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Woman, Rape and Australian Mufti

Recently, the most senior Muslim cleric in Australia, Sheikh Hilali blamed immodestly dressed women for being preyed on by men. In his words, 'If you take out uncovered meat and place it outside on the street, or in the garden or in the park, or in the backyard without a cover, and the cats come and eat it, whose fault is it, the cats or the uncovered meat?' Most people were deeply angered by his views and he was utterly condemned by his own community as well for his ignorance on this issue. Let us talk about this somewhat 'taboo' topic in our society.

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inbuilt for a certain men and women to act in ways that would be described as 'rape'. In that sense, it can be a biological feature of the species. However, it is a very controversial issue in sociology and some totally reject the notion of biological explanation. We know now that all human behaviours are the result of some evolutionary adaptation. Our brain and our activities evolved from natural selection and the question is whether rape is a by-product of adaptation related to aggression, domination etc.

In the twentieth century, the use of rape

By definition, rape is penetrative sexual acts against another's will through violence, force or threat of injury.

Rape is generally considered one of the most serious crimes in modern world. The word 'rape' originates from the Latin word 'rapere' which means take or seize by force. The word 'rape' has no sexual connotation and is used in its general sense in English writings and conversations. In most jurisdictions, rape is defined as a penetrative sexual act without valid consent by both parties. The lack of consent does not necessarily mean that the victim refused to give consent. It includes acts of obtaining consent by physical force, threat of injury or other duress. It includes the consent given by a person below the age of consent. It includes the consent given by a person who is mentally impaired. If the victim is mentally impaired, the consent given at the time of the crime is considered invalid. When the sexual activity is involved a person below the age of consent, the crime is known as 'statutory rape' in most jurisdictions.

It is well known that some animals are involved in violent sexual acts which can be described as 'rape' in the current context. Some argue that rape is a reproductive strategy encountered in the animal kingdom to persuade the female to pass on their genes. Some sociobiologists argue that it may be genetically

as a 'weapon of war' has been well documented in Bosnia, Rwanda, and in many parts of Africa. Rape is a crime of power and the victims are chosen not based on their attractiveness or 'uncovered meat'. The 'victim blaming approach' is still functioning in our society and it is clear in statistics on reported rapes. Statistically one in ten rapes is reported and a very few result in conviction. Part of the explanation of higher number of unreported rapes is that the public, the authorities and the rapists themselves still blame the victim. Women may feel guilty about violence done to them because they are taught that their job is to make men happy and if they can't, they are to blame.

Common view in society is that 'boys are boys and girls need to take care'. If anything goes wrong, it is girls' fault. It is what echoed in Sheikh Hilali's speech. Attitudes such as these have led some people to argue that some societies are 'rape supportive' because victims are held somewhat responsible for their ordeal. In America, a woman is raped every two minutes but it is believed that only one third of sexual assaults are reported. Some surveys have found that victims do not report rape incidents

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because they believe their own actions will be judged negatively and they feel some degree of personal responsibility for their ordeal. As noted above, sexual assault is a considerably under-reported crime in Australia. It is difficult to measure and to establish the incidence of rape due to under-reporting. There are a variety of reasons why they do not report their assault to the authorities. Fear, reluctance to go the police, and the belief that it is not serious enough for police are main reasons. Aboriginal communities in Australia may be particularly reluctant to report sexual assaults due to a perceived lack of confidentiality, cultural norms and perhaps lack of English as well. Research shows in Australia that the majority of sexual assaults are perpetrated by someone they know, dates or marital partners and more than a half of the victims knew or were related to the attacker. Some criminologists say that rape is not a sexual act. It is an act of violence which uses sex as a weapon. Rape is motivated by aggression and by desire to exert power. Date rape is also a type of sexual assault where victim and the offender are in some form of social relationship. It is very difficult to estimate the incidence of date rape and it is very much under-reported crime. The issue of sexual consent is central to the problem of date rape. There is a reluctance in our society to accept that sexual consent can be denied within relationship or

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marriage. In these contexts, the consent is not sought properly or communicated clearly or consent is wrongly assumed.

Drugs and rape are closely associated with each other. Drugs have been used to facilitate sexual assaults in many western countries and offenders spike their victim's drink to incapacitate them typically at a party. Alcohol too is a widely used stimulant to facilitate sexual assaults. Research has shown that there is a high correlation between alcohol use and sexual assault. It is clear that alcohol reduces the ability for the victim to resist unwanted sexual encounters. Sometimes offenders use it as an excuse to justify their criminal behaviour. Some suggest that drinking women are viewed as more sexually promiscuous than non-drinking women. They are considered more sexually available and they are held more accountable for their ordeal. The impact of rape can be destructive and humiliating to a victim. Date rape can be just as traumatic as sexual assault by a stranger because it involves a breach of trust. The fear of sexual assault is a part of every woman's life. Women should insist on their right to display their bodies in fashionable way without any intimidation. Dress standards can not be defined in terms of violent acts of sexual assault. Every woman, regardless of her dress code should be protected by law from the threat of sexual assault. The level of exposure of female body, no matter how uncomfortable it is, is not an excuse for any form of sexual assault on women.