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Male Rape: A Story of Silent Victim

SHIPRA GUPTA¹ AND VARSHA CHAUHAN²

ABSTRACT

The word rape is now outdated and not new to hear. Historically, the term rape is biased. Whenever we hear that 'rape has happened' we automatically interpret the incident of rape and associate it with the perpetrator man and the victim woman. Generally, the meaning of the word rape is 'a sexual offense committed against a woman without the consent of the woman'. Hardly anyone pays attention to male rape. Men are always classified as perpetrators and not as victims. But now in-depth research is needed to take up the issue of male rape as well. The present study intended to focus upon the issues and problems relating to the term 'Male Rape'. The proposed topic is chosen to aware of why genuine action is needed for the offenders of male rape.

Keywords: Male Rape, Gender biased, Perpetrator, Gender Neutrality, Stereotypes, Right to Equality.

I. INTRODUCTION

Rape is the common term which is used almost every day but in respect of women only but have you ever thought about the term 'Rape' can be used in respect of males also? Can a male be raped or sexually assaulted? Yes, a male can also be raped or sexually assaulted. One should note that 'Rape is not only a crime against a woman', it has been observed that rape can be committed against a man also. But sadly, the mindset of society that rape couldn't happen with men, always distanced and excludes male rape survivors from the spotlight of researchers and legislatures. Due to these instances most of the male rape cases go unreported and the male victim gets no recognition and no candle march is taken out for the male victims.

Rape against man is considered as taboo or has less acceptance in a society. A man has always been taught that existence of man depends upon their power and masculinity. This premise of parenting is only one point that prevents male rape victims from fighting against the wrong they have faced. As a result, male rape victims are afraid to report the sexual abuse they have faced or experienced against them. Hence, it has a negative impact on the society and gives a chance to the criminal to commit a crime.

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Recently #Me Too was in very trend which provides a platform to women to stand to standup against he sexual harassment suffered by them. Don't you think it is biased? Man can also be assaulted and raped too. Therefore, they should get a platform to express their pain as all genders are equal and can be victims too.

With the development in technologies and internet resources, cases of sexual crime against all the genders are more often observed. As per statistics of PEW, 2014, out of every, boys and girl between 18 – 25 age group are victims of sexual harassment, statistics shows 25% of women and 13% of men are sufferer.

Rape can happen to anyone at any time, regardless of their age, gender, sexual attitude. Although there are many cases where men are victims of rape, most of them go unreported as they fear that reporting such cases will question their power or masculinity. Mostly, rapes committed against persons other than women are not reported and awareness is not there to protect their rights. The legislatures should also consider rape as a gender neutral offence and should make proper laws and orders to deal with such issue. But before that, we have to accept the reality that any gender can be a victim and perpetrator of rape and it can happen anywhere like school, office, prison, workplace etc.

II. WHAT INDIAN LEGISLATION SAYS ABOUT RAPE?

Time speaks everything, so change should be adopted according to the need of the time.

Undoubtedly, India is working on all aspects of development. But, after several changes in the rape laws of India, it could not succeed in defining the laws about rape as fair and unbiased in the last few decades. At this time when most of the country across the world are moving to adopt gender-neutral rape laws to save or protect a person of any gender as a victim or survivor and to observe and punish a real perpetrator, but India is still continuing to follow a laws which are biased and based on the principle of vaginal penetration by a man only, it expressly excludes man victims from its ambit. This biased ground of belief can deny justice, liberty, right to life and equality to victims of all gender in society.

The mindset of categorizing men as a sole perpetrators of sexual assault or harassment or rape arose from a patriarchal thinking . It always seen in thinking of patriarchal society that man are physically strong and uses man power to down the standard of woman. This thinking always questions, ' how man can be a victim of assault or rape', as existing definition of rape in India also speaks that sexual assault is the force of man power by a man over women. Now, the actual foremost question which should be put forward in India is if not laws nor we than who will protect men from sexual abuse or harassment? The legislations which not only biased but

also talks about sexual harassment and rape of women and clearly cuts man from its ambit. There is no law, no statute to cover and protect males from the biased act and definition of sexual abuse and rape. Now, question arises, where are we lacking to curtail the issue of biasedness? Whenever we talk about India's beauty expectations covers high peak, but violation of rights of the people where our

Constitution of India provides us 'Right to equality' is point of high concern? Our Indian Judiciary, society and legislations all gives clarification on equal operation of rights and equal treatment of all gender. But, at the same times these bodies lacking to take any step and make any laws for sexual harassment, sexual assault or rape that shows gender neutrality.

