically. Psychological issues associated with the vice include anger, anxiety, feelings of powerlessness, reduced self-esteem and loss of confidence (Schneider, 1997; Imonikhe et al, 2011; Ekore, 2012). Victims of sexual harassment find it difficult to do well in their academics and may be forced to change courses (Ekore, 2012) with heavy financial burdens where they have to repeat such courses (Omonijo et al, 2013). Those who are unwilling to engage may be forced to transfer to other institutions or abandon their studies. (Ladebo, 2003; Ikwumokoni and Ojo, 2013). Sexual harassment also result in declining moral and academic standards with female students seeing no need to put in much efforts to study and choosing to engage instead in return for good grades. In this sense, sexual favours become a commodity to be exchanged for academic success (Imonikhe et al, 2011; Ogbonnaya et al, 2011). Hence, though female students may enjoy numerical equality with their male peers, the aforementioned impacts place them at the disadvantage compared to male students.

#### **Wider and Long Term Impacts**

Sexual harassment also has long term implications both for the victims who refuse and those who wield it as a commodity of exchange. For the former category, it may affect future job prospects since, they may have end up graduating with poorer results than they deserve. For those who are forced to change courses to avoid the problem, this may affect job/career satisfaction in future because they may have abandoned their dreams to pursue other courses. For those in the latter category, their academic performance may not be reflective of their actual abilities. Where they are employed on the basis of their padded grades, their employers are saddled with unqualified and unscrupulous employees. With falling academic standards over time, institutions of learning lose their pride of place such that graduates from such institutions may be adjudged less qualified than their peers from other institutions and refused employment.

### **Avenues for Combatting Sexual Harassment in Nigeria**

The prevalence and negative impacts of sexual harassment notwithstanding, efforts at combating the menace have been lacking. In some cases, reports of sexual harassment have been covered up with no disciplinary action taken against perpetrators. Sometimes, victims also end up being punished and accused of scheming to bring their lecturers to disrepute. These setbacks notwithstanding, there are various avenues for combating sexual harassment.

#### **Internal Disciplinary Proceedings**

A major gap in the possibility of combatting sexual harassment through the law is occasioned the fact that there is no statute specifically criminalizing sexual harassment. This has also impacted on the level of seriousness attached to the problem. The Nigerian Senate made an attempt to bridge this gap through the Sexual Harassment Bill. However, it was decried as a restrictive law directed at victimizing male lecturers in tertiary institutions (Omidan et al, 2016; Wahab, 2018) and abandoned. This gap notwithstanding, some institutions have attempted to combat sexual harassment through internal disciplinary proceedings (Omonijo et al, 2013); Ladebo, 2003). While such efforts are laudable, they are few and lack significance if considered vis-à-vis the number of female students who admitted having been sexually harassed. Far too many cases go unreported and of those which are reported many appear to fall through the cracks. Furthermore, many institutions do not have a sexual harassment policy. As a result, there are not objective standards for determining what amounts to sexual harassment.

#### **Combatting Sexual Harassment as a Form of Corruption**

The Independent Corrupt Practices Commission (ICPC) recently classed sexual harassment as a form of corruption contrary to section 98 of the Criminal Code and section 112 of the Independent Corrupt Practices

(and Related Offences) Act. The arraignment and conviction of Prof. Akindele of Obafemi Awolowo University, Ile-Ife was groundbreaking and appeared to herald a new era of active efforts at combatting sexual harassment. However, ICPC's willingness to broker a plea deal under which the accused person would have been cautioned and fined (rightly rejected by the judge) indicates an unwillingness to deal decisively with the menace. Furthermore, several other lecturers have been accused of sexual harassment but the ICPC has taken no further action in investigating or charging the alleged perpetrators. This has grave implications for ICPC's efforts. It waters down whatever deterrent value its' first sexual corruption case may have had.

### **Gender Equality as a Tool for Combatting Sexual Harassment**

Gender equality represents another avenue for combatting sexual harassment. Sexual harassment being usually between a male lecturer and a female student, power dynamics play a major role especially in view of the patriarchal nature of the Nigerian society where women enjoy lower status than men and are usually on the weaker side of power relations (Ladebo, 2003). Hence Sen (2018) rightly describes sexual harassment as 'a sexualised form of gender inequality'. Apart from women's practical inability to refuse due to the high cost of doing so, the practice of blaming women for sexual violence clearly exemplifies the weaker position occupied by them.

