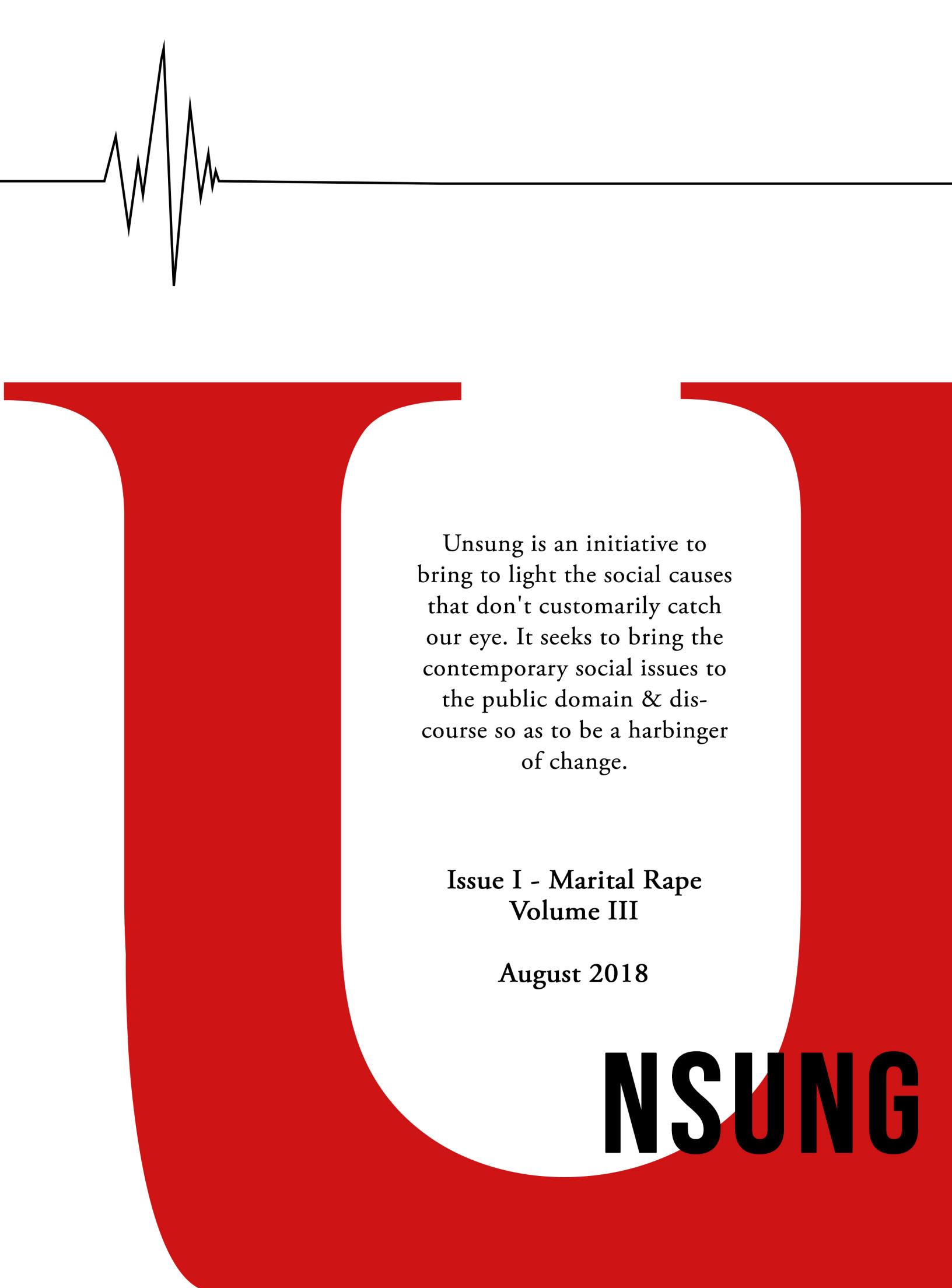


UNSUUNG





Unsung is an initiative to bring to light the social causes that don't customarily catch our eye. It seeks to bring the contemporary social issues to the public domain & discourse so as to be a harbinger of change.