A well known Provision mentioned under Section 375 of Indian Penal Code, defines rape as "sexual intercourse with a woman by a man against her wish, without her consent, by coercion, misrepresentation or fraud or at a time when she has been intoxicated or is of unsound mental health and in case is under 18 years of age". By analyzing the definition we finds that clause reveals two clear points-

- Man can't be a victim of Rape
- Woman can't be a offender or rapist

The entire definition is evolving around the rape of woman (only women are victims) and excluding the rape of male from ambits of this section (doesn't consider male as victim). It clearly indicates that in India there's no particular law or a clause for a male victims of rape if raped by another male or a female rapes a male. Inequality in the treatment of victim of male rape affecting the very objective of equality guaranteed by our constitution. If we made the provision for the rape of girl then why can't we making similar provision for men also? It means if a male victim of rape wants to file a case against a person who has committed sexual assault or harassment over him, no one will take action towards the act he has faced. Thus, to bring a law in a motion, one should have laws to protect him first but India has no clause for it.

III. THE CONSTITUTION OF INDIA

The researcher would like to draw the attention of readers and viewers to the Constitution of India. Thereby, the Fundamental Rights mentioned under Article 14 ensures equality and equal protection of law to all citizens of India. This right declares that there should be no special mention of privileges in favor of any person. It is clearly declared that the promises of Fundamental Rights for all are justifiable not arbitrary in nature. But, the very essence of this right loses its importance for our parliamentarians when it comes to putting forward a gender

neutral law on sexual harassment. Undoubtedly, the legislature or judiciary does not intend to discriminate against a victim of sexual assault just because 'victim is a female or victim is a male', but unfortunately, there is less or no acceptance of men as victims on the very issue of Rape. Also, Article 21 of Constitution ensure the right to life with liberty and dignity so males too have right to live their life with dignity . They must get equal laws and rights as women. Also, the Preamble of the Constitution provides the fundamental principles of justice and equality. These enlightened principles ensure equal protection of the law to all citizens without discrimination on the basis of gender.

Rape laws in India were amended after the 2012, incident of Nirbhaya Gang Rape Case of Delhi. The people of India strongly demanded for better rape laws. Considering the demand of India legislatures expands the definition of rape with the punishment. However, in 2013 the **Committee of Justice Verma** recommended to amend rape laws and introduce gender-neutrality aspect in the rape legislation, and replaced the term 'rape' with 'sexual assault', so that it should include male victims of sexual abuse also, but after this insertion of gender-neutrality aspect Women Association of India opposed the concept so strongly and States that this law is against the feminism and rights of women in India. So, after all the opposition made against this aspect of gender-neutrality the law supporting the same was discarded.

However, male gender children are protected under 'Protection of Children From Sexual Offences

Act', but males above the age of 16 don't have any protection under the law related to sexual offences.

Again in 2017, Adv. Sanjiv Kumar filed a petition challenging the legality of rape legislation of India stated that the present rape laws are violating the Article 21, 14 and 15 of Constitution of India. There must be gender-neutral law as a man can also be a victim of sexual offences.

In reference to the petition the Supreme Court Bench comprises of Justice Deepak Mishra and other learned Justices held that amending Indian Penal Code and laws related rape is under the forte of

Parliament of India. Supreme Court don't have authority to amend the same but it doesn't mean we support the gender- biased law.

Again in 2019, a learned Senior Advocate KTS Tulsi, filed a petition and stated that all the laws related to sexual offences such as Voyeurism, Outrage of Modesty, stalking , Rape etc., should be made gender neutral as these offences can also happens with genders other than women too. In addition to this argument he stated that the gender biased laws are infringing the

right of males and other gender persons of the country.

But sadly Parliament of India is not considering this huge loophole of the legislation which is violating the constitutional and human rights of the young men of the society. Parliament of India should desexualized the sexual offenses and make strict laws against the culprits irrespective of their gender.

