

Rape vs Patriarchy: A Sociological Analysis

Dr. Swati Singh

Assistant Professor, ITS Engineering College, Noida

Abstract: Rape is the fourth most common crime against the women in our country. Up to 7 in 10 Women around the world experience physical or sexual violence at some point in their lifetime. The purpose of this research paper will be to find out the major reasons behind increasing rate of rape cases. It also examine the causal- effects of the crime on victims. The major objective of the of this research is to interrogate the different theories related to sexual crimes against women in society. This research work will examine the relationship between the patriarchal social settings and violence against women. This study will also try to see how Caste hierarchy plays a major role in increasing number of sexual violence against women in India. This study will introspect what the literature, other reports and research say about the continuous increasing rate of rape cases in all over the globe. This research work will explore how male socialization play an important role in increasing number of sexual violence against women in youth of India. The main motto of this research is to understand the concept, psychology and causes of rape at universal level.

Keywords: Rape, Patriarchy, Violence, Feminism, Sexual Assaults, Molestation.

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Introduction

It is ironical that in a country where womanhood has been put on pedestal for worship, incidence of brutal violence against women in various forms like rape, eve-teasing, acid attacks, sexual assaults, female infanticide, abduction and bride burning among women keep as increasing year to year. Women are neither secure in domestic place nor in public places. They are ill-treated by husbands and in-laws, sometimes in their own house where they are assaulted by their own parents and close relatives. Women are not secure in streets and workplace where they are vulnerable & fall prey to police, antisocial, moneylenders, male colleagues, bosses and are subjected to innumerable indignities perhaps in higher frequency than is most civilized society. Presently the general perception among the people is, the

crime against women has increased to such an extent that women cannot move freely and participate in the community. In the present time rape is not only a national problem but it is universal all over the globe. It is a multidimensional and dynamic phenomenon. Rape is the fourth most common crime against the women in our country. Up to 7 in 10 Women around the world experience physical or sexual violence at some point in their lifetime. Even in the 21st century, women are not safe all over the world. The constantly increasing number of rapes in India is a serious matter for the police as well as for Indian government. In India, among states, Madhya Pradesh reported the highest (5,433) such cases in 2018, followed by Rajasthan (4,335), Uttar Pradesh (3,946), Maharashtra (2,142), Chhattisgarh (2,091), Kerala (1,945), Assam (1,648), Delhi (1,215), Haryana (1,296), Jharkhand (1,090) and West Bengal (1,069). According to the National Crime Records Bureau 33,356 total rape cases were registered in India in 2018 only. According to the source, a new case is reported every 20 minutes. The NCRB data also showed that in almost 94 out of 100 rape cases, the victim were known to the offenders. In 15,972 of the total 33,356 rape cases, the offenders were either family friends or neighbour or employer or other known person, while in 12,568 cases, the offenders were friends or online friends or live-in partner on pretext of marriage or separated husband, the data stated.

There are even cases that none cannot imagine, girls and women are being molested, raped but only some of them get justice. Rape is an indictment which exists in society from ancient time. Rape or any sexually assaulted activity causes a long lasting distressing experience throughout life to a rape victim. Such kind of crime is mostly motivated by men with selfishness, anger, power and to take revenge etc. Most of the time rape activity starts by some cheap activities like eve teasing, molestation etc. There is not a single city in India which can be considered to be safe for females. Eve teasing is a major issue in many metropolitan cities of India. In India, rape is horrific fact of life, a common occurrence that makes everyday news, and in recent times the incidents have speedily increased. Sexual violence is not the problem of a particular country it occurs throughout the world. Sexual violence has a profound impact on both physical and mental health. As well as it is a cause of physical injury. Rape have multifaceted impact on the lives, and health of victims, as well as their families and communities. Rape is a prominent gendered violent behavior whereas the majority of the sexually violent perpetrators are male and the majority of their victims are female. Rape, the most common form of violence against women has been a part of human culture and is a profound violation of women's bodily integrity and can be a form of torture. The subject of rape comprises

more than the actual physical act as it involves many factors such as law and customs, social and political events and many more. While the physical reality of rape has been unchanged over time and place however, the perceptions, ideas and laws about rape have changed according to time and place. Rape remains as one of the highly underreported crimes of the world due to various reasons such as shame, fear of retribution from their abusers, lack of remedies for the victim's condition, fear of skepticism and societal stigmatization. Rape has received increased attention as the number of victims is increasing dramatically and it is considered as a major social and human rights issue. The elimination of violence against women remains one of the serious challenge in India as the prevalence of rape has exceeded to a point where even children of three years of age are being tortured and raped. In this paper thoughts and views of scholars to the concerned field had been taken for the purpose of understanding the concept of rape.