**Issue I - Marital Rape
Volume III**

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NSUNG

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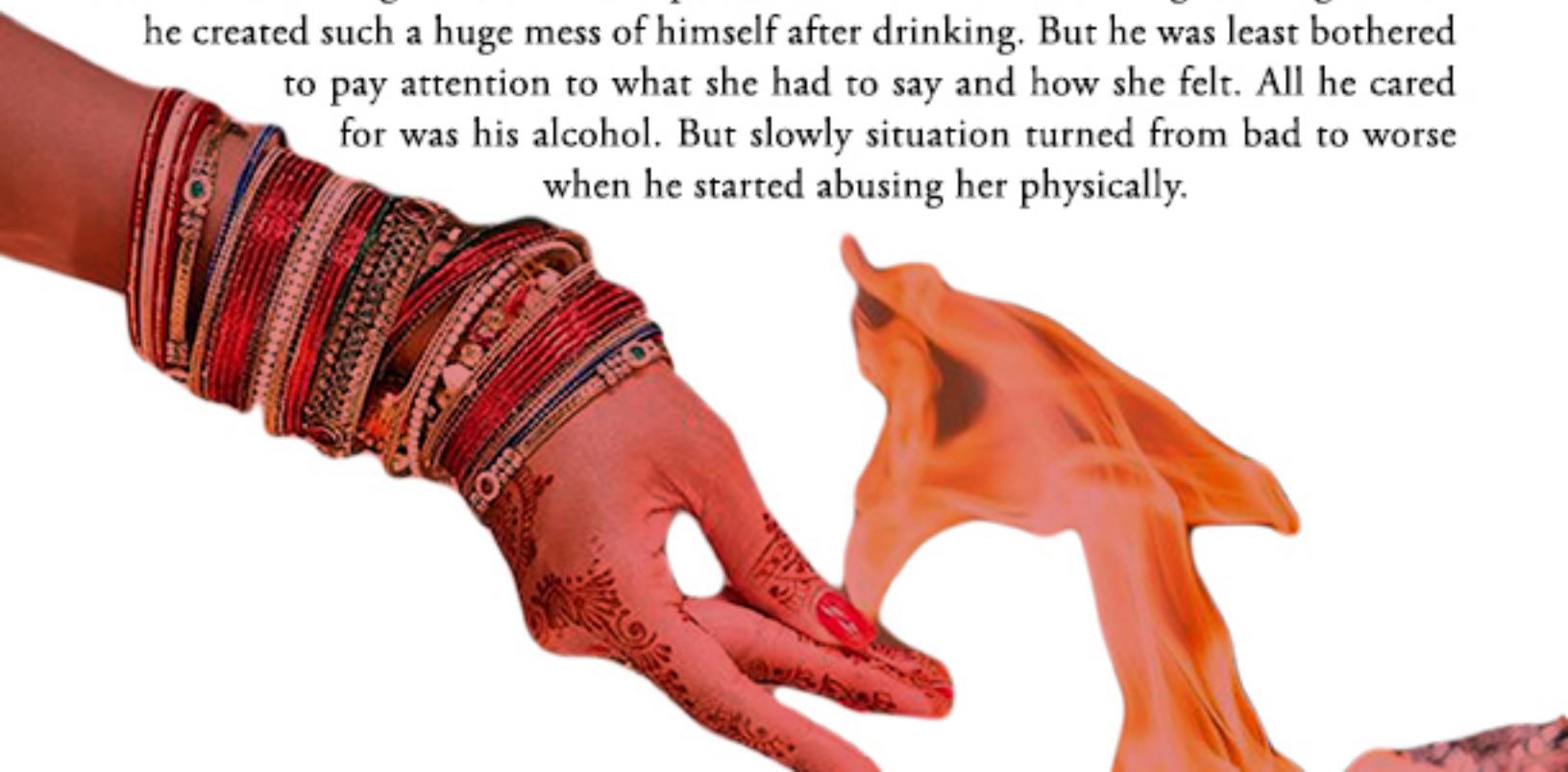
STORY OF A SURVIVOR



"In any domestic abuse be it physical or sexual, the most important thing is to accept that the violation has happened with you . Accepting this fact will give you the strength, the courage to move out of the darkness and fight for your right. "

Life is a strange journey. You never know when the person closest to you, the person whom you trust the most, the person behind the reason of your smile becomes the reason for the darkness around you. One moment life is full of light and the next moment you find yourself surrounded in darkness. But at the end of every dark tunnel is light. At the end of every long night, rises the sun.