IV. MYTHS OF SOCIETY – A CRUCIAL BARRIER FOR JUSTICE

Myths of the society in regard to male Rape are the barriers that prevent male rape from being recognized as a crime. These myths are responsible blame points that gives birth to fear in the mind of male rape victim and stops them from coming out and put forward consequences of harassment they have faced. Undoubtedly, these society myths are working as a slow poison, if not treated nearly soon it may affect the life of victim and could be considered harmful as these myths sometimes create a sense of suicide, depression, anxiety, feeling of restlessness in a male victim of rape. A selective research has been done and presented the same to understand and explain such myths of the society. This paper will critically examine these issues, why society's myths are responsible for the rise of male rape in society and how it creates apprehension in the mind of the rape victim.

Although majority of crimes related to sexual assault or harassment and Rape are committed by men over women, however it has been observed that in this modern world rape is not committed against woman only but happens to a man also, things are getting worse and unbelievable things are taking place. Hence, male are also falling as a victim by this heinous crime. As men have always been considered as the powerful body of the society, due to this belief society does not accept or consider the rape of a man as of rape committed against a female. Today, It is very difficult for male victim to report his cases of rape that he has also suffered a lot, his soul has also been hurt. There are enough reasons to prove these points but myths and perception of the society also a matter of concern, as they act as impediments to the prevention of criminalization of male rape by express clause in the

Indian Penal Code, 1860. Let's have a look on attitude of the society based on myths rather than facts and law.

First primarily myth that prevails in the society is, only men can rape women because society thinks Having sex is a nature of man and their body biologically induce them to have pleasure, this myth of society highly speaks that only men can force women to have sexual intercourse with them and women being a weaker member of a society never forces man sexually. But fact is that woman can also bully a man sexually and force him for sexual bond. Always blaming

man for such heinous act is not satisfactory, we need to focus on actual factors not on assumptions, myths and perception of society. Myths has no scope in today's society. Facts, evidences, reports should be given high importance rather than myths of no weightage. It has been observed numerous time in male dominant society like In India, the society thinks that men is powerful body among all human beings therefore males cannot be raped.

Second, society values the notion of 'man always wants sex' rather than how serious and worrying male rape is. Society thinks that rape is disturbing and life-destroying element is only for the woman and not for the man. This myth of the society speaks highly that rape cannot be committed to man. But forced sex by a person of any gender should be a matter of concern. If the man is not reporting his case it does not mean that the man wants sex all the time or that they enjoy sex which is against their will. Crime is crime, pain is pain, no matter what is done or by whom, every victim of rape suffers equal pain, not physically, but their soul is equally affected.

According to statistics from the US Department of Justice, 1997, 9 percent of every female rape survivor is a male rape survivor. As per statistics, more often the attackers are always the other male against the male. Sometimes these rapists are heterosexual and homosexual, and the rape is the result of that person's feelings for the other person, which the rapist doesn't see as normal, masculine, and powerful as a normal person.

These stereotypes about very concept of masculinity have made a men silent victim of sex crimes. Although most countries now recognize that men can be raped as well, this is not a solution to a problem unless it is recognized by the entire country and criminalized it with expressly separate clause.

V. ANALYSIS OF RAPE LEGISLATION OF DIFFERENT COUNTRIES

Male rape is still a taboo subject in the society. People don't believe the fact that males can be raped too, behind this stereotypes there are many factors but the most impactful factor we must consider is legislation of the country. This paper thoroughly compares the definition of rape present in the legislature of different countries.

According to the legislation of **United Kingdom**, **Rape** is defined as a serious offence in which a person penetrates the vagina or other body parts of any person without their consent.

This is a tendentious definition reflecting that only a woman can be raped and a male can only be the culprit of rape not a victim, which is totally unfair towards the male rape victims.

The legislature of **India** defines rape , according to **Section 375 of Indian Penal Code, 1860** ,

Rape is defined as the sexual offense commits by a man if he penetrates his penis into the vagina and other body parts of the woman , or inserts any object inside the sexual body parts or any other body parts, or compel her to do so, without the consent of the woman.

This definition of rape gives a clear picture that rape is a offence committed against only women and not against the man. This is a gender biased definition which drag the people to believe that no male can be raped and the legislatures itself not allowing to remove the curtains from the fact that males can also be raped.

But the definition of rape in some countries is quite different from the above mentioned partial definitions.

Recently the legislatures of **United States** amended the definition of rape and States that, **Rape** is the penetration of vagina or anus with any body part or an object , or oral penetration by a sex organ of another person without the consent of the victim.

