

It's Time to Pass the Spousal Rape Law

The time is long overdue for the Government to pass the law that makes spousal rape a crime in the Commonwealth of The Bahamas. It is absurd that there is a law that holds a partner guilty for killing his or her spouse but not one for rape. It is absurd that when one is dating or engaged to be married and her partner rapes her, a crime is declared, but there is no crime for the same act after marriage. In both cases the pain, emotional turmoil, physical wounds, are the same. Yet society slaps the victim in her face one more time while she is lying on the bed in blood. It is as though society is saying: "Too bad for you! You should not have gotten married!"

This attitude destroys the meaning of marriage and obliterates individual rights. There is no other law that implies that after marriage a person loses the right to charge his or her spouse from doing any other crime. It is a shame that we are making spousal rape an exception in The Bahamas. For what reason? I believe, for the most part, it is due to religious extremism. The patriarchal, fanatical religious community in our country seems to have an absolute and overwhelming hold on our lawmakers. They are crippling the minds of many, stifling their ability to think rationally. The church is causing more harm than good to marriage, and it is influencing the lawmakers to do the same. Religious leaders are using harmful tactics. They quote scripture, add their antiquated interpretation to suit their bias beliefs about male domination, marriage, and sex, and they insist that the government follow suit.

When a husband rapes his wife, he destroys the meaning of marriage. When the husband rapes his wife and supports his right to do so because of what he thinks the Bible says or what the Church taught him, he is transmitting toxic beliefs that are more corrosive than acid poured on the human skin.

Attorney Jennifer Koshan, professor at the University of Calgary, Canada, shares about the myths of spousal rape in an article. She says: "The myths of spousal rape were born from British attitudes and laws during colonial times and were rationales that granted criminal immunity to husbands accused of marital rape." Note that they are myths. Here are a few of the myths she listed:

- "Women in intimate relationships are in a state of perpetual consent, or the "implied consent theory".
- Wives could not be raped, because they joined "the person of her husband", or the "theory of coverture".
- Wives became the property of their husbands and could be raped without regard for punishment.
- Women that consent to sex with their partner after being raped cannot claim to being raped.

- Being raped by one's husband is "less severe than being raped by a stranger".
- Marital rape allegations are "vengeful women crying rape", and women are "prone to fabrication".

Jennifer Koshan further explains: "Rape myths can cause victims of rape to blame themselves for their rape, or to not report their assault, and they can also shape the responses of judges and juries, causing a negative impact on rape victims." Yes, in The Bahamas we have been negatively influenced by our colonial past and a form of toxic faith that's prohibiting healthy thinking and decision making.

Once again, I must emphasize that it is a myth that spousal rape is less serious than other forms of sexual violence. In the research article, "Marital Rape: New Research and Directions," the authors share some of the physical and emotional consequences that may accompany spousal rape:

- Physical effects include injuries to the vaginal and anal areas, lacerations, soreness, bruising, torn muscles, fatigue, and vomiting.
- Women who are battered and raped frequently suffer from broken bones, black eyes, bloody noses, and knife wounds.
- Gynecological effects include vaginal stretching, pelvic inflammation, unwanted pregnancies, miscarriages, stillbirths, bladder infections, sexually transmitted diseases, HIV, and infertility.
- Short-term psychological effects include PTSD, anxiety, shock, intense fear, depression, and suicidal ideation.
- Long-term psychological effects include disordered sleeping, disordered eating, depression, intimacy problems, negative self-images, and sexual dysfunction.

Need I plead more for our lawmakers to act now, without delay, and pass the law to make spousal rape a crime. The longer it takes to enact this law, the more society is revictimizing spouses who are being raped. It is time to pass the spousal rape law.

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