

# When rape becomes a reason for marriage

*While the SC has ruled that 'marriage deals' don't cancel out rape, nuptials are routinely prescribed by panchayats and the police*

**TIMES NEWS NETWORK**

In April this year, a girl from Gautam Budh Nagar district, UP was ordered to marry the man who raped her by a panchayat. The girl's family objected, and approached the police which refused to lodge an FIR. The cops registered it only after the matter was reported in the media.

Back in 2009, a panchayat asked another rapist, a 25-year-old carpenter from Fakrina village in Allahabad, to choose between marrying the 21-year-old woman he had raped or paying a Rs 15,000 fine and being ex-communicated. The decision of the panchayat, which reportedly assured the survivor that she could lodge a complaint with them against her 'husband' if she did not get her 'due as a wife', sparked outrage among women activists across UP. "It's inhumane and shameful," Roop Rekha Verma, a social activist told a news agency.

Incidents of rape survivors marrying their attackers are being reported across the country, and these cases follow one of two patterns — either an autocratic system, like the panchayat, intercedes to force the union or the accused, in a bid to evade punishment, offers marriage in exchange. Either way, it has come to the attention of the Supreme Court which on August 27, ordered that rape cases cannot be compromised or condoned even if the survivor forgives the accused.

Activists believe one reason for this practice is the social stigma associated with rape. "A rape survivor can find herself ostracized, and as a result, is made to believe a wedding, whether surreptitiously with the aggressor or to someone else, is the best solution," said Rehana Abid of Astitva, a women's rights group in western UP. In a region where, according to Abid, only four out of 10 cases of rape are registered with the police, the focus both for families and cops is on "settling" the matter, sometimes even through financial compensation from the rapist's family in exchange for not pressing charges. In towns like Muzaffarnagar and Saharanpur in western UP, weddings of this kind are ordered by jaati and khap panchayats. "These weddings are common, especially if both are of the same caste. If the two belong to different castes, however, weddings are rarer," says Madhavi Kuckreja of Vanangana, a Bundelkhand-based rights organization. Unions forged in brutality rarely have happy endings, and Kuckreja says the violence often continues into married life, but mostly goes unreported.

Abid says in cases where the survi-



**Unions forged in brutality rarely have happy endings. A girl from Ranchi lodged a rape complaint against her live-in partner last month. 'She married the accused and within a month came back claiming that her husband and his friends gang-raped her every night,' says a cop**

vor is a minor and told to marry by the panchayat, the marriage is often upheld in court. In 2007, Nagpur resident Anjali (name changed) married her rapist after he suggested marriage in exchange for charges being dropped. "The groom saved my daughter's life from being destroyed" is what the girl's father said in a TOI report. Remarking on the court granting the accused bail to marry, the advocate said, "Anjali is a minor, but the court took a sympathetic view in the interest of social justice."

Flavia Agnes, women's activist and founder of NGO Majlis, believes it's important to understand the complexities of the situation that lead a third party, be it the cops or court, to recommend these marriages. For starters, Agnes points to how there are two dis-

tinct groups of rape cases increasingly being reported, where survivors and rapists are in a prior relationship.

One, there are cases where a man has ended things with a woman, either after a long live-in relationship or a few sexual encounters. Or, there is a man who promises marriage in exchange for sexual intercourse but then goes back on his word. "The woman is left looking for justice and usually approaches the police for help as she feels cheated and hurt with no other recourse," said Agnes.

Helen Soy, officer-in-charge of the all-women police station in Ranchi, says that in the last year, there have been several instances of girls filing complaints of rape against their long-term boyfriends, and most of these cases are resolved when the boys agree to marry the girl. Only in these cases do officers like Soy intervene to 'arrange' the marriage. "The rape complaint is usually filed by the girl in the hope that we will help her get married to the boy," said Soy, adding that these couples are usually already in live-in relationships.

But Soy cautions that it isn't always a mutually beneficial compromise, especially when it's the rapist who puts forth the idea of marriage to escape punishment. "These girls are either tortured by their husbands or thrown out of the house," Soy said, citing the instance of a girl who had lodged a rape complaint against her live-in partner last month. "She married the man whom she had accused of raping her and within a month she came back to us claiming that her husband and his friends gang-raped her every night after drinking. We lodged an FIR against the husband and his friends but they are absconding now," Soy said.

Similarly, a 21-year-old girl from Jhili village, Murshidabad district, West Bengal, was raped by her neighbour Newton Patra in 2010. Her parents filed an FIR and Newton was arrested. But village elders intervened and got her parents to withdraw the FIR. "The elders told us that it would be impossible for us to find a groom for her and it would be better for her to marry Newton. Also, instead of giving dowry, we would get money from his parents. So we withdrew the FIR," said the survivor's father, who sells lottery tickets. Newton and the survivor had a civil marriage, but within a few days, he went off to Bolpur to finish his education and hasn't returned since. She had a miscarriage and dropped out of school. She still awaits Newton's return.