Also in 2017, the legislatures of **Japan** amended the **Penal Code** and made the definition of rape gender-neutral States that having vaginal, anal or oral intercourse with a person without the consent of victim. The definition removed the stereotypes myths that only woman can be a victim of rape and male cannot.

Some countries amended their legislatures and made them gender-neutral this is a right step towards the direction of safeguarding the rights of males and established a new aspect of gender equality in the world. It is high time that every country must consider the fact that males can be a victim of sexual offences and must promote a proper gender-neutral legislature so that the victims of males can be recognized by the law and the victims can seek for the justice. The offences which should be amended as gender-neutral must includes the offences such as Voyeurism, Outrage of Modesty , sexual assault etc. Society needs a strong law against the rape and sexual offences so that every victim irrespective of their gender can stand against the wrong they have faced and prevails the true meaning of human rights and equality all over the world.

VI. CONSEQUENCES OF RAPE ON VICTIM – A HIDDEN TRUTH

Often we find news, articles, research, debates on every issue of rape revealing cases of female rape. But rarely or very little spotlight by researchers on instances of male rape. Male victims of sexual abuse, rape and sexual assault in adulthood suffers a lot due to these Life-threatening crimes of sexual harassment. However recently, researchers putting forward their attention to the problems faced or suffered by male victims of sexual abuse and assault. If we analyze the

incident of male rape then we get numerous cases indicating many psychological, physical and mental problems in a victim of male rape. for instance, One of the victim of sexual assault said that when he was sexually abused for the first time at the age of 6, he had to face fatal consequences, which was continued till the age of 15 by his family member. That was unfortunate because most people still don't want to talk about it. This lack of communication had created many problems in his life. Also, A 36-year-old man was gang-raped in Mumbai while he was searching to buy cigarettes for him. According to the statement of police the suspects kidnapped the victim, dragged him behind some trees, sexually assaulted him and beat him up. Consequently, the victim had to undergo several surgeries.

Not completely, but these two instance of male rape speaks enough about the deadly effects that one has to face during Rape. Hence, surviving a rape is very horrible or terrifying experience for an individual as it leaves behind a very deep impact on victims of rape. It becomes very difficult for the survivors to overcome with the impacts. Rape of male is much harsher and occurs more violently with very rough and high forces which doesn't effects only mind and body of the man but also damages the confidence of the victim. Men who have been sexually assaulted or raped may experience the same effects of sexual assault as a female rape survivors, and they may also face other challenges. The effects faced by the victim such as, Physical effects, Psychological effects, Sociological effects and long term effects are explained hereafter:

(A) Physical consequences:

Before to noting this effect of rape, it is necessary to understand that all rape are not as such harsh or violent, although all crimes relates to sexual abuse are heinous, but not all crime gives equal bodily harm to the victim.

Most of the research reveals that the sexual assault of a men is more violent and harsh, inflicting more and greater consequential injuries than that of a female victim of sexual abuse. It has been reported that whenever man is raped some form of physical force is used against the victim to prevent his action because of his masculinity. Weapons are commonly used by a person against a man who is sexually assaulted by a stranger. According to a paper published in 2005 indicating surveys of victim, 40 male who were raped were asked to provide frequency of crime suffered by them. The description given by them was revealing that most of the assaults had taken place using by using some physical or violent force.

The physical effects or bodily injuries which are most frequently observed are:

Ulcers: An ulcer is a small hole or bump in the skin filled with blood and mucus. It can have

serious consequences such as: Vomiting which can be black and brown in color, blood clots in stool, difficulty in breathing etc.

Blood clots: The accumulation of blood inside the skin of a victim due to an attempted rape by thrashing her with a hard object.

Fractures: Forced rape may involve breaking of bones of different parts of the body like ribs, legs etc. Sometimes rape victims are also infected with a sexually transmitted disease such as AIDS, soft tissues injuries, etc.

(B) Psychological Consequences

Age is an essential factor that determines the frequency of effects of rape on a male rape victim. No matter how serious the rape is, any act of attempted rape can leave a long-term psychological impact on the rape victim. According to a survey conducted, it has been observed that the victims are facing long term consequences of male rape like anxiety, depression, self-condemnation, self-doubt, feeling of guilt and shame etc. All these psychological factors can lead to a deep breakdown of the victim. Suicide is also a factor that has been observed in victims of male rape because a man never expects that he may also be raped against his will.

