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Marriage or License to Rape? A Socio-Legal Analysis of Marital Rape in India

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Abstract

Rape exposes the failure of society's institutions which were established to provide better security to an individual in a society. These institutions sometimes not only failed to protect an individual from such grave assaults on their autonomy and privacy, but also sanctioned them by either providing them legitimacy by law or not illegitimizing them. States often have either provided legal sanctity to rapes within marriage or have refrained from declaring it a crime, on account of it being a private sphere not open to interference. Rape within marriage or marital rape is a global problem, and it is argued that not only it is more prevalent than rapes committed outside the purview of marriage by strangers or ex-partners, but also that it has equivalent catastrophic effects on the victims. Although several countries have criminalized marital rapes or withdrew exemptions granted to rape within marriage, the situation has hardly changed in India, which has yet to criminalize marital rape. This note henceforth will attempt to analyze the historical background of how marital rape obtained legal sanctity, its prevalence globally and in the Indian society, its effects on the victims, and the shortcomings in the legal system of India.

Keywords

India, marital rape, cultural sanctity, equality, liberty, legal analysis

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MARRIAGE OR LICENSE TO RAPE? A SOCIO-LEGAL ANALYSIS OF MARITAL RAPE IN INDIA

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ABSTRACT

Rape exposes the failure of society's institutions which were established to provide better security to an individual in a society. These institutions sometimes not only failed to protect an individual from such grave assaults on their autonomy and privacy, but also sanctioned them by either providing them legitimacy by law or not illegitimizing them. States often have either provided legal sanctity to rapes within marriage or have refrained from declaring it a crime, on account of it being a private sphere not open to interference. Rape within marriage or marital rape is a global problem, and it is argued that not only it is more prevalent than rapes committed outside the purview of marriage by strangers or ex-partners, but also that it has equivalent catastrophic effects on the victims. Although several countries have criminalized marital rapes or withdrew exemptions granted to rape within marriage, the situation has hardly changed in India, which has yet to criminalize marital rape. This note henceforth will attempt to analyze the historical background of how marital rape obtained legal sanctity, its prevalence globally and in the Indian society, its effects on the victims, and the shortcomings in the legal system of India.

KEYWORDS

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MARITAL RAPE NOT ONLY EXPOSES AN INDIVIDUAL to prolonged health issues and severe psychological trauma, but it also destroys the fiduciary nature of the marriage along with individual autonomy and privacy of the victim. Although there does not exist an exhaustive legal definition in India, the reason for which is the legal and cultural sanctity it has received over the years, it can be understood as an act of non-consensual or unwilling intercourse between spouses, where the consent for which, if any, has been obtained through force, threat, fear of punishment or violence. Moreover, although it can be committed by any person (spouse) irrespective of gender, it has become a gender-specific crime globally, committed mostly by husbands on their wives, ex-wives (committed while cohabiting), or cohabiting partners (not wedded) (Russell, 1990). Around 35 percent of women have experienced sexual violence by their partners globally (García-Moreno et al., 2013), however, it is believed and argued

by the United Nations Women (UNW) that the number can be as high as 70 percent (UN Women).

On the basis of a study conducted in 1985, marital rape can be classified into three categories: Battering rapes which include instances where the women are already enduring regular physical violence and rape is just another form of it, used by the husband to assert dominance; Force only rapes which includes only those instances of rape where the husband use minimal force just to gain access to sexual intercourse, and lastly Obsessive rapes which involves absurd and unusual request made by the husband for sexual intercourse (Finkelhor & Yllo, 1985). It becomes pertinent to note that the crime is more likely to be committed against battered women (Frieze, 1983a; Frieze, 1983b; Shields & Hanneke, 1983; Walker, 1984; Campbell & Soeken, 1999), and instances of beatings post and pre-sex, chokings, arm twisting, burning of the genitals have also been witnessed (Campbell & Alford, 1989). It is believed that the two possible reasons for which battered women are more likely to experience marital rape are, either that the abusive husbands are using sex just as another tool for violence, to assert dominance or they are using it as a tool to apologize or make up to their battered wives (Bennice & Resick, 2003). Furthermore, though it cannot be estimated as to in which age group the crime is more prevalent, it is argued that adolescent girls of 15 to 19 years of age are more likely to be its victims (UN Women). The situation for adolescent girls is so poignant that not only has 15 million girls of 15 to 19 years of age have been victims of forced sex by their partners, but only a meager 1 percent have ever sought professional help (UNICEF, 2017).