*With reporting by Smiti Deshpande, Smiti Mathur, Kelly Kislaya & Jaideep Mazumdar*

# Rape In Marriage

**David Levinson**



## **Rape In Marriage:**

**Rape in Marriage** Diana E. H. Russell, 1983 This is a groundbreaking contribution to the literature of sexual assault and family violence Susan Brownmiller Russell has done a superb study which yields comprehensive and undeniable findings about a subject no one had even whispered about before a classic work Phyllis Chesler One out of seven American women who have ever been married has been raped by a husband or ex husband Written by the principal investigator for the National Institute of Mental Health study that discovered this shocking statistic this book is a monumental eye opening work that dispels misinformation and illusions about a previously ignored aspect of family violence

**Rape in Marriage** Diana E. H. Russell, 1982 Marital Rape Kersti Yllö, M. Gabriela Torres, 2016-05-09 Rape in marriage is a global problem affecting millions of women it is still legal in many countries and was only criminalized in all U S states in 1993 In much of the world marital rape is too often understood as an oxymoron due to the fact that the ideology of permanent consent underlies the legal and cultural definitions of sex in marriage From Vietnam to Guatemala to South Africa and beyond this volume examines how cultural legal public health and human rights policies and practices impact intimate partner violence While legal and cultural conceptions of marital rape vary widely from criminal assault to wifely duty this volume offers evidence from different societies that forced sex undermines the physical and psychological well being of the women who experience it regardless of their cultural context Globally the nature of marriage is changing and so are notions of individual choice love intimacy and rigid gender roles Marital Rape documents wide ranging and fluid understandings of sex consent and rape in marriage such an array of perspectives demands an international and interdisciplinary approach to the study of sex and gender based violence This text brings together an international group of scholars from the fields of anthropology sociology criminology law public health and human rights their work points to the importance of understanding the lived experience of sexual violence for the design of effective and culturally sensitive public policy and practice

**License to Rape** David Finkelhor, Kersti Yllö, 1987 **The Sexual Question** Auguste Forel, 2015-11-07 The sexual question is of fundamental importance for humanity whose happiness and well being depend largely on the best solution of this important problem In dealing with such a delicate subject I shall endeavor to avoid narrow mindedness and prejudice I shall avoid tiresome quotations and shall only employ technical terms when necessary as they rather interfere with the comprehension of the subject I shall take care to explain all those which appear to me indispensable My opinions on the sexual question are based on the one hand on my scientific study of the human brain and on the other hand on the long personal experience of an alienist who has devoted himself almost as much to normal mentality and questions of social hygiene as to pathological mentality I have however been obliged to rely on the fundamental work of Westermarck with regard to ethnology this subject being strange to me Concerning sexual psycho pathology I have followed the classification of Krafft Ebing The sexual question is extraordinarily complex and we cannot expect to find a simple solution for it as we can for the questions of

alcoholism slavery torture etc The latter are 4 solved in one word suppression Suppression of slavery and torture suppression of the usage of alcoholic drinks We are concerned here with ulcers artificially produced and preserved in human society ulcers which must be simply extirpated Their suppression is nothing but beneficial since far from being connected with the normal conditions of human existence they place it in peril Sexual instinct and sentiment on the contrary have their roots in life itself they are intimately bound up with humanity and therefore require quite a different treatment But human society has guided them into false and pernicious ways It is important to turn them from these in order to tranquilize and regulate their course by damming them up and canalizing them The fundamental axiom of the sexual question is as follows With man as with all living beings the constant object of all sexual function and consequently of sexual love is the reproduction of the species It is therefore necessary to treat the question from the point of view of the natural sciences physiology psychology and sociology This has already been done more than once but usually in erudite treatises which only look upon one side of the question or on the other hand in a superficial and often frivolous manner To ensure happiness humanity should desire to reproduce itself in a manner which elevates progressively all the physical and mental faculties of man with regard to health and bodily strength as much as to sentiment intelligence will creative imagination love of work joy of living and the sentiment of social solidarity Every attempt made to solve the sexual question should therefore be directed toward the future and toward the happiness of our descendants

*Sex Crimes* Ronald Barri Flowers,2006 This book provides an examination of sexual criminality its nature characteristics dimensions and ramifications in American society The book is addressing both recognized and little known sex crimes the magnitude of such crimes sex offenders and victims theories on sexual criminality and sex criminals and the criminal justice system

