

# SEXUAL ABUSE COMMITTED ON MINORS WITHIN THE CONTEMPORARY SOCIETY

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**Abstract:** *The phenomenon of sexual abuse committed on the minors has recently met an unprecedented spreading in Romania, mass media presenting these situations frequently. Unfortunately, within the modern society, there are more and more numerous the cases in which the victims of rape are underage, some of them of young ages, the sexual assault committed on them becoming special social problems. While the statistics has continued to maintain a gradually ascendant trend, year by year, the authorities seem available, at least at this moment, to diminish considerably the phenomenon of the sexual abuses committed on minors, among which not only the rape is noticeable, but also the incest.*

**Key words:** *society, sexual abuse, contemporary, rape, phenomenon.*

## 1. Sexual abuse of minors

Unfortunately, in the modern society, there are more and more numerous the cases in which the victims of rape are underage, some of them of very young ages, the sexual abuses committed on them becoming special social problems. While the statistics has continued to maintain a gradually ascendant trend, year by year, the authorities seem available, at least at this moment, to diminish considerably the phenomenon of the sexual abuses committed on minors, among which not only the rape is noticeable, but also the incest.

This phenomenon has recently met an unprecedented spreading in Romania, mass media presenting these situations frequently. Despite this fact, the authorities have not managed to elaborate special programmes, dedicated to the prevention and fighting against the sexual abuses committed on minors, while the studies in this area are rather inexistent.

This does not concern only our country, but many other states of the European Union, where there can be remarked:

- The inexistence of a general perspective to include the real dimension of this phenomenon
- The absence of certain adequate methodologies, created for the phenomenon of the sexual abuse committed on minors
- The lack of necessary funds for accomplishing representative investigations and

The lack of interest observed when approaching the specialists in this area (sociology, psychiatry, criminology, psychology, medicine), if trying to collaborate constantly for the identification of viable solutions of prevention/fighting against/eradication of the sexual abuses that involve children. (Understanding Child Abuse, National Research Council, Washington, DC, National Academy Press, 2003: 12)

It is worth mentioned the fact that a quarter of century ago, the assaults committed on minors were rarely mentioned in the different statistics, only lately increasing, especially in the communities where certain social classes are predominant.

Recently, consequently to the ample development of this phenomenon, an increased number of specialists (Lopez, 2001: 5) have shown interest on addressing the reasons that determine the committing of such crimes on minors

The different researching reports, the studies carried out in this area, along with the articles published in specialised magazines, appreciate that, in the case of the underage, the risk of being victims of the sexual abuses is even greater, compared to adults (Lopez, 2001: 25), during the last decade reaching a peak.

Even if it might seem difficult to believe, there has been demonstrated that most of the sexual assaults, with underage victims, are committed within their families (preponderant being the rape and the incest), a reason for which, more often than not, these acts are increasingly difficult to identify, research and punish, most of these abuses remaining outside the statistics that is done periodically. (Krugman, 2004: 10)

## **2. The sexual abuse committed on the minors**

As regarding the definition of the sexual abuse committed on the minors, there is considered to represent “the form in which the minor participates to different activities that are not complying with their age, or sexual maturity, activities for which they lack the ability of understanding and to which they take part under compulsion, seduction or violence”.( Conte Jon,1966:3)

A similar definition can also be found within the American Medical Association, the sexual abuse being defined as “engagement of an underage in different sexual acts, for which the minor is not yet prepared, due to their development, not being able to give their consent with full knowledge of the case. The sexual abuse committed on minors is characterised through force, treachery or coercion”.( The definition is used by the National American Center for the Protection of Abused and Neglect Children, quoted by Best Joel, 1990: 12)

Generically, the sexual assault on minors is perceived as any form “of contact or interaction between an adult person and a minor, in which the minor is used for stimulating the sexual pleasure of the adult”, the minor being abused under circumstances that do not allow them to defend or to understand the acts they are subjected to. ( Rădulescu, Pătrioară, 2003: 19)

On addressing the last definition of the sexual abuse committed on minors, there can be remarked the emphasis placed on the psychological characteristics of the abused minor, characteristics that can nevertheless attracts and stimulate the sexual aggressor. Regardless the form of manifestation, the sexual abuse determine “the sexual exploitation of the minor, through rape, incest, molestation, which can be committed by the minor’s parents or educators”, (Siegel,1999: 265) under the specification that the underage can be subjected to such acts by unknown people.

Moreover, there have to be mentioned the fact that sexual abuses can be committed on minors by other underage people, in the case the age differences between the victims and the aggressors are significant, or the aggressors put themselves in a control or power position.

The phenomenon of the sexual abuses committed on minors is one extremely serious, especially through the traumatic effects that they induce to the victim, to which there can be added:

- High risk of HIV contamination
- Risk of infection with different sexual transmitted diseases
- Unwanted pregnancy (in case of female underage victims)
- Stigmatisation and
- Self-victimisation, consequently to public blaming, or due to the manner in which the competent authorities decide to manage the sexual abuse (Siegel,1999: 268)

There must be stated that the different researches made in this area have succeeded in evidencing the special marks that these effects leave on the minor victim, an impact that can influence their life as a mature person as well.