She was an independent women full of life. The type of person who would fill you with warmth just with her smile. Then she met him, her prince charming. The man she wanted to share her happiness and depressions with. They fell in love. She fought against her entire family and had a love marraige with him. The first six months were pure bliss. She had never been happier. He did not give her any chance to compain. He made sure that she never lost her smile. But then things started changing. Her husband had always been an occasional drinker. But with the increasing workload, the drinking at frequent parties to two glasses at home everyday, his addiction to alcohol increased day by day. And with this started the real problems. Parties became his excuse to excessive drinking and the effect was he created a huge scene in those parties making a fool out of himself. And she being his wife had to face all the humiliation and insults. She tried stopping him from excessive drinking and tried to explain to him what she had to go through when he created such a huge mess of himself after drinking. But he was least bothered to pay attention to what she had to say and how she felt. All he cared for was his alcohol. But slowly situation turned from bad to worse when he started abusing her physically.



One night, she was waiting for her husband to return home after a long and tiring day. He came home late, tired, and a bit drunk already. He entered the kitchen and started pouring more wine for himself. She knew what was coming, she tried to stop him, but he pushed her away. She hit the wall, and got hurt in the spine. He later started beating her. The alcohol in his system made him more aggressive and he started hitting her furiously to execute all his frustrations. Her entire body was full of cut and bruises. She rushed to get help from her neighbours but to her worries, they were not at home. She tried calling her friend but her husband snatched her phone and broke it. This event traumatized her and she wasn't able to comprehend what had happened to her. This event haunted her, she remained in fear of her husband, lost her self confidence. The girl who once had a smile decorating her beautiful face was now weak with bruises all over her body. Finally he apologized for his mistakes over the past few days. She was not ready to forgive him, but she decided to give him a chance, after all he was her love, her lifeline. The next few days got past quickly without any event. Little did she know it was the calm, before a big storm! What came next was unimaginable.

After a few days of peace, she had just started hoping that everything else would be great again. She was at her workplace when she got a surprise visit from her husband. But he was not there to take her out for lunch. He was there to judge her, question her character. He had doubts on her. He knew she could easily leave him because of his illtreatment of her. This turned into insecurity which led to his anger. He humiliated her in front of her entire office and questioned her of having affairs with other men. This continued for the following days. But this was nothing compared to what followed. One day he brought home his friend and forced her to sleep with him, saying that atleast she would "satisfy her lust within the house, and people wouldn't get to know about it". This shook

her to core. She decided to leave him and the very next morning she left to stay with her brother who lived in the same city. She took courage and narrated the entire story to her brother and friends, and they all promised to help her out on every step. It was due to their constant support that she survived the fall. They stood by her side. But she could not convey any of this to her parents. She had broken their hearts and trust by marrying without their consent. She could not break them more, so she kept all of this a secret from them. The constant trauma and horror of her life was not enough when she caught up with jaundice. It made her body weak and drained all the strength out of her. Getting to know about her disease and weakness, her husband came to see her. But he was in an unstable state of mind. He was obsessed with her and started taking advantage of her weakness. He started imposing himself on her. He abused her sexually that night. She kept pleading him to stop. She kept begging him. Despite of her shouts and cries for help, he did not let go of her. He used her weakness to his advantage and raped her. And then left silently. That night she curled in her bed inside her blanket and cried cursing her each and every step. Thinking about the wrong decisions she took. But then the sun shone on her when she got the news that she was pregnant. At first she was skeptical whether to have the child or abort it, but she finally decided on having the child. She knew that she is not a murderer and won't kill her child. She secretly hoped that this decision of having a child might change her husband. But alas this didn't happen. When he heard about the child he was overjoyed and promised that he would be a great husband along with a great dad, but this wasn't the case. He stressed her out throughout months of pregnancy. Finally a beautiful baby girl was born. The smile on her daughter's face gave her another hope to live. When she clung tightly to her thumb with her little tiny finger she decided that she would not let the past affect her daughter's future. She moved out of their house and started living alone. She never took a divorce, abiding by the ridiculous rules of the society, but stayed separately. She once again became the independent woman she always had been, gaining her social status with her increasing self confidence. She took care of her daughter alone and her happiness was the sole purpose of her life. Her daughter is 4 years old now.

no=

NO



We respect such a bold soul who could be an inspiration to many women fighting a similar fight in their lives every day.

This life is a support to them, this is an inspiration to them.

People say marital rape only takes place in the lower classes but in reality it takes place in upper, middle and lower, every class. The women who are being victims of such evil should step up and fight against this evil. All of us have to stand with them and burn down this social evil like Sati was burnt to extinction.