Although rape victim women have to suffer a lot, but a man who is sexually abused or harassed has to pay a larger amount as compared to the rape victim woman because they do not easily accept the reality of the rape committed by them. They often suffer from long-term effects such as trauma, depression, fear of exclusion from society, self-delusional thoughts on gender identity, loss of self-confidence, fear of being classified as gay or lesbian by society, etc.

Rape or sexual abuse also has an emotional impact on the victim. Hence the rape victim should be treated fairly in a society where myths are given more importance. The nature of society, family, friends play an important role in supporting the victim morally and emotionally. Love, care, support is like a therapy for the victim to cure the causes of rape.

The Problem of Depression, anxiety, flash backs, trust issues have also been seen in male victim of rape. These are the disturbing element that gives birth to feeling of sadness and helplessness which affects the victim for a long time and it also changes the behavior of the victim. Also, victim faces difficulty in sleeping or many other disorders due to forced rape. Therefore, all these factors attack the mental health of the individual and make them mentally ill.

(C) Sociological consequences

It includes:- o Pressure to prove his manhood o Fear of classification as gay or homosexual by

the society o Fear of proving sexuality o Loss of confidence o Trust issues

The challenges set by the society make it difficult for the victim to report sexual harassment. Even today, male rape is considered taboo in the society, people do not want to discuss about male rape. Due to such situations and myths, the victims prefer to remain silent and do not want to disclose the incident which they have faced. Thoughts of society like men always want to sex, man can't be a victim of rape, men are physically strong enough to stop such crime, women can't sexually abuse man, woman to man and man to man forced sex doesn't exist, etc. These myths make it difficult for the victim to proceed for proper treatment and justice. The existing myths of the society are closing the doors for justice for men and creating problematic situations for rape victims.

If the victim tries to report the incident pressure to prove his manhood, fear of classification as gay or homosexual by the society, fear of sexuality test etc., prevents the victim from coming forward with his cases.

Note:- . The above results are the result of selective research. The researcher does not claim that these are the only consequences of rape on the victim. Data has been collected from various sources.

VII. SITUATIONS AND INCIDENCE IN WHICH MALE RAPE IS FREQUENTLY OBSERVED

- **Prison:** Prison rape refers to rape behind the bars in the jails by prison mates inside the prison or by prison staff. It has been observed that mostly males are the victim of rape in the prison.
- **College:** Sexual assaults are the most common in college campus culture. Male sexual offence is under-reported in colleges due to college students and the authorities. Many junior students are being raped by the senior students of the college and termed it to be a part of ragging.
- **Military:-**In military and wars sexual assaults of enemy is used as weapon to weaken the enemy physically and emotionally. After facing the sexual assault the victims believes that he has lost his manhood and now he is not a warrior anymore.
 - **Incidence:** During the world War- I a famous British Officer Thomas Edward Lawrence reported that he was sexually assaulted by the Turkish Officer and their guards who were the enemies in the war time, so that they can make the opponent physically and mentally weak.

- **Incidence:** On 8 February 2014 in Ahmedabad, a young man reported that he was sexually abused by two policemen and he was found to be a gay during the investigation by the two policemen. The man was forced to do sexual intercourse with both of them but after he denied to do so they raped him. The victim after this incident was in fear of losing the reputation of his family so he didn't file any complaint regarding the terrifying rape he had suffered.
- **Incidence:** A student named Andrew of Brown University, United States, reported that on the 6th day of his freshman year, he was sexually assaulted by a male student in the bathroom. After this, the authority of the university started blaming him instead of taking any action.
- **Incidence:** In 2017, a policeman of Andheri (Mumbai) got a report that 15 men were committing rape with a 16-year-old boy from the past 1 year. It was observed that all the accused were either his neighbor or school seniors. Police filed a complaint and arrested them under section 377 of the Indian Penal Code for committing unnatural sex.

Thus, these situations and incidents witness that males can also be the prey of rape. The real incidents are evidently reflecting the fact that there is a great need of strict laws against male rape and this must be considered as a serious offence in society. As every individual, irrespective of their gender, has fundamental rights and human rights to seek for justice, so justice must be equal for each gender of the society.

