

RAPE AND MARRIAGE JURISPRUDENCE

A study of recent judicial trends
pertaining to marriage post rape

—by

SANJAY VASHISHTA



Rape In Marriage

Iris Brecke



Rape In Marriage:

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 **Rape in Marriage** Diana E. H. Russell, 1982 **License to Rape** David Finkelhor, Kersti Yllö, 1987 *Tradition and Equality in Jewish Marriage* Melanie Malka Landau, 2012-03-29 Often when people have become alienated from their religious backgrounds they access their traditions through lifecycle events such as marriage At times modern values such as gender equality may be at odds with some of the traditions many of which have always been in a state of flux in relationship to changing social economic and political realities Traditional Jewish marriage is based on the man acquiring the woman which has symbolic and actual ramifications Grounded in the traditional texts yet accessible this book shows how the marriage is an acquisition and contextualises the gender hierarchy of marriage within the rabbinic exclusion of women from Torah study the highest cultural practice and women s exemption from positive commandments Melanie Landau offers two alternative models of partnership that partially or fully bypass the non reciprocity of traditional Jewish marriage and that have their basis in the ancient rabbinic texts *The Trouble with Marriage* Srimati Basu, 2015-01-03 The Trouble with Marriage is part of a new global feminist jurisprudence around marriage and violence that looks to law as strategy rather than solution In this ethnography of lawyer free family courts and mediations of rape and domestic violence charges in India Srimati Basu depicts everyday life in legal sites of marital trouble reevaluating feminist theories of law marriage violence property and the state Basu argues that alternative dispute resolution originally designed to empower women in a less adversarial legal environment has created new subjectivities but paradoxically has also reinforced oppressive socioeconomic norms that leave women no better off individually or collectively 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

The Sexual question Auguste Forel,1911 The Sexual Question: A Scientific, Psychological, Hygienic and Sociological Study Auguste Forel,2020-09-28 My object is to study the sexual question under all its aspects scientific ethnological pathological and social and to seek the best solution of the numerous problems connected with it Unfortunately in publications dealing with this subject eroticism usually plays a considerable part and it is difficult for an author to abstract himself from this for it is reflected unconsciously in his thoughts As all sentiment more or less warps judgment it is the duty of scientific criticism to eliminate eroticism in order to be exact and impartial We shall therefore do all that is possible to free ourselves from it in the course of the present study 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 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

Marital Rape , The Violence Against Women Office of the U S Department of Justice and the Minnesota Center Against Violence and Abuse MINCAVA at the University of Minnesota present the full text of the article entitled Marital Rape by Raquel Kennedy Bergen that was published in March 1999 The article is in PDF format Bergen discusses the legal history of marital rape which is defined as any unwanted intercourse or penetration obtained by force or the threat of force Bergen also highlights the social characteristics of marital rape survivors types of marital rape risk factors the effects of marital rape and intervention with marital rape survivors

The Fear of Robachicos in Mexico Susana Sosenski, 2024-08-08 Civil society organizations report that fourteen children disappear every day in Mexico This book studies the origins of this social phenomenon and its consequences not only in the emotional sphere but also in how children have been treated Focusing on children s special positions within Mexican society rather than criminal acts or the implementation of the law Sosenski links social and cultural history the history of crime and fear the application of justice and the media s role childhood and the city to paint a multi dimensional picture of child abduction and its causes Exploring the social impact of child protection policies and the figure of the robachicos or child kidnapper Soneski draws from oral traditions films and books songs and plays all of which embody a culture of fear and danger reported and accentuated by a mass media response The Fear of Robachicos in Mexico focuses on the role of the media and entertainment in the legitimization of violence toward children and the objectification of their lives stripping them of their right to freedom

and curtailing their autonomy **American Law Reports Annotated** ,1921 **Browne and Watts' Law and Practice in Divorce & Matrimonial Causes** George Browne,John H. Watts,1924 **A Revised Edition of the Legislative Enactments of Ceylon ...** Ceylon,1900 **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 *seruitium 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 **Confronting the Human Rights Act 1998** Nicolas Kang-Riou,2012-03-15 This book critically examines the Human Rights Act 1998 HRA and evaluates its impact from a multi disciplinary perspective The book includes both a domestic and international analysis of the effectiveness of the HRA and also considers possible future developments in policy and practise as well as contemplating the potential for a British Bill of Rights The editors have collected pieces from contributors drawn from diverse spheres all of whom are internationally recognised for their impact in the field of human rights law Contributors include members of the bench in the United Kingdom and Australia academics researchers members of NGOs and campaigners as well as people s testimony of lived experiences in relation to the Human Rights Act Valuable contributions from the likes of Costas Douzinas Keith Ewing Helen Fenwick Lady Hale Irene Khan Michael Kirby Francesca Klug Peter Tatchell and others have resulted in a book which draws out the connections between legal framework theory and the actual experience of the protection afforded to groups and individuals by the HRA *Confronting the Human Rights Act 1998* will be of particular interest to scholars and students of Law International Studies and Political Science *The Woman in the Violence* M. Cristina Alcalde,2010-12-10 Combating abuse and violence in a South American capital **The British Columbia Reports, Being Reports of Cases Determined in the Supreme and County Courts, and in Admiralty and on Appeal in the Full Court ...** British Columbia,1924 **The British Columbia Reports** ,1924 **The Reign of God is Such as These** Sharon Betsworth,2010-09-30 This is a new analysis of the daughters in the Gospel of Mark Betsworth analyzes the daughters in the Gospel of Mark the woman from the crowd whom Jesus calls daughter Jairus daughter 5 21 43 Herodias daughter 6 14 29 and the daughter of the Syro Phoenician woman 7 24 30 To demonstrate how the Gospel s first century audience may have heard these stories Betsworth begins by examining daughters in their ancient Mediterranean context Betsworth then considers representations of

daughters in select texts from the Septuagint and Greco Roman literature from the seventh and sixth centuries B C E to the second century C E Although these depictions seem to be in contrast to the social historical construction of daughters Betsworth shows that in many ways the literary portrayals of daughters function to uphold the values of Greco Roman culture especially those of virginity before and faithfulness in marriage These two lines of enquiry undergird Betsworth's investigation From it she is able to show that the daughters in the Gospel uphold the values of the reign of God as an integral part of the Gospel's inclusive social vision of God's reign This title was formerly the Journal for the Study of the New Testament Supplement a book series that explores the many aspects of New Testament study including historical perspectives social scientific and literary theory and theological cultural and contextual approaches *Marriage, Bible, Violence* Saima Afzal, Johanna Stiebert, 2023-10-01 Drawing on both biblical studies scholarship and practitioner experience this book explores the disjuncture between complementarian accounts of biblical marriage and intersections of marriage and violence in texts from Jewish and Christian Scriptures This volume challenges authoritative complementarian claims to the Bible's allegedly clear and unequivocal directions on marriage It refutes these claims with analysis of the muddled and often violent depictions of marriage in the Bible itself Regular reminders show why such an exploration matters that is because recourse to the authority and plain meaning of the Bible has had and continues to have impact on real people's lives Sometimes this impact is violent and traumatic notably when the Bible is weaponised to justify intimate partner violence This book explores a wide range of biblical texts and interpretations Particular focus is placed on the influential pronouncements on biblical marriage by the US Family Research Council and Council for Biblical Manhood and Womanhood Textual analysis includes close focus on Genesis 1-3 Malachi 2 and Ephesians 5 This book will appeal to students of biblical studies and theology as well as anyone interested in research based activism and in how sacred texts are directed towards modern day to day life It investigates marriage the Bible and violence all of which play significant roles in public discourses and popular culture

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