Furthermore, although marital rape is considered a less serious crime, and often not a crime at all, it has catastrophic consequences on the physical, mental, and social health being of the victims as compared to victims of rape by strangers (Bennice & Resick, 2003). Some of the most common consequences that have been witnessed in marital rape victims are severe vaginal pain, vaginal stretching, genital irritation, pelvic pain, urinary infections, bladder infections, and an increased probability of going infertile (Campbell & Alford, 1989; Campbell & Soeken, 1999). Furthermore, the crime takes such an enduring toll on the mental health of the victims that it becomes the reason for suppressed functioning of their immune system, which in turn renders them more prone to cervical cancer (Coker, Sanderson, Fadden, & Pirisi, 2000). Also, sex committed forcefully increases the probability of HIV infection and other sexually transmitted diseases among the victims, the reason for which is both the forced nature of the intercourse and the inability of the victims to call for use of condoms (Maman, Campbell, Sweat, & Gielen, 2000). If the victims ever gather the courage to request the use of condoms, they are not only are threatened and exposed to physical violence (Wingood & DiClemente, 1997), but also are often accused of infidelity (Davila & Brackley, 1999). Furthermore, pieces of evidence also indicate that marital rapes not only increase the probability of stillbirths and miscarriages (Campbell & Alford, 1989), but also cause the victims to terminate pregnancies themselves more often (Evins & Chescheir, 1996).

Although every marital rape victim lives in a different circumstance, there exist certain similarities in their circumstances and behavior which cannot be overlooked. The crime has received cultural sanctity to such a great extent that most of the victims of the crime feel guilty and believe that it was their fault for not providing sex which led to the commission of the crime (Weingourt, 1990). Furthermore, women who generally experience sexual abuse as a child tend to become desensitized towards the crime, as they at a young age are conditioned to believe that forceful and unwarranted encounters of an intimate act are justified or are acts of expressing love (Finkelhor &

Yllo, 1985; Weingourt, 1990). However, it has also been argued that the repercussions of childhood sexual abuse can also result in women developing extreme loathing towards any act of intimacy involving sex, which also increases the probability of experiencing marital rape in marriage (Russell, 1990). Furthermore, the most common effects that have been witnessed in the victims of the crime have been feeling of loss, isolation, anger, a general dislike towards men, extreme unwillingness to have sex, serious inability to trust in daily lives, severe depression, self-blame, shame, sexual dysfunction, lower self-esteem, increased probability to indulge in substance abuse and feeling of loss of worthiness (Campbell, 1989; Whatley, 1993; Bennice & Resick, 2003). Furthermore, as generally, the victims remain easily accessible to the perpetrators, they experience multiple incidences of marital rape, which amplifies the effect of the incidence thus making them catastrophic (Finkelhor & Yllo, 1985).

Whatever may be the reason for the crime, it cannot be argued that the crime is only prevalent in a few countries. Several countries including India have been plagued with the crime of marital rape. In India, the number of marital rape victims stands as high as around 75 percent (Gwalani, 2015). It is observed by the UN Population Fund that in India two out of every three women between 19 to 49 years of age have been forced to provide sex (Kaur, 2017). Furthermore, it is also argued that one in every three men rape their wives in developing countries, such as India (Kamdar, 2020). Though India has greatly strengthened its *rape law* in the last decade, it is yet to demolish the exception provided to husbands raping their wives, which is yet alone the reason for the availability of less authenticate statistics/record of the crime and limited reporting of it in India. The incidence of marital rapes as compared to incidence of rapes by strangers are witnessed more not only globally (Finkelhor & Yllo, 1985; Bennice & Resick, 2003), but also in India, in which the crime is committed 40 times more in comparison to rape by strangers (Gupta, 2014). Furthermore, what is further worrying is that not only is it greatly prevalent but also that also it is less reported to the police—that is only a meager amount of 1 percent of incidents (Gupta, 2014)—and whether decided in favor of the victim is altogether a different aspect and remains tirelessly challenging due to the non-criminalized nature of it in the country.