VIII. SURVEY

A survey was conducted on this burning topic, a questionnaire was prepared and it was shared among common people of different age groups to know their views about male rape. The data collected by the survey shows that people in the age group 18 to 25 years have clearly expressed that men can also be sexually assaulted, harassed or raped and that women are not the only victims of harassment. But, the data given by people under the age group of 18 years and above 35 years were conflicting, i.e. some of them are still not ready to accept the issue as a reality.

The purpose of conducting the survey in different age groups was to ensure awareness about such hidden crime, through this survey the researcher tried to make people aware that yes, rape can happen to a man too. The survey attracted approximately 70 people, some of them students from different fields of study (law, LL.M., PhD, nursing, high school intermediate); teachers (both government and private); Government employees, the founders and we found that the participation of women was higher than that of boys. From this difference it can be inferred that boys are still not ready to admit to the crime of male rape against them, may be due to fear

of society, family, friends and relatives.

The survey shows that women's attitudes towards rape are quite open and straightforward. Most of women claimed that male rape is the same as female rape and that the consequences of the crime are also the same. Hence, all these persons who expressed their views are educated enough to be a part of this survey.

1. Gender

In the Survey we conducted, total responses was 71 out of which 77.5% are females and 22.5% are males who amazingly supported the survey and expressed their true opinions.

2. Age

It is observed that different people from different age-group categories participated in the survey out of 71 responses, 73.2% people belongs to the category of 18-25 years, 15.5% belongs to age group under 18 years, 7% people belongs to age group between 26-35 and rest belongs to the category of above 35 years.

3. Institution/Occupation

Various of students from different universities and different study branches, government teachers, government employees, professors, housewives etc. have taken part in the survey and give opinions.

IX. RESPONSES OF QUESTIONS GIVEN IN THE SURVEY

(A) What do you know about the term rape?

Although rape is a very common term now a days and almost everyone knows about this term 'rape'. Considering the responses of people in survey it is observed that majority of the people termed rape as a heinous offence which is committed against women of the society or rape is an act of sexual intercourse by a man with a woman against her will. Rest of the people claim that rape is forcefully or assaulted or unwanted sex done by any gender to fulfill their sexual needs. Through responses it is clear that rape can happen to a men also and male rape should be criminalized for equal and fair justice.

(B) How would you define the word rape with reference to a male victim?

In the survey the researcher has tried to collect the free and unbiased views of the people by giving them an opportunity to express their opinion about what would be their reaction if they get any chance to define the term rape in relation to male. Recorded data shows that most people answering this question are aware that men can be sexually assaulted or even raped.

Selected views have been taken from the survey-

A graduate degree student has said, 'Male rape means the same thing as rape in relation to women. Rape breaks both equally so rape is illegal and is not done with either gender. If we can hear unexpected incidents of animal rape, then how can a man not be raped. And in many ways women are also claiming equal rights with men, so in this case also both should be equal.

According to a teacher,.....Man himself is not aware that he can also be a victim of rape, he is neither able to understand nor accept or able to talk about it. So, it becomes necessary to come forward and protest to make our society safe for Both female and male. A law student has said that, in India, separate and established laws are needed to save the human soul as well. If everyone is equal in the eyes of the law, then the operation of the law should also be the same for all, irrespective of gender.

(C) Can Rape happen to a man too?

As per the responses of the survey it is observed that out of 71 people, 64.8% believes that rape can happen to a man too, 10% believes that male rape happens rarely, 21.4% people are not sure about the rape of a male and said may be, rest believes that rape cannot happen with males.

(D) Do you think there is a need for a separate law and order to protect sexual harassment/ Rape?

According to the responses of survey it is noted that out of 71 people, 77.1% people feels that there is a huge need for separate laws and orders to protect each and every person of the society against rape and sexual assault. 17.1% people are not sure about separate laws against rape/ sexual assault. Rest of the people claims that there is no need for a separate legislation against rape and sexual assault.

(E) Do you agree with the statement ' Mard ko Kabhi Dard Nahi Hota' ?

As per the people's responses in the survey, out of 71 people, 94.3% people disagrees with the statement ' Mard ko kabhi dard nhi hota' , whereas 5.7% agrees with the statement.

(F) Are you a victim of male rape?