The rape committed on minors can display different ways of manifestation, especially in the case of a sexual aggressor, older than the victim, where there can be remarked:

- Different practices of genital and anal intrusion
- Subjecting the minor to acts of oral intrusion and
- Sexual molestation through direct sexual intercourse (Rădulescu, Pătrioară, 2003: 26)

Besides these, within the category of the sexual abuses, there are also present:

- Seduction of minors
- Sexual corruption of minors
- Molestation without sexual intercourse

- The engagement of a minor in different sexual practices that do not comply with their age
- The engagement of minors in practices that include materials with sexual explicit content
- The compelling of a minor to make erotic gestures
- The compelling of a minor to adopt attitudes/positions that would stimulate the aggressor's sexual appetite
- The compelling of a minor to satisfy the different sexual fantasies of the aggressor
- The compelling of the minor to visualise or become involved actively in different sexual acts
- The exploitation of a minor for prostitution and
- The exploitation of a minor in pornographic activities (Rădulescu, Pătrioară, 2003: 27)

### **3. Category of the sexual aggressions committed on minors**

From the category of the sexual aggressions committed on minors, there are noticed:

- The caressing of the victim of the self-touching of the aggressor in the genital parts
- Exposure in front of the minor of the sex organs
- Masturbation of the aggressor in front of the minor
- Oral penetration of the minor with the finger
- Anal penetration of the minor with the finger
- Vaginal penetration of the minor with the finger and
- The compelling of the minor to perform genital or oral masturbation in front of the aggressor ( Rădulescu, Pătrioară, 2003: 22)

Regardless the form of manifestation, the sexual aggression determines multiple traumatising effects on the victim, most of them manifesting even after a longer period of time from the committing of the aggression, when the victim has become an adult person.

The abuse on the minor, according to the specialists, is manifested most frequently under the following forms:

- Touching of the minor in the genital zone, on the breasts, buttocks, or other parts of the body, generating the feeling of discomfort and embarrassment
- The penetration of the minor, either vaginal or anal, with the penis, finger, or even diverse objects
- The compulsion of the minor to perform oral sex (unilateral sex) or the obligation to be engaged into oral sex with the aggressor (reciprocal sex)

- The determining or the obligation of a minor to touch their own intimate parts (the genital part, the buttocks zone), or to touch the genital organs of the aggressor
- The visual exposure of the minor to different images with explicit sexual content
- The involvement of the minor in images with explicit sexual content, or video materials with explicit content
- Exposure of the aggressor's genital parts in front of a minor
- Premeditation of discussions with the minor, vaguely or directly related to sex and sexual intercourse, which can make the minor become agitated, angry or frightened and
- Initiation of discussions with the minor, related to their intimate parts, or other private aspects, that can induce anxiety to the minor (Conform Questions and Answers about Child Sexual Abuse: An Interview with Esther Deblinger, National Child Traumatic Stress Network)

Worth mentioned is also the fact that the rape is sometimes committed on the minors without the use of physical force, the sexual aggressor using different other means, as seduction, playing, offering of gifts (or the promise of them), and even threats, the minor victim becoming intimidated, and often convinced not to denounce the sexual abuse.

In case of sexual abuses committed on minors, most of the times the aggressor is a male, but there are also situations in which the aggressor is a woman. The studies made over the time have shown the fact that, rather often, the sexual aggressors are people who the minor victims know, members of the family, neighbours, or even close family friends.

Another aspect that ought to be remarked, within this sub-chapter, is the fact that a part of the sexual aggressors of minors, are people who used to be aggressed in their childhood, or people who lack the capacity to have sexual intercourse with adults, from different reasons. A considerable percent from the total number of the sexual aggressors of minors are, in their turn underage, the reasons for their sexual aggressive behaviour being multiple. (According to Diagnostic and Treatment Guidelines on Child Sexual Abuse, American Medical Association, Chicago, A.M.A., 2002)

#### **4. The various typologies of the sexual aggressors**

The various typologies of the sexual aggressors, as much as the abused minors, to which there are added the diverse forms of manifestation of the sexual abuse, represent the main reasons for which there still has not been possible the elaboration, by specialists in this area, of an unanimously accepted definition of the sexual abuse.

For example, in the case of the definition provided by National Center on Child Abuse and Neglect USA, according to which the sexual abuse represents the interaction between a minor and an adult person, the main purpose being the sexual pleasing of the adult, there can be noticed the extended character, that can determine the inclusion of a wide range of sexual acts with a minor, which can or cannot involve the effective physical contact, committed outside and inside the victim's family. (Wurtele, 2002: 2)

In the case of an extended definition, there is the risk of perception a particular incidence of the sexual abuses, with the possibility that the claiming of these sexual aggressions to be perceived as exaggerations or groundless accusations. (Rădulescu, Pătrioară, 2003:31)

For these reasons, there should be imposed that any definition of the sexual abuses, committed on minors, need to take into account the period of their committing, the cultural contexts that can determine different types of behaviour (being or not accepted within a community), the norms and the values due to social groups where these behaviours occur.

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