ماكتوب

(Arabic) it is written



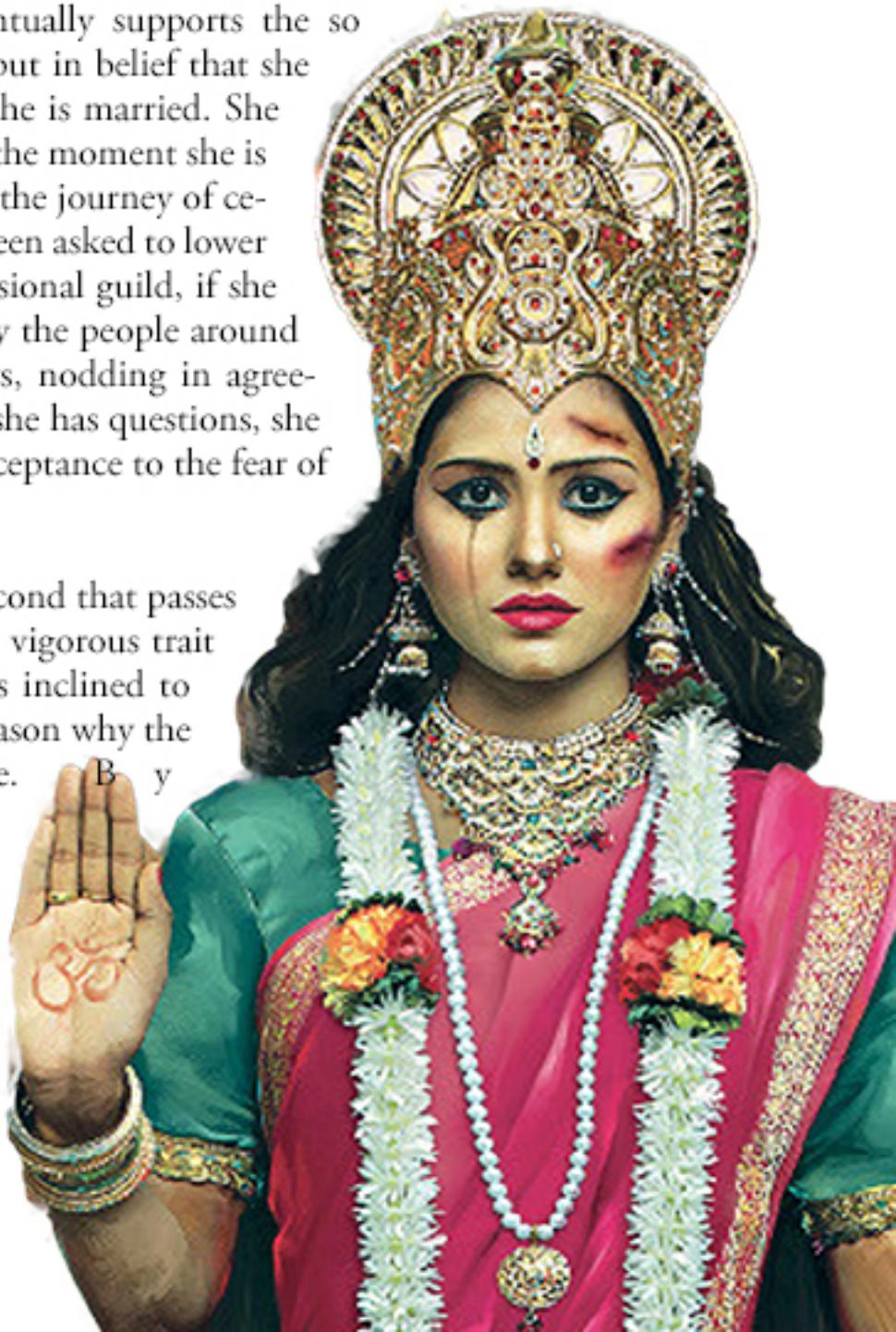
It is said that all what is happening today is already written. They call it destiny and fate. What is written, will be executed. Nobody can turn the face of fate. But no written document or fate expects a woman to bear the atrocities done to her by the people she calls her own. She isn't destined to accept the ills and crimes done against her.