According to the observation of responses of survey, it is found that out of 71 people, 100% people responded that they are not a victim of a male rape, it is because may be majority of them are actually not a victim of male rape, and if some of them are the actual victims then they are not ready to disclose their horrible experience due to many factors such as society, what people will thought about me etc.

(G) Do you know any man who has been raped?

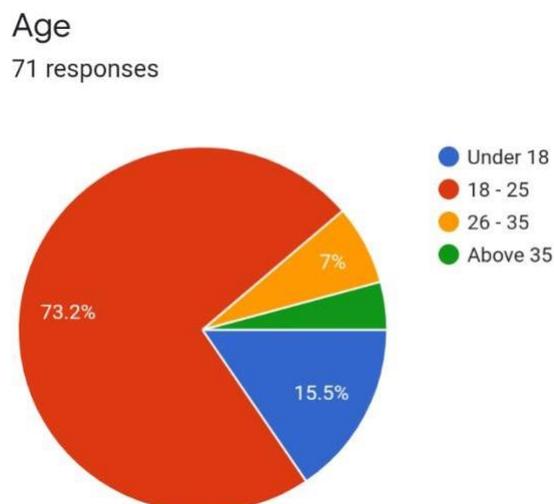
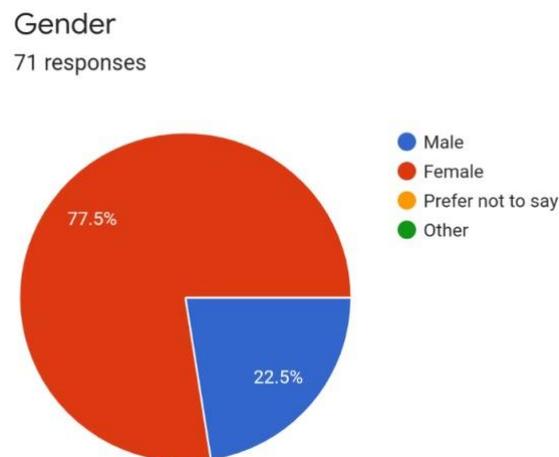
As per the observation from survey, it is witnessed that out of 71 people, 67.6% claimed that they don't know any man who has been raped or not, only 5.6% claimed that they know such males who are the victims of rape.

(H) If you were given a chance to express your opinion on the issue of male rape, what would be your opinion?

100% of the people express their opinion that make rape is equally disturbing as women rape . Rape can also happen to men there's nothing like it can only happen to females.

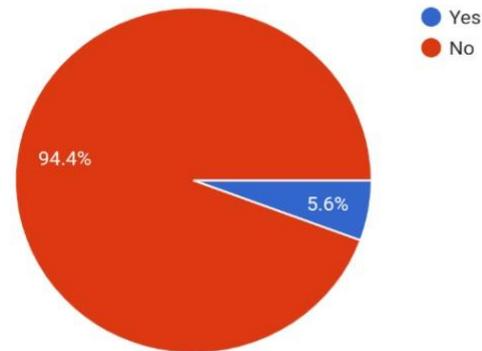
People criticize the biased sexual laws and quoted that ' jis desh mai ladke bhi surakshit nhi hai to ladkiyaan kese rahegi' although it is stereotypical statement but through the quote they are expressing their feelings as man is considered as protected shield of woman in the form of brother, husband, Father etc., .So, the people are expressing that if the protected shield is not safe then how would we ensure about women's protection. People demanded for strict and gender-neutral laws against sexual offenses.

X. RESULT OF SURVEY



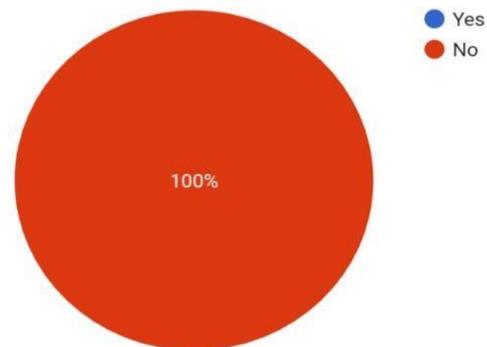
Do you agree with the statement 'Mard ko kabhi dard nahi hota'?