Several countries around the world have either criminalized marital rape or have withdrawn the exceptions given to husbands or abolished marry-your-rapist laws to curb the menace; however, the situation has hardly changed for most of Asia, including India (Wulfhorst, 2019). Thirty-Six countries, including India, which are home to 2.6 billion women, are yet to criminalize marital rape (India Today Web Desk, 2016). These acts of non-criminalization depict the cultural and legal sanction the crime has received over the years in these countries. The next part henceforth will attempt to analyze this aspect of the situation.

LEGAL AND CULTURAL SANCTITY?

The existence of a marital rape exemption in India's penal code, like that in several other former British colonies, is directly linked to its history of long colonial rule, and the existence of the exception of marital rape in British Jurisprudence (Makkar, 2019). The concept was firstly propounded by the then Chief Justice of England in 1736 in the History of the Pleas of the Crown (Hale, 1736). He argued that a wife, by giving her matrimonial consent, which she cannot retract, and contract to marriage gives herself to her husband, and therefore her husband cannot be held guilty of committing rape himself on his lawfully wedded wife (Russell, 1990). This doctrine later came to be known as the Lord Hale doctrine, and became the basis of the common law exemption that a husband cannot be held guilty of raping his own wife (Bennice & Resick, 2003),

or in other words, a wife cannot be raped by her own husband. Here it becomes pertinent to note that instead of backing his doctrine with logical legal arguments, Hale backed it solely with the concept of irrevocable consent of the wife (Small & Tetreault, 1990).

Also, around the mid-18th Century, the marital rape exception gained further acceptance due to the propounding of the ‘unities’ theory by Blackstone, which stated that the husband and wife become one singular identity on marriage (Green, 1988; Small & Tetreault, 1990). This theory postulated that women on marriage lose their own civil identities and hence become a “property” of their husband (Small & Tetreault, 1990). Furthermore, Blackstone not only proclaimed that a husband and wife become a singular legal person on marriage, but also that a wife’s legal existence ceases to exist during marriage and is incorporated in that of her husband’s; henceforth, for instance, if she is injured, she is only allowed to take action through her husband’s concurrence and not on that of her own (Blackstone, 1765). Thus, at that time rape was not considered a crime against a woman’s bodily integrity and privacy but a crime committed against her husband’s property (Green, 1988; Small & Tetreault, 1990). Furthermore also since the word rape originated from the Latin word ‘*rapio*’ meaning ‘to seize’ (Gupta & Gupta, 2013), it was argued to be practically impossible for a man to violate or seize his own property (wife) (Green, 1988).

Along with the “unities” theory, women’s civil identities were further annihilated by the “separate sphere” theory, propounding men and women to acquire different spheres of society—that is men acquiring the political or public sphere and women acquiring the family and private sphere (Small & Tetreault, 1990). Furthermore, as since it was already well settled that the women were their husband’s property, no laws were drafted to regulate male authority in the private sphere (Bennice & Resick, 2003), thus providing them the absolute privilege to abuse their wives without any fear of repercussions (Small & Tetreault, 1990). Also, the belief that sexual relations including marital rapes was a private affair concerning only the husband and the wife discouraged both the police officials as well as the state legislators to take any punitive action or to withdraw the exemption to rape provided to the husbands (Caringella-MacDonald, 1988; Russell, 1990). The marital rape exemption further survived because of the widely prevalent fear among legislators of wives vindictively falsely implicating their husbands of rape (Green, 1988).

All of the abovementioned theories collectively resulted in marital rape prohibition emerging as a practical and legal impossibility in most common law countries. In India, the situation is also similar regarding the marital rape exemption. The Indian Penal Code (hereinafter IPC), including section 375 that provides a rape exemption to husbands, was drafted in 1860, a time when women were treated as chattel of their husband and were disbarred from filing civil suits in their own capacity (Dailey, 1986; Makkar, 2019). Since India was a British colony in the 19th century a mass chunk of its laws including IPC and the marital rape exemption were mirror reflections of English Laws based on patriarchal Victorian norms (Makkar, 2019).