Methodology

This research paper is exploratory in nature. Different theories related to rape crime has been inspected. The data has been collected through primary and secondary sources. Various journals, research articles, books, NCRB reports, newspapers, novels, as well as persons related to such kind of cases like lawyers, parents and relatives of rape victims, perpetrators, police, NGOs, etc. has also been used as sources of data in research. To find out the gap of the study previous research works has been extensively investigated. To observe the perception of society about rape and rape victims unstructured interviews had been taken of those people who were directly or indirectly related to the such kind of crime. Various documentary movies, movies which are based on such kind of crime had been seen for observing the different aspects of such kind of criminal act. Thoughts and views of scholars of the related field had been taken for the purpose of understanding the concept of rape.

Epistemology of Rape

The term rape has originated in the Latin word 'rapere' (supine stem reptum), which means "to snatch, to grab, to carry off". Since the 14th century, the term has come to mean "to seize and take away by force". In Roman law the carrying off of a woman by force, with or without intercourse, constituted "raptus". In Medieval English law the same term could refer to either kidnapping or rape in the modern sense of "sexual violation". The original meaning of rape is "carry off by force." The term rape is primarily perceived only as a sexual behavior. The United Nations defines

violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. The definition of rape vary as time and place, however rape is recognized as a crime that typically is committed by a male forcing another person to have sexual intercourse against their will, intercourse by force. Even though it is not only men who commits rape, rape is not always the outcome of an intense or obsessive desire for sexual gratification but mostly men employs sexual violence or rape as a method to display their control over the women to maintain the positions of their power.

Rape vs Patriarchal Social System

Patriarchy is a hierarchical system of power relation where men control women. The feminist have defined rape in the following manner:

- a) Rape is violence and not sex
- b) Rape is violence but a different from of violence because of its sexual character.

Rape is not just a physical violence against a woman but it is more of psychological and emotional violence. It is the ultimate humiliation for a woman in which her self-respect and her dignity are attacked in patriarchal social settings. The men motivated by the combination of power and anger especially in a patriarchal society prove their masculinity by exerting sexual dominance over women. Misogyny in the form of verbal abuses on body parts of women also reflected in the patriarchal social system.

Causes of Rape

There are several leading causes of rape crime which are as follows:

- When a man needs to show his superiority over a woman, he does it by physically dominating her. He feels that this is the only way of indicating his domination.
- Sometimes young girls or small girls act as easy targets and they become victims of rape.
- If a husband has excessive ego, he cannot tolerate the success of his wife. He may want to show his superiority in some way and this can lead to

marital rape. In this situation, rape is not for physical pleasure but more to assert his domination over his wife.

- Emotional disturbance in a man can also lead to rape.
- Sometimes the man himself may have been a victim of violence or molestation. This can develop a sense of sadism in him. He may enjoy giving physical and psychological pain to others and to women who are easy victims.
- High levels of exposure to pornographic materials results in increased aggression toward women which ends up later in the form of sexual crime.
- Violence and vulgarity shown through the media can influence the younger generation to a great extent. Those with aggressive tendencies may commit rape to give vent to such tendencies.
- A weak legal system may act as an important cause for rape. The rapist may roam about scot-free and it is the rape victim who becomes the target of social humiliation and rejection.

Consequences of Rape

There are significant consequences of rape which are as follows:

- The rape victim is completely shattered and experiences the feelings of guilt, depression and helplessness.
- There is also the feeling of loss of self – esteem and self – respect.
- In Spite of being innocent, it is always the victim who faces the humiliation, social rejection and isolation.
- Many times the victims commit suicide in order to save herself and her family from more humiliation by the society.
- There are instances of rape victims losing their mental balance completely.
- The victim may develop permanent feelings of fear, anger and hatred towards all men. This can affect her ability to function normally in society.
- The effects of rape are not only faced by the victim alone but also by her family. The victim and her family are either pitied or criticized by the society.
- If the victim wants to register a police complaint against the rapist, she may be discouraged by her family to do so. This is because the prestige of the family has to be guarded. Even if she is able to register a complaint

and manages to reach the courts for legal justice, there is no guarantee of justice.