**Ovid's Terence** Iris Brecke,2023-11-20 This book investigates the complex reception of Terence in Ovid and a number of allusions to the Terentian comedies in the love elegies and the exilic elegiac epistle *Tristia* 2 The genres of Latin love elegy and New Comedy are often seen as closely connected in research and one leading view is that Latin love elegy to a large degree springs out of the comic genre However though both genres are strongly rooted in social practise and presents interpersonal relationships in a non mythological everyday setting there are also major differences between them Marriage for instance is the conventional goal for the young lover withing the comic genre whereas the elegiac lover should avoid it Taking into account both the similarities and the crucial differences between the comic genre and Latin love elegy and key elegiac topoi such as *servitium amoris* and *militia amoris* this book demonstrates an intricate connection between Ovid and Terence and a complex nexus of allusions that goes straight to the core of Ovid s elegiac authorship Winner of the Trends in Classics Book Prize 2023

**Law of Marriage and Divorce** Paras Diwan,Peeyushi Diwan,1997 Indepth study

*Violent Relationships* Beverly Ford,2001 Examination of wife abuse spousal abuse causes and effects abuse and the judicial system domestic violence against the elderly and where to seek government help

The Reign of God is Such as These Sharon Betsworth,2010-12-02

*Rape in Antiquity* Susan Deacy,Karen F.

Pierce,1997 How did the Greeks and Romans perceive rape How seriously was it taken and who were seen as its main victims The leading classical scholars who have contributed to this volume look at the social and legal realities of rape in the ancient world and also at the numerous myths of rape which themselves may reflect real behavior and attitudes Modern readers used to a discourse which focuses on the question of consent to sexual activity and treats an unwilling partner as a victim worthy of sympathy may find in ancient attitudes much that is disturbing Rape in Antiquity covers topics arranged under six main headings Athenian legal discourse Greek myth Greek art Greek and Roman drama Greek and Roman historiography and Byzantine and Western medieval worlds      Encyclopedia of Marriage and the Family David Levinson,1995 Provides a compendium of knowledge about marriage family and human relations      **Violent Relationships** Melissa J. Doak,2005-05 Presents a comprehensive summary of up to date research and legislation concerning domestic abuse and describes the causes and effects of abuse rape and sexual harassment around the world response of law enforcement to violence and abuse and treatment for male batterers      Encyclopedia of Rape Merril D. Smith,2004 The first ready reference on a topic of perpetual relevance offers 185 key entries covering the historical scope and magnitude of the issue in the United States and globally      **Greek and Latin Love** Thea S. Thorsen,Iris Brecke,Stephen Harrison,2021-09-07 It is often claimed that the kind of love that is variously deemed romantic or true did not exist in antiquity Yet ancient literature abounds with stories that seem to adhere precisely to this kind of love This volume focuses on such literature and the concepts of love it espouses The volume differs from and challenges much existing classical scholarship which has traditionally privileged the theme of sex over love and prose genres over those of poetry By conversely focusing on love and poetry the present volume freshly explores central poets in ancient literature such as Homer Sappho Terence Catullus Virgil Horace and Ovid alongside less canonized such as the anonymous poet of The Lament for Bion Philodemus and Sulpicia The chapters which are written by world leading as well as younger scholars reveal that Greek and Latin concepts of love seem interconnected that such love is as relevant for hetero as homoerotic couples and that such ideas of love follow the mainstream of poetry throughout antiquity In addition to the general reader interested in the history of love this volume is relevant for students and scholars of the ancient world and the poetic tradition      **Law & Inequality** ,1983      **Love, Sex and Power** Susan Blackburn,2001 This book presents new trends in writing about women in Southeast Asia applying concepts of power in unusual areas What really are the impediments to women sharing power How do Vietnamese ideals of romantic love that effectively subordinate women to men Frank interviews explode the myth that marital rape does not happen in Indonesia There are historical and contemporary examples of the liberating influence of new work for women and the story of how the Indonesian state spread the message of family planning And delving into the discipline of cross cultural women s studies itself is a considered perspective on power relations between the Western scholar and the Asian women she is studying      **The Law Times Reports of Cases Decided in the House of Lords, the Privy Council, the Court of**

**Appeal ... [new Series].** ,1898      **Domestic Violence Law** Nancy K. D. Lemon,1996 A unique and comprehensive collection of sources including published appellate cases and law review articles but also selections from the fields of sociology psychology and anthropology Samples of current legislation Congressional memoranda restraining order forms and articles from the popular press including newsletters and brochures from hard to obtain sources are included Ms Lemon has taught this course since 1988 and has written many pioneering pieces of legislation in this area The materials are comprehensive in examining different points of view on the subject of domestic violence law They help the student explore the tension between theory and practice a critical point in teaching this subject A historical perspective is given so that students can see both the ways the laws have changed over the past century and also the ways they have not changed This reader lends itself to discussions of the role of the attorney in crafting the law not simply following it      **The History of English Law** Frederick Pollock (the Right Honourable Sir),Frederic William Maitland,1898



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