**We all have the power to write our own destiny. So does she.
Let her write her own story. Let her create her own destiny.**

She entered the world with closed eyes, sometimes accepted as Laxmi (goddess) or found in the dustbins. If allowed to grow up, the favorite lobbed concept is skepticism to her, she steps out of her house with a vile taste of doubt, whether she will be back home safe. She has always been stopped from doing anything which eventually supports the so called concept of equality with a put in belief that she can do whatever she wants once she is married. She has been asked to keep 'safe' from the moment she is granted the permission to embark the journey of celestial life of dominance. She has been asked to lower her inner voice because of the illusional guild, if she does so she will not be accepted by the people around her and there she goes like always, nodding in agreement with no question because if she has questions, she is no more the laxmi but the unacceptance to the fear of equality.

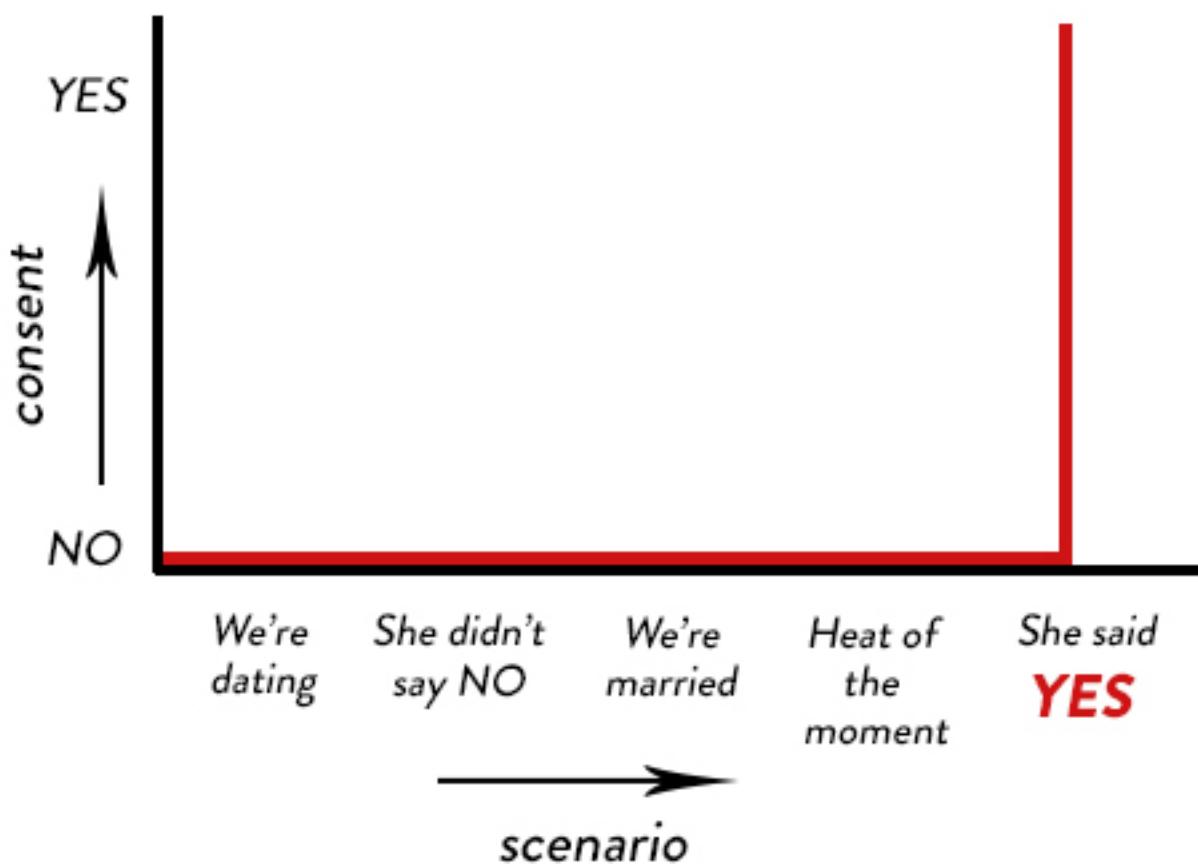
We humans develop with every second that passes by, with that belief she develops a vigorous trait of giving up, but with time she is inclined to believe that marriage is the only reason why the Ghar ki Laxmi came into existence.

By now, most of the work of decimation of her dreams is accomplished, now she is legally ready to serve and be suppressed under the influence of the great constitution of India. The most awaited moment of her life has now arrived, she is finally going to get married tonight where she will believe each and every sacred oath taken by her



god-her husband, and why won't she! She is not allowed to question.