The situation regarding women’s civil identity howsoever has changed drastically, globally, in the 20th century. Women now can hold property in their own name, work in the public and private sphere without their husband’s consent, as well as be recipient and holder of their wages (Small & Tetreault, 1990), therefore identifying as a separate legal entity. Furthermore, as since they can now hold property their status as being property themselves stands abolished, along with the impossibility of a man to violate (rape) his own property (wife) (Bennice & Resick, 2003). The marital rape

exemption also faces the further challenge that if a woman now can revoke her marriage contract, why cannot the implied consent for lifelong intercourse (Bennice & Resick, 2003). This apparent refutation of Hale's argument of irrevocable consent, although initially caused only a partial withdrawal of the marital rape exemption, gradually led to complete abolishment of the marital rape exemption in several countries (Small & Tetreault, 1990; Bennice & Resick, 2003). The marital exception was a result of the reluctance to grant basic rights to women, and the sooner it was questioned the sooner the marital rape exemption was challenged (Bennice & Resick, 2003). However despite all these global developments, marital rape still remains a legally sanctioned practice in India.

In India marital rape exemption is enshrined in exception 2 to Section 375 of IPC, which states that "Sexual intercourse or sexual acts by a man with his own wife, the wife not being under fifteen years of age, is not rape" (IPC, § 375, 1860). This provides a legal sanction and somehow a right to men to have sex forcefully with their wives and not be held liable for rape. This right is further strengthened by the restitution of conjugal rights enshrined in section 9 of the Hindu Marriage Act (Hindu Marriage Act, § 9, 1955), as directing a woman to fulfill her marital obligations and cohabit with her spouse, rendering her incapable to abstain from forced sexual intercourse, given the current standing of the marital rape exemption (Bhaduri, 2018).

All of which not only provided a legal sanctity but also a cultural sanctity to the marital rape exemption in India. Since law and culture are interdependent and the changes in one affect the other, it becomes utmost necessary for the law to change the cultural sanctity of marital rape, as it did with the practice of Sati. Since the changes in cultural ideologies are relatively slower as compared to a law, it becomes pertinent that law takes the lead charge in reforming the ideologies prevalent in society. In India, the majority of women think it is their duty to provide lifelong sex to their husband; there have been instances where a rape victim has been asked to marry her rapist as if it'll reduce the suffering of the victim, and the government has argued that the criminalization of the practice will destabilize the institution of marriage. Apart from the government, the former Chief Justice of India also holds a similar view (Kamdar, 2020), all of which depicts the cultural sanctity the practice has received over the year.

The reason for such a cultural sanctity is the belief that prevails among people that marital rape is not real rape (Bennice & Resick, 2003). The more intimate relationship the victim shares with the offender, the more likely she is to be blamed for the incident, the less likely the offender will be presumed culpable, the less likely it will be defined as rape, the less likely it will be perceived that it might have caused harm, and the less serious the crime will be perceived in comparison to rape by a stranger (Jeffords & Dull, 1982; Kilpatrick, Best, Saunders, & Veronen, 1988; Sullivan & Mosher, 1990; Shotland & Goodstein, 1992; Monson, Byrd, & Langhinrichsen-Rohling, 1996; Monson, Langhinrichsen-Rohling, & Binderup, 2000; Ewoldt, Monson, & Langhinrichsen-Rohling, 2000).

Rape committed by one's own spouse seldom finds space in the cultural concept of a rapist (stranger) in a gloomy street (Bennice & Resick, 2003). This has been greatly enforced by the daily television programs as well as the movie industry because they mostly depict strangers by rapes, and secondly when they depict marital rape by husband they demonstrate that the victim enjoyed it and thus it is not a crime (Russell, 1990; Deer & Deer, 1991; Bufkin & Eschholz, 2000). The lack of knowledge, and receipt of such distorted visions of marital rape through movies shapes the public

perception that only rape by a stranger is real rape (Bennice & Resick, 2003), therefore culturally invalidating the concept of marital rape.