71 responses



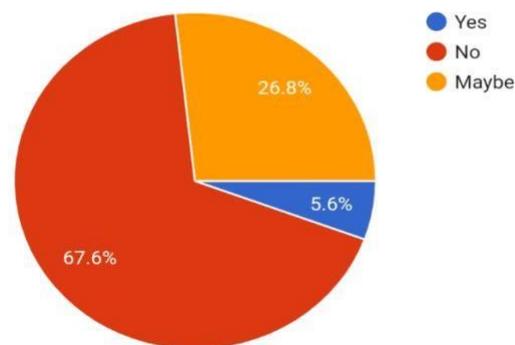
Are you a victim of Male rape?

71 responses



Do you know any man who has been raped?

71 responses



XI. CONCLUSION

Considering all the facts, myths, data, and statistics we can conclude that the Male rape is a serious offence and need to be considered as same as women rape. Attacking on anyone's sexual privacy is itself an heinous offence irrespective of the victim's gender. Rape is an offence which kills the soul of the person. It is a traumatic situation that the tragic offence such as rape is confined only to a particular gender. It's high time that all the countries must consider this issue and made equal strict laws for the protection of male victims. We live in a well developed society where law and organs of government play important role in ensuring free and fair justice, without hurting one's interest at large level. But now all these bodies are lacking in treating all victims of rape irrespective of the factor of gender.

Thus, gender-neutral sex offense laws are the need of an hour. Such respectable laws should be encouraged and put forward by the organs of government to combat or eliminate an unavoidable discrimination on the basis of gender. And all sexes should be given equal protection of the law.

Hence, Indian law should be evolve in accordance with the needs and requirements of its subjects.

XII. SUGGESTIONS

- To prevent the development of such crime, the root has to be uprooted first. To make it possible joint contribution is needed; society has to evolve their thinking beyond such patriarchal thinking as the criminal mind can target any gender for its growing needs. At the same time, the victim must move out of the parenting principle that the male is the strongest body or they cannot reveal their pain outside and if they do so it will affect or challenge their masculinity or personality, etc. Rather, they should come forward to aware others. Since awareness is essential element to prevent any crime.
- Talking about our judicial system and the organs of government, undoubtedly, all these bodies are doing a great job and have taken numerous steps to deal with such problems. But, We are the reason for such lapses, therefore we have to come forward to solve them, so that necessary steps can be taken to prevent occurrence of any type of rape or to any gender. Hence, Gender neutral should be implemented at the earliest.
- There is no accurate information due to lack of research but fact is 'In India men are also face sexual harassment every second day, it is high time that citizens must understand and accept this very fact. Also, a separate commission must be appointed so that accurate

research can be made and rapists or abuser of such sexual crime can be punished equally for their heinous act.

XIII. REFERENCES

1. Books

- INDIAN PENAL CODE, 1860
- INDIAN CONSTITUTION ACT, 1950

2. Journals/ articles/ news

- <https://www.india.com/news/india/mumbai-16-year-old-teenage-boy-raped-for-a-year-in-andheri-accuses-15-teens-2374360/>
- Smith, S. G., Zhang, X., Basile, K. C., Merrick, M. T., Wang, J., Kresnow, M., & Chen, J. (2018). The National Intimate Partner and Sexual Violence Survey: 2015 data brief – updated release. Centers for Disease Control and Prevention.
- Walker J, Archer J, Davies M. Effects of rape on men: a descriptive analysis. *Arch Sex Behav*. 2005 Feb;34(1):69-80. doi: 10.1007/s10508-005-1001-0. PMID: 15772770.
- Rentoul L, Appleboom N. Understanding the psychological impact of rape and serious sexual assault of men: a literature review. *J Psychiatr Ment Health Nurs*. 1997 Aug;4(4):267-74. doi: 10.1046/j.1365-2850.1997.00064.x. PMID: 9362829.
- Walker, J., Archer, J. & Davies, M. Effects of Rape on Men: A Descriptive Analysis. *Arch Sex Behav* 34, 69–80 (2005). <https://doi.org/10.1007/s10508-0051001-0>
- <https://www.deccanherald.com/national/36-year-old-man-gang-raped-in-navimumbai-764192.html>
- <https://www.justice.gov/archives/opa/blog/updated-definition-rape>
- <https://www.sciendo.com/pdf/10.2478/slgr-2019-0023>
- <https://rapecrisis.org.uk/get-help/looking-for-information/what-issexual-violence/what-is-rape/rape-consent/>

3. Online Databases

- HeinOnline
- Manupatra
- SCCOnline
