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THE IMPACT AND PREVENTION OF MARITAL RAPE: UNDERSTANDING LEGAL, SOCIAL AND PSYCHOLOGICAL PERSPECTIVE

Matrimony or Marriage, which is known as a holy unification, is often depicted as a heaven of love, trust, deep affection and mutual respect. However, within the shadows of this bond lies a dark real world that is too often neglected and hidden: spousal rape. Despite its existence in society, this form of sexual violence remains largely unnoticed and unaddressed in many parts of the globe. In this blog, we will explore the extremely painful and traumatizing truths of marital rape, its impact on victims, and the urgent need for statutory recognition and societal change.

First, let us begin with the meaning of rape which is defined in the Indian penal code Sec- 375:

"(a) when a person penetrates his penis into the vaginal opening, mouth, or makes her do so with another person or him or (b) insert any other object into the vagina or (c) exploit any body part of a woman which causes penetration or (d) use his mouth to the vagina of a woman or makes her do so with him or any other person"

Essential conditions that require constituting a rape: a) against her will b) without her consent c) consent is obtained by undue influence d) consent is obtained by some sort of fiduciary relationship e) consent is derived by some intoxication of drug and unsoundness f) consent is obtain or not, when she is a minor. Now explaining the meaning of marital rape, also known as spousal rape, is the act of sexual intercourse with one's spouse without their consent. It is an infringement of the most intimate type, where trust is broken and autonomy is taken away. It is not like stranger rape, which is broadly condemned and is a punishable offence under governing laws, marital rape is commonly dismissed or eclipsed under the name of marriage which is a contractual agreement which implies consent to sexual activity at all times. This harmful

understanding supports a culture of evil custom, which left victims in difficult situations to get justice or support.

Comprehending different perspective (legal, social, psychological) from the view point of both male and female:

1. From a legal perspective, marital rape refers to the non-consensual sexual activity between spouses. Many countries have enacted laws recognizing marital rape as a crime acknowledging that marriage does not give one spouse the right to force sexual acts upon the other.
2. Psychologically, both men and women can suffer profound emotional and psychological trauma due to marital rape. Victims often experience feelings of betrayal, powerlessness, and violation of trust, which can result in long-term psychological consequences such as post-traumatic stress disorder (PTSD), depression, anxiety, and low self-esteem.
3. Societal attitudes towards marital rape vary and are influenced by cultural norms and values. In some societies, there may be a lack of awareness or understanding regarding the concept of marital rape, leading to victim-blaming and disbelief. Gender roles and societal expectations within marriage can also contribute to the underreporting of cases and silence around the issue.
4. It is essential to acknowledge that both men and women can be victims of marital rape. Addressing this issue requires raising awareness, providing support, and implementing legal measures to protect survivors. By offering education and resources, we can work towards creating a society that rejects all forms of sexual violence within marriages.

In conclusion, marital rape is a grave violation of human rights that demands urgent attention and action. It is a manifestation of entrenched gender inequality, harmful stereotypes, and power imbalances within intimate relationships. By breaking the silence surrounding marital rape, challenging societal norms, and advocating for legal reforms, we can create a world where every individual is free from the threat of sexual violence, both within and outside the confines of marriage. It is time to stand in solidarity with survivors, amplify their voices, and work towards a future where love, respect, and consent are the cornerstones of all relationships.

Moreover, training for law enforcement and judicial personnel on trauma-informed approaches and gender sensitivity is crucial to ensuring fair and effective responses to cases of marital rape.