She is a tad glad that she can now do whatever she wants as promised before, but little does she know she has been fooled from the moment she came into existence; sadly, she still does not know. Her relationship with her husband is subjected to more of physicality and the bodily pleasures than being touched with the eternal bliss and bloom of the vows she took at the very step of her life with him. She still does the same, she does not disagree because she is not allowed in any aspect. Not even legally, as there is no law to protect married women against marital rape in India. Why? Why is she being put through all this? Why her 'NO' is taken as 'I would have to say yes if you will force a little more'? Why she is left unheard every time?

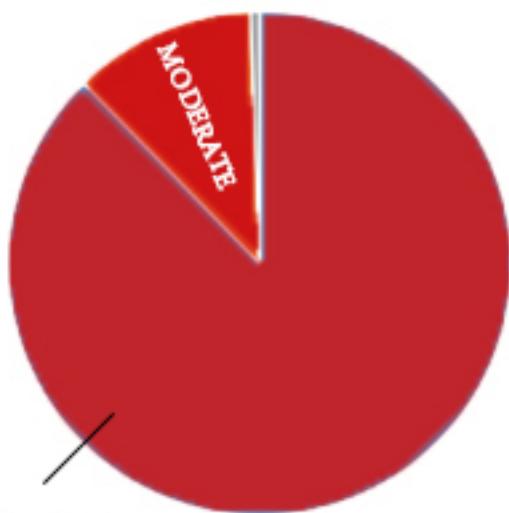


A survey was conducted wherein about 300 people expressed their ideas on marital rape and answered a few questions we had put up relating to the reality of marital rape.

The responses show a wide range of age group from 12 to 60 years. And the professions vary from students to professionals and artists.

Check out the responses on what Indian citizens have on the topic.

How important do you think sex education is?



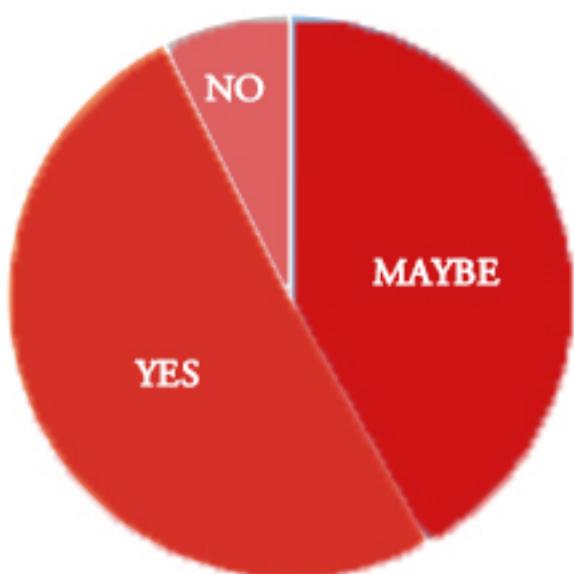
Do you know about the existence of Marital Rape?



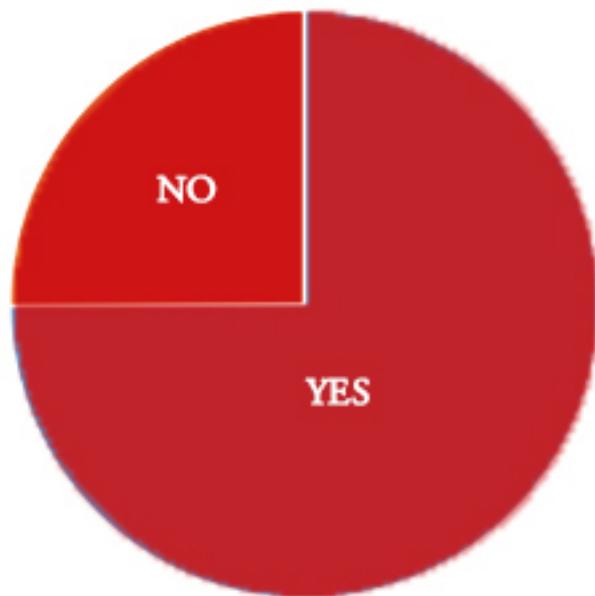
SURVEY

ANALYSIS

Should sex education be given in schools/colleges?



Do you know that, in India, marital rape is not considered a crime and our constitution does not provide a law to convict the offender?



Should there be a provision in law to punish the offenders of marital rape?



Union Cabinet recently approved ordinance on death penalty for rape of children below 12 years. Do you think it should be extended for victims of all ages?



POSITIVE HEARING FROM HIGH COURT



The Delhi High Court, while hearing petitions on making marital rape an offence, has observed that physical force is not necessary for rape as a man could bring her wife under financial pressure to force her for sex. It also held that marriage doesn't mean that wife is always consenting for physical relation with her husband.

