

# Changing age of consent laws

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Changing Age of Consent Laws In each country, there is an “ age of consent,” and this differs from one country to another. Nonetheless, the age of consent refers to a specific age, whereby an individual, mainly a young person, is allowed to make independent decision, without the influence of parents, guardians, or other seniors in society. This especially refers to consenting to sexual activity. In addition, any individual that is sexually involved with a young person under the age of consent is considered a criminal and a sex offender. This is because the age of consent is part of the statutory rape laws. In this case, statutory rape implies a situation where an older individual engages in sexual activity with another individual who has not yet attained the age of consent. These individuals below the age of consent might as well be referred to as minors. The legislature is therefore, an influential force in controlling child sex abuse, since this is capable of developing criminal laws, which will apply to child abuse and protection. Different countries have different child age of consent laws. The variance in these laws across different countries can be attributed to the politics in the country, as well as the effects of colonialism in the country. However, in most countries, this age ranges between 12-18 years. In the Unites States of America, the range currently stands at 15-18, depending on the type of state. Additionally, in each state, there are specific ages identified, whereby a young person might not undergo prosecution in case of a crime that is committed by them. Nonetheless, each state has different age of consent laws, which are developed, depending on the sex and sexual identities of the parties involved (Angelides 141). Despite the existence of age of consent laws today, various issues still pose a challenge to the security and well-

being of children in the world. Therefore, the current age of consent laws need revamping, in order to address the various issues that affect children today. The main issue is child abuse, which is mainly sexual in nature. Children continue to be abused by older members of the society (Graupner 123). This scenario therefore, reflects on the failure of the various statutes concerned with the child age of consent in various countries. Thus, age of consent reforms are needed in order to ensure that children and all minors are protected. The first change in child age of consent must consider the age of consent itself. While in most European countries and other countries this roughly ranges between 12-18 years, I am of the opinion that all countries must adopt a standard or universal age of consent. This age of consent should be set at 18 years for all countries. This is because at 18, an individual is mature, and therefore, can make wise decisions and judgements. In some countries, the age of consent is set at 12 years. I consider this too low. A 12-year-old person is still young, and cannot make mature decisions, considering their low levels of maturity. Although Graupner (142) argues that a high age of consent denies individuals their liberty, I acknowledge these as children, who still need guidance and control from their parents and families. Another area of concern in the age of consent laws is the punishment conferred on criminals found victimizing minors in any way whatsoever. According to Graupner (113), criminal law is the best weapon for child protection. Child sexual abuse and other victimization forms have detrimental effects on children. The victims suffer both physically, emotionally, and psychologically. The presence of HIV today makes it worse, as sexual abuse in minors might result in them contracting

this virus, in case the offender is infected. The law should be effective to protect minors from abuse. I therefore, propose that the Sexual Offence Act should be amended, so that a sex offender includes anyone, who engages in sexual activity with an individual who is aged below 18 years. In the United States and Canada, a sex offender is one that engages in sexual activity with a person aged below 16 years. Although the law protects people of all ages against sexual abuse, if this is stated categorically in the constitution, it will help put more emphasis. Sex offenders need tougher measures such as longer jail terms. After release, these must be supervised by correction agencies, which must also be strict. In addition, any form of sexual abuse in minors should be put to trial, whether the minor was hurt or not. According to Graupner (114), most cases where minors are not physically harmed go unreported, or courts stop working on them. This form of leniency worsens the situation of sexual abuse in minors. Different types of researches conducted by sociologists and anthropologists on child sexuality have shown that child sexuality is real and normal. Interviews with former child abuse victims showed that the victims partly enjoyed the experience, and in most cases, the abused minors were seductive and flirtatious (Angelides 145). This therefore, shows that minors contribute to their abuse. However, this should not be a reason for adopting ineffective age of consent laws, and very low age of consent. It is important to understand that minors have not reached an age to reason maturely, and their behaviour is motivated by childishness. Therefore, it is possible that some ‘psychopaths’ in society might take advantage of them. This is why the age of consent laws needs to be strong enough to protect the innocent minors, who are the future nations.

Nonetheless, the legislature today has a role to play in ensuring effective age of consent laws in their countries, in order to curb child abuse, which continues to raise concerns today. Works Cited Graupner, Helmut, J. D. "Sexual Consent: The Criminal Law in Europe and Outside of Europe." *Journal of Psychology and Human Sexuality*, 16 (2-3), 111-171, 2005. Angelides, Steven "Feminism, Child Sexual Abuse, and the Erasure of Child Sexuality." *A Journal of Lesbian and Gay Studies*, 10 (2), 141-177, 2004.