- The victim is asked vulgar and probing questions about the rape in the process of argument in the court. This causes additional emotional trauma for her to relive the unfortunate incident. The case can go on for years and it is not necessary that the victim gets justice.

Literature and Theories about Rape

The aim of the literature review is to provide a base and a clear pathway to the research and figure out the background of the research. Literature review evaluates the perspective of the research. This section covers the prominent aspects of the rape crime. Many researchers, scholars, and sociologists had written over the gender, gender subordination, violence against women etc.

According to the radical feminists (Brownmiller 1976, Firestone 1974), patriarchy preceded private property. They believe that the original and basic contradiction is between the sexes and not between economic classes. Radical feminists consider all women to be a class. Unlike the traditionalists, however, they do not believe that patriarchy is natural or that it has always existed and will continue to do so. Another important 'socialist feminist view' has been presented by Mies (1988) in a paper entitled, *The Social Origins of the Sexual Division of Labour*. She puts forward some ideas regarding the possible reasons for and the sequence of historical developments leading to the origin of gender hierarchy or patriarchy. In this paper, she says, whatever the ideological differences between the various feminist groups, they are united in their rebellion against this hierarchical relationship between men and women, which is no longer accepted as biological destiny. Their enquiry into the social foundations of this inequality and asymmetry is the necessary consequence of their rebellion. One socialist feminist school of thought prefers to use the concept of subordination of women rather than patriarchy, which they reject as being historical. Patriarchy, according to them, is neither universal nor an all embracing phenomenon as different kinds of relationships have always existed between men and women in history. According to them, it is not sex but gender which is important; sex is biological, gender is social. This group is concerned with what they call gender relations (Oakley 1972). Kamla Bhasin says, Crimes against women, particularly rape, is a universal phenomenon. Its etiology is complex & the manifestations are extremely varied according to time, Place & person. It also varies with historical periods, modes of life, economic conditions & social attitudes

contributing to rape can be seen as: The sex instinct indeed has been a very powerful motivation since the beginning of time. Through psychoanalytic studies it has been revealed that the rapists are persons with poor judgment & inadequate impulse control. Rape is also attributed to unhappy family life which may be due to various in capabilities such as potency, temperament, habit & economic conditions as a result of which marital life turns annoying & frustrating. Broken homes & constant friction in family turns children into sex delinquents. Pornographic literature & the modern movies depicting crude rape, bathing or nude scenes are also contributing to the desire to rape among adolescents & youth. Sometimes sex crimes occur due to psychological factors like desire to rape, exhibition of potency, experience of pleasure in the pain of others.

V. K. Madan and R. K. Sinha writes, In modern India the institution of rape has flourished immensely in recent times, and presently it is a national problem. It is a challenge to contemporary thinking. Gender equality is enshrined in the Indian constitution. In ancient times rape existed in Europe while women in India had divine personification as Shakti and in modern times millions of Indians visit Shakti temples with liberal offerings.

According to the report of World Health Organization on sexual violence, Worldwide, it has been estimated that violence against women is as serious a cause of death and incapacity among women of reproductive age as cancer, and a greater cause of ill-health than traffic accidents and malaria combined. The abuse of women is effectively condoned in almost every society of the world. Prosecution and conviction of men who beat or rape women or girls is rare when compared to numbers of assaults. Violence therefore operates as a means to maintain and reinforce women's subordination. Women's status is affected by relations in the family, class status, and the ideology of the social group to which they belong. It is inherited through historical institutions and culture.

Leela Kasturi argues, the social relations of gender as well as class relations are part of a historical inheritance. Among the ideologies underlying our inheritance is, that of patriarchy. This is a term in which inequality and hierarchy are implicit and is a concept and institution which is discussed in sociological and feminist literature in a variety of ways. Literally 'power of the father' and indicating male supremacy, it is understood variously as 'a symbolic male principle' governing social and gender relations, an institutional structure of male domination, or an ideology based on the power of men.

The theory of gender inequality talks about the practice of patriarchal societies. This view vehemently proposed by feminist theorists state that in order to maintain

the gender differentiation and to assist the superiority of men over women rape is used as a social control activity (Baron and Straus, 1987) and that male dominance justifies rape in dubious ways (Sanday, 1996). According to the theory of exposure to pornography, exposure to images of explicit sexual acts of violent and non-violent nature are to stimulate the individuals to acting out the same in real-life situations. Researchers have found evidences that high levels of exposure to pornographic materials results in increased aggression toward women (Court, 1984, cited by Whatley, 1993) and that choking the mind with images of sexual acts in more than one ways influence the rape proclivity among men. It can be inferred that the unconscious mind that keeps the pornographic materials determine sexual behaviour as it has been found that unconscious defense processes can influence the cognitive processes (Helfgott, 1997).