The cultural invalidation of marital rape has also been due to customary religious duties. The ambit of marital duty has been argued to be inclusive of duty to sexually satisfy the husband, which in turn has been argued to be the explanation of forced sex in a marriage—that is on default of the wife to fulfill her marital duty (Yllö & LeClerc, 1988). Furthermore, in religious scriptures, firstly a man has been argued to possess a moral superiority over his wife, which is due to her being considered beneath him which has been backed by her need to be protected by the husband (morally & physically), which although was true earlier (only for physical harm) but is not applicable in today's time (Yllö & LeClerc, 1988). Secondly the responsibility to protect the family's morality as well as reputation has been bestowed upon the man of the family (Yllö & LeClerc, 1988). All of this resulted in providing a cultural sanctity to a man to use both physical as well as sexual force in situations appearing necessary to him, to protect the family's morality, and to protect the wife from engaging in actions appearing immoral to him (Bennice & Resick, 2003). Furthermore, the social stereotypes have also led to culturally invalidating marital rape. The idea that men have an increased urge for sex as compared to women, and on withholding of sex by wives they are left with no option but to obtain it forcefully, leads to victims being blamed more (Finkelhor & Yllö, 1988; Small & Tetreault, 1990).

The cultural sanctity thus invalidates the experiences of the victims of the crime and rendering them incapable to identify both themselves as well as others as victims (Jeffords & Dull, 1982; Koss, 1985; Dutton, 1988). Therefore, to be entitled to or to seek help, they must recognize themselves as victims, and it becomes urgently necessary that the cultural sanctity the crime has received is abolished. The goal is thus twofold and simple—that is either the cultural change leads to the change in law, which generally is a slow process, or the law leads to the change in cultural beliefs, which it has done efficiently in many instances.

MARITAL RAPE AND THE CONSTITUTION

The Indian Penal Code (1860), along with section 375, was framed in the 19th century when India was still a British colony. At that time, women were treated as a property of their husbands and were considered to possess no civil and legal identity of the own; however, the situation has changed now. There exists a plethora of statutes that establish women to possess a separate legal identity apart from their husbands, as well as protection from violence, such as “The Protection of Women from Domestic Violence Act” and the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act” (Protection of Women from Domestic Violence Act, 2005; Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013). However, the situation regarding the marital rape exemption has not changed much, and the marital rape exemption is living proof that the country is still stuck in an era that provided no rights for women.

Marital rape is so dehumanizing, that it not only exposes the victims to severe physical and mental trauma but also violates some of their basic human rights. The marital rape exemption violates the most basic fundamental rights guaranteed by the constitution of India, that is right to equality under article 14, and the right to life and personal liberty guaranteed by article 21 of the Constitution of India.

According to Article 14 of the Constitution of India, “[t]he State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India” (Indian Constitution, Art. 14, 1950). Howsoever the marital rape exemption enshrined in section 2 of section 375 appears to be in contravention and violation to it (IPC, § 375, 1860). The marital rape exemption demarcates a categorical distinction between married and non-married women, based on which it renders two different sets of protection to them—that is protection for non-married women against rape by any men and no protection to married women by being raped by their husbands. By not providing an equal and similar protection to married women against rape and sexual violence, as compared to non-married women, the exemption violates article 14, since the classification on which different treatment is afforded to women cannot be said to have a reasonable rationale with the purpose of the section (*State of West Bengal v. Anwar Ali Sarkar*, 1952; *Ajay Hasia v. Khalid Mujib*, 1981; Gupta & Gupta, 2013). A classification that is being scrutinized under article 14 can only be called just and reasonable if it has reasonable nexus with the objective the statute strives to achieve (*Budhan Choudhary v. State of Bihar*, 1955; *State of West Bengal v. Anwar Ali Sarkar*, 1952). The underlying purpose of section 375 is to protect women from sexual violence and prosecute those who indulge in it; however, exception 2 immunizes this act if committed by a married man on his wife, which not only contradicts the objective of the section but also defeats it.

Furthermore, the exemption also violates Article 21 of the constitution which states that “[n]o person shall be denied of his life and personal liberty except according to the procedure established by law” (Indian Constitution, Art. 14, 1950). The Indian Supreme Court in a plethora of judgments has reiterated that a person has a right to make free intimate choices, to willingly participate in sexual intercourse which must not be forced upon her, and use of force will amount to physical-sexual violence violating the person’s right to privacy (*State of Maharashtra v. Madhkar Narayan*, 1991; *Vishakha v. State of Rajasthan*, 1997), dignity (*The Chairman, Railway Board v. Chandrima Das*, 2000), and health & sanctity of the person (*Bandhua Mukti Morcha v. Union of India*, 1984), all of which the court has held to be a part of the fundamental right to life and liberty guaranteed in Article 21 (*Kharak Singh v. State of U. P.*, 1963; *Govind v. State of M.P.*, 1975; *State of Karnataka v. Krishnappa*, 2000; *Suchita Srivastava v. Chandigarh Administration*, 2008; *Justice K. S. Puttuswamy (Retd.) v. Union of India*, 2017). The Supreme Court did not differentiate between a married woman, or a non-married woman, or a man; it declared these principles to be applicable to gender neutrally, and irrespective of marital status, because if it had a different notion in mind of applying it to the non-married woman only, or to women only, it would have stated so (Makkar, 2019).