The court in its observation held that physical force is not necessary for constituting the offence of rape. A bench of Acting Chief Justice Gita Mittal and C Hari Shankar said that in a relationship like marriage, both man and woman have a right to say 'no' to physical relations.

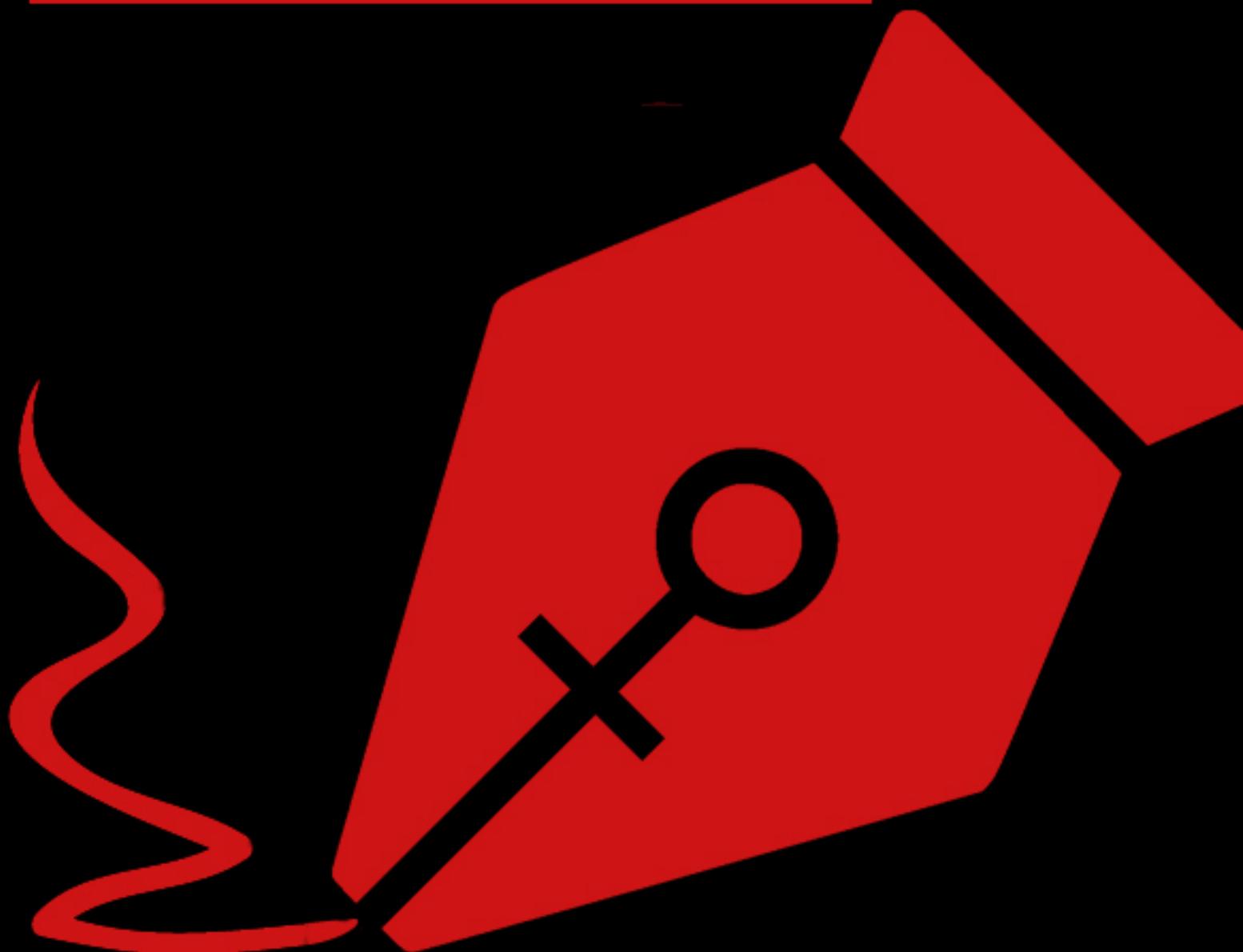
The court in its observation disagreed with the submission of the NGO Men Welfare Trust which was opposing the plea calling for making marital rape an offence.

"It is incorrect to say that (physical) force is necessary for rape. It is not necessary to look for injuries in a rape. Today, the definition of rape is completely different," the court said.