Beauregard, *et al.* (2004) and Bhuller, *et al.* (2013) found a direct relation between pornography and sexual offenses. In the theory of anomie, Baron and Straus (1987) state that social disorganization, lawlessness and the absence of social control mechanisms are background factors that result in the emergence of this antisocial behaviour. Social control mechanisms are generally of two types: agencies-initiated hard measures and inculcated soft measures. Glorification of violence in a society in an indirect way condones rape or that such society does not abhor rape (Sandy, 1993).

According to the socio-economic theory, low socio-economic status has been found to be another predictor of rape incidences in a society (Sandy, 1996). Socioeconomic inequalities, unequal distribution of wealth and varying standards of life account for rape incidences. The perceived and actual differences in income distribution and rigid social divisions generate resentment among the less privileged leading to acts of violence including targeting of women. Economic deprivations and high incidences of divorce rate in the community have been found to be viable predictors of rape (Smith and Bennett, 1985). Inclusive social feminist theory explains rape by resorting to the socio-economic status view suggested by Marxists criminologists and radical feminist hypotheses of gender inequality (Martin, *et al.* 2006).

The evolutionary theory states that rape is motivated by a desire for sex in a reproductive context rather than by a desire for violence. The range of evidences offered to support this position includes “observations of forced copulation in non-human species, rape occurrences in all known cultures and contextual variances in rapes frequency” (Zeedyk, 2007). The theory further states that males and females have fundamentally different characteristics of ‘penetration’ and ‘receptacles’ and

although socially unacceptable and horrendous for victims is evolutionarily adaptive and it is an innate predisposition among males (Peterson, 2004). The theory has attracted much criticism and disdain from researchers. Micro psychological theories explain rape incidences using the individual level processes of psychological nature. In an instinct theory of rape, instincts are natural primitive urges that human beings share with animals and sex and aggression are two primary urges that differ among individuals leading to the differentiation rapists and non-rapists. The expression of uncontrolled and unpolished instincts turns human beings into beasts. The predominance of primitive urges is a potent variable of high significance in explaining rape behaviour. Lay theories of rape consider aggression as the major cause of rape (Hardbridge and Furnham, 1991). Rape is deviant act according to theory of deviant cognitive processing rapists are found to be having criminogenic cognitions (Mandracchia and Morgan, 2012). The fact is that rapists can be differentiated from non-rapists on the basis of their criminal thinking styles. It has also been found that sexual offenders hold offense-supportive implicit theories or schemata. Rape supportive or pleasure seeking or rape myth acceptance schemata can further trigger sexually coercive behaviour.

Conclusion

The purpose of this research paper was examining the different theories related to rape and other sexual assaults with special reference to women. Different theories of rape given the different key elements of the crime but all theories communistically shrouds, rape is a very complex form of gender violation and gender subordination. The nature of sexual crimes may vary case to case but one thing is similar in the whole globe that it is a tool invented by a superior group to impose their superiority over the inferior. Sometimes rape is just a medium of revenge or to demean women' dignity. Such kind of crime is mostly motivated by men with selfishness, anger, power and to take revenge etc. To keep women in the state of fear such kind of crime takes place sometimes spontaneously and sometimes it is planned. Sociology is silent about such kind of crime only few scholars have shown interest in rape crime and done tremendous study. Still there is a lot of scope and need to be talked over such a heinous act against humanity. Silence over such topics also makes the situation more complex. People avoid breaking their silence over rape crimes and unknowingly society normalizes this crime which is not even against feminine but against humanity. Crime of rape is not going to be vanish overnight because it is deeply connoted in our social system. Until and unless we don't go in the root of

such criminal acts it is not going to be stopped and nothing is going to be change in spite of death penalty against this brutal crime. In the end some lines of my own poetry titled 'An Obedient Women' describes the whole situation of women in few lines which is mentioned below:

*"I will never ask anything
I will follow you blindly
because I am unable to fight
I am unable to scream
I am unable to believe in myself
I am weak
I am unable to speak
I am unable to protest
against your cruelty again and again
I am afraid
Now I have become
an obedient women
as u were wishing
as you are conditioning me since centuries"*

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