

“ NO TO RAPE. NO EXCEPTIONS. ”

“Isn't rape already a crime?”

Rape is a crime, but the Penal Code maintains that non-consensual penetration of a woman by her husband is almost never rape.

“Marriage is about give and take. And it's a private thing.”

Consensual sex is “a private thing”, abuse is not. Marriage isn't a blank cheque – beating a spouse is not less severe than beating a stranger. The same applies to non-consensual sex.

“Men have needs; this will increase adultery.”

This argument would support legalising ALL rape! No one person has a legitimate right to use another's body without consent. In adultery, the person at fault is the adulterer – why shouldn't spouses be protected from rape?

“If there's no violence, what's the big deal?”

Rape is sexual penetration without consent. By definition, that is violence. Forced sexual contact is an invasive violation, even if there aren't other forms of violence. While many married couples have enjoyable, consensual sex, it does not take away their right to say no. In fact, the intimacy between spouses may make the betrayal of rape even worse.

“What about false accusations?”

Rape victims face a stigma in our society. A woman who falsely accuses her husband of rape is destroying the entire marriage, something few would do lightly. If we trust our legal system to investigate the truth behind accusations in other crimes, why does this change when the parties are married?

“It's difficult to prove. It might just be a misunderstanding.”

Rape is often hard to prove. The psychological harm of rape causes victims to often remove physical evidence from their bodies, and it may be difficult to prove non-consent. But this is true whether victim and accused are acquaintances, colleagues, friends, lovers, or spouses. Police statistics show almost every rapist and victim are not strangers before the crime. Marriage doesn't make proof any easier or harder. Under current law, even if evidence of guilt is clear, the husband is not considered a rapist.

“She can just divorce him.” “It's still sexual assault; it's not like he gets away scot-free.”

Divorce and sexual assault laws are not enough! Our society and our legal system recognises that rape is a more serious offense than lesser sexual assaults. This should not change simply because the perpetrator and the victim are married. The bodily integrity of a woman does not matter less once married; marriage does not confer ownership to husbands.

Convinced?
Want to take action to change the law?
Have more questions you want answered?

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