Majority of the studies examined for this paper identified female students' improper dressing as a cause of sexual harassment (Imonikhe et al, 2011; Omonijo, 2013; Ikwumokoni and Ojo, 2013; Abe, 2012). While one is not encouraging improper dressing, this argument loses sight of lack of self-control exhibited by perpetrators of sexual harassment. In effect, the perpetrators blame their victims for their actions. This is akin to a robber blaming his actions on the quality of finishing used in the construction of the house he chose to break into. Such argument will be rejected in relation to robbery. However, cultural patriarchy appears to have coloured the reasoning where sexual harassment is concerned, and a similar argument is accepted. This acceptance may be based on the male visual arousal stereotype. However, this excuse has been debunked by scientific analyses which indicate that visual arousal is not sufficient to overwhelm male reasoning as to excuse failure to abide by the rules on consent or female autonomy (Burnett, 2018).

The elevation of more women to positions of authority will correct the power imbalances that predispose female students to victimisation. It will also empower more women to speak up and challenge sexual harassment. Furthermore, the excuse of indecent dressing will become redundant since it has traditionally never been raised in situations where the perpetrator is female.

### **The Role of Media and Civil Society in Combating Sexual harassment**

The media (CSO) and Civil Society Organisations have been largely responsible for driving awareness on sexual harassment in tertiary institutions and influencing disciplinary actions against it. At the initial stage, when the media aired news and editorials aimed at creating awareness on the problem of sexual harassment in tertiary institutions. Their efforts did not appear to make the desired an impact as some victims' reports were ignored (Faluyi, 2018), while others faced further punishment for reporting to school authorities. Sustained media focus yielded positive results as more victims were emboldened to speak up. In particular, pressure from media publicity may have contributed to the dismissal of the perpetrator of the famous 'OAU sex-for-marks scandal' and his subsequent conviction following Nigeria's first sexual corruption case. This is clear from the fact that neither the institution nor the ICPC had taken such far-reaching actions on allegations of sexual harassment in the past (Faluyi, 2018; Sahara Reporters, 2018).

### **Conclusion and Recommendations**

This paper has examined the problem of *quid-pro-quo* sexual harassment as a hindrance to female students' access to quality university education in South-west Nigeria. The paper has demonstrated that, though classed as sexual harassment – a term which covers a wide range of acts, sexual harassment is a distinct form of harassment which relies on power imbalances that predispose females to victimisation. Hence, though the South-west region has almost achieved gender parity in university student enrollment, female students are placed at a significant disadvantage because of their exposure to this form of sexual victimisation. This has implications for their psychological and mental health, learning experiences, academic achievements and long term career progression. The paper has also explored some of the non-statutory avenues for combating sexual harassment.

Despite its prevalence, the lack of a specific statute against sexual harassment may have influenced the seriousness attached to the menace. Hence, though some institutions have made attempts to contain the problem through internal disciplinary procedures, it persists. The success of the ICPC in prosecuting its first sexual corruption case may go a long way in combating the problem. However, the ICPC's failure to follow up with the investigation and/or prosecution of subsequent accusations of sexual harassment may reduce the deterrent value

of its first successful prosecution. In view of the scale of the problem and availability of other options for containing it, the following are recommended:

- Gender equality in leadership ought to be promoted as a preemptive means of empowering female students to speak up and challenge vices such as sexual harassment. GE will also reduce power imbalances which predispose female students to sexual harassment. Socio-cultural notions which predispose women to inequality must also be challenged.
- Educational institutions should have sexual harassment policies which clearly define what sexual harassment is and under what circumstances certain acts will be viewed as sexual harassment. The policy, should be clear on the steps that victims ought to take in the event of sexual harassment, responsible officers, timelines etc. Such policies must also be enforced.
- There is a need to raise more awareness to educate female students on their rights. Further awareness is also needed to debunk the indecent dressing stereotype. More efforts should be put into clarifying the importance of consent/autonomy in sexual relationships and less on demonizing female students or blaming them for sexual harassment. This is relevant to all since the stereotype has gained general acceptance.
- There is urgent need for the enactment of a law specifically aimed at combating sexual harassment in Nigeria.
- The efforts of the media and CSOs in creating awareness on the problem must be sustained and multidisciplinary focus encouraged for combatting sexual harassment.

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