"Force is not a pre-condition of rape. If a man puts his wife under financial constraint and says he will not give her money for household and kids expenses, unless she indulges in sex with him and she has to do it under this threat. Later, she filed a rape case against the husband, what will happen," the court said.

"Marriage does not mean that the woman is all time ready, willing and consenting (for establishing physical relations). The man will have to prove that she was a consenting party," the bench observed.

HOW TO FILE A **COMPLAINT**



1. File an FIR (cannot be refused by the police)
2. Investigation (document & evidence collection)
3. Arrest
4. Charge sheet (filing of the final report)
5. Court Hearing
6. Sentencing

1. Most police stations have a 'Rapid Response Desk for Women, Children and Senior Citizens' where at least one lady officer is seated at all times. The victim must approach the officials at this desk. In case such a desk is not accessible; the victim may approach the officer on duty.
2. If there is no lady officer, a lady constable is called to take the statement; incase the latter is also unavailable a lady representative from any NGO is called. The victim can also choose to give her statement in the company of her parents/ guardian.
3. Officers cannot refuse to file an FIR under any circumstances. A statement will be recorded in the FIR according to the victim's narration of the incident. The recording officer will translate the statement and fill up the FIR form. On the basis of this statement, the sections of the offences are determined.
4. If the victim is under severe trauma, relatives or friends can approach the police. A lady officer will be sent to the victim's residence/ hospital where they can record her statement.

As per law, in medico legal matters, **all expenses incurred towards diagnosis and management of cases are to be borne by the concerned hospital.**

Earlier, **Invasive tests** (finger test) were conducted for the determination of rape. **But such tests have been discontinued** and outlawed after the Union Health Ministry issued fresh guidelines on medical care and procedures provided to rape victims. It has asked all hospitals to set up a designated room for forensic and medical examination of victims.

A Nodal Officer from the department of Forensic Medicine is the coordinator between the hospital & police.

THE
CONSTITUTION OF INDIA

CONSTITUTIONAL RIGHTS



Section 375 in The Indian Penal Code

Rape —A man is said to commit “rape” who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions:

(First) — Against her will.

(Secondly) —Without her consent.

(Thirdly) — With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.

(Fourthly) —With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

(Fifthly) — With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

(Sixthly) — With or without her consent, when she is under sixteen years of age. Explanation.—Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

(Exception) —Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape.] STATE AMENDMENT

MESSAGE



FROM
THE
TEAM





He is not born with a psyche of rapist. He was just another human expression of emotion.

Then what turned him into a rapist? The patriarchal, male prerogative society, or is it just the acceptance of wrong in the societal mentality?

This mentality blooms and glooms in the society, watered by us. Knowing or unknowing, we've all been a part of shaping the mentality even in modern times like today's.

We talk about feminism and equality but the statistics show a different story. Though notions are changing, equality bars are higher, still not enough to bud this mindset into the nib.

It starts right from day 1, when the cries are heard. Blue makes the laughter subdue the cry, but pink adds on.

It starts from the day when she's taught to take part in the household while he kicks the football.

It starts when we teach the girls to come home sooner or rather stay at home, while he is out at midnight.

When she is taught to be safe and not be raped; but he is never taught not to rape but to respect.

It adds on when provoked by aggressive porn at a tender age, offending the concept of love, consent and respect.

He is not him anymore. It's the value added crap picked up from the society which makes him violate her body and still be fine with it.

Her husband earns for the family, manages his responsibilities well, takes care of her, but he forces her for sex. The concept that marriage is a license to non-consensual sex has altered his mind and affected the thinking power. He loves her, but unknowingly, he's a legal rapist now.

Our motive is not to corner every man and call them to be a rapist but to address a social ill that prevails in our minds, target the ones committing the crimes and bring out the reality that the facts say.

There are more number of men supporting our fights against such crimes than the actual number of criminals committing them. But there are still many beasts out on the roads raping infants, let alone their wives. Our fight is against them and not men in general.

The society thus needs everyone's support, men or women irrespective, to stand against the mentality and the sin prevalent on this land.





This marks the end of Issue I, Marital rape.

We hope this initiative of ours kindles a change in the society, which needs to arise soon.

The Unsung Magazine is an initiative to bring to light the unheard stories which need our attention. On no grounds do we mean to hurt any gender, race, religion or ethnicity.

Hope you liked our sincere efforts.

Stay tuned for our next issue release soon!

Cheers!