It also becomes important to note that right to privacy, which has also been declared to be a fundamental right by the Supreme Court in *K. S. Puttuswamy v. Union of India*, can be argued to be violated by a decree of restitution of conjugal rights (Bhaduri, 2018). It has been argued that a decree of restitution of conjugal rights gives an opportunity to the husbands to forcefully reestablish sexual intimacy with their wives, which violates their right to privacy (Bhaduri, 2018). Howsoever the constitutionality of restitution of conjugal rights remains as controversial as the exemption to marital rape.

The Andhra Pradesh High Court in *T. Sareetha v. T. Venkata Subbaiah*, was the first to annul section 9 of the Hindu Marriage Act as unconstitutional (*T. Sareetha v. T. Venkata Subbaiah*, 1983). The court observed that a person’s right to privacy, guaranteed by the constitution, is violated when they are obligated to cohabit with their spouse

(*T. Sareetha v. T. Venkata Subbaiah*, 1983). However the decision was rescinded by both the Delhi High court and the Supreme Court in *Harvinder Kaur v. Harmander Singh Choudhary* (*Harvinder Kaur v. Harmander Singh Choudhary*, 1984), and *Smt. Saroj Rani v. Sudarshan Kumar Chadha*, respectively (*Saroj Rani v. Sudarshan Kumar Chadha*, 1984). The main question these pronouncements ignited was whether the right to privacy can be extended to and claimed in the private sphere of home and marital relationship. One answer lies in the observation of the Supreme Court in *Gobind v. State of M. P.*

The Supreme Court in *Gobind v. State of M. P.*, by observing that protection of the right to privacy is to be availed by the delicate intimacies of a home and marriage, extended the right's ambit to the marriage and hence established it out of the purview of state interference (*Govind v. State of M.P.*, 1975; Bhaduri, 2018). However, it was only in *T. Sareetha v. T. Venkata Subbaiah* that it was observed that the right to privacy is an unfettered right of an individual, which does not become annulled by marital association (*T. Sareetha v. T. Venkata Subbaiah*, 1983). However it being a decision of a high court did not hold authority until the decision of *Puttuswamy*, also especially in light of the judgment of the Supreme court in *Gobind*, *Saroj Rani* and *Harvinder Kaur* (cited in *Saroj Rani*) which reaffirmed the narrower and constrained application of the right to privacy view taken in *Gobind* (Bhaduri, 2018). The decision in *K. S. Puttuswamy*, observing that every individual has an unfettered right to privacy, which grants them absolute autonomy over their body which does not dilutes due to change in marital status, not only reiterates the decision of *T. S. Sareetha* but have also reignited the debates for constitutional validity of marital rape exemption, and restitution of conjugal rights.

CONCLUSION

The conception that marital rape is not real rape not only has negated the suffering of married women but also has become a reason for their suffering. The idea that marital rape is not real rape is the sole reason behind the crime receiving cultural as well as legal sanctity. The legal and cultural refusal to recognize marital rape needs to be changed, as the crime is not only more prevalent but also has more severe consequences than stranger rape, and depicts the minimal civil identity enjoyed by the women in the Victorian era. The marital rape exemption reiterates the Victorian principle of women as property and therefore leads to violation of some of the basic human rights and fundamental guarantees provided to women by the Constitution of India. Thus, it becomes vital that the exemption is withdrawn, and the act is criminalized for the betterment of the women and the society. Furthermore, it becomes utmost necessary that citizens, especially women, are sensitized towards it so that they can easily identify themselves as victims, and seek appropriate assistance from authorities. Also, the police authorities, doctors, and health care workers need to be trained to efficiently identify victims of sexual violence by partners, and provide them with hassle-free counseling and other assistance which they may require.

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