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## **Social Awareness Toward Marital Rape Among Married Women: A Case of Gombak**

Nuradlina Izzati Ahmad and Rohaiza Rokis

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### **ABSTRACT**

*This study measures the level of awareness among married women toward marital rape who live in Gombak. It uses a mixed method of quantitative and qualitative approaches, with 54 respondents using the Likert Scale and SPSS version 26 and three interviewees using thematic analyses to understand married women's awareness towards marital rape. The findings indicate a correlation between cultural misunderstanding and religious misconceptions with the level of awareness. It is further supported by views based on these women's experiences and perceptions. This study helps to circulate awareness about marital rape and consequently to take appropriate action from the authorities.*

*Keywords: Marital Rape, Married Women, Social Awareness*

### **INTRODUCTION**

Married institutions held a high position in the eyes of the community; thus, making the legal bond allows the people who enter the marriage to obtain the rights over the others (Troshynski and Dirks, 2016). The marriage partner would live together, be faithful, and spend the rest of their life building a family institution together (Morsalin, 2021). The institution sounded appealing for the first time when people were unaware of the responsibilities and issues arising from marriage. Society expects the couple to stay forever and happily; if any problem arises, they will solve it themselves. Thus making it hard for the people in this institution to share their problems related to their marriage with outsiders. This is because the problem would be viewed as a taboo and sensitive topic to be shared. If the problems inside the institution get leaked outside, society will pressure them to fit back into the ideal marriage without knowing the couple's struggles.

Marital rape can be a violation of the institution because it not only violates the fundamental right of humans but also the rights of women. According to the definition in Section 375 of the Malaysian Penal Code, it clarifies that to establish sexual intercourse, penetration is needed as it is required to claim the incident as rape (Morsalin, 2021). Moreover, Morsalin (2021) men Section 375 further explains that five-year imprisonment would be penalised to any man who enters a legal marriage and causes injury and fear to his wife, but unfortunately, Section 375A does not elaborate on consent given by the wife which means, consent has no involvement in invalidating sexual misconduct. According to Robinson (2017), marital rape is hard to study due to low in both reporting and conviction rates. These low rates in both reports and convictions are due to the patriarchal culture that stereotypes roles in sex.

Statistics shown by the National Coalition Against Domestic Violence (2020), in a lifetime, there is 1 in 4 women and 1 in 10 men experience different forms of violence by their intimate partner, and one of them is sexual violence. This shows how dire the situation related to marital rape is, and the issue should be known by society as an issue that has much heavy impact on not only the victim but as well

as her other family members, thus showing that marital rape is indeed a serious issue that needs attentive attention from society.

Even though some countries already criminalised marital rape, such as the United States, there are still countries that have yet to decide to decriminalise the issue due to their culture and beliefs. In the United States, there are already 50 states that criminalise any form that would lead to marital rape (Troshynski, 2016). Troshynski (2016) also mentioned that the state distinguishes between marital rape and other types of sexual assaults, which means marital rape does not cover any exemptions; use of physical force; legally separated, or divorce. Furthermore, some states in the United States have stronger punishments for rape committed by strangers than by spouses, requiring victims of intimate partner or marital rape to file charges sooner than victims of stranger rape.

In India, due to being assimilated with the culture of the country, the Indian Penal Code did not recognise marital rape as a crime despite it being a branch of domestic violence (Singh et al., 2014). India does not criminalise marital rape due to the culture that always sees a woman as property to her husband which makes it harder to amend the law as the culture would influence the law (Singh et al., 2014). The similarities are shared with Malaysia and Indonesia, as there is no specific enforcement of the law regarding marital rape. Both of the countries do not criminalise marital rape due to both culture and religion (Morsalin, 2021). Despite in Malaysia Penal Code having a small section mention about marital rape, Section 375A, the criminalisation of it is still yet to be done. The people in society were not aware of this section. In Indonesia, marital rape did not also recognise by the legal system there as a crime (Morsalin, 2021).

According to Singh et al. (2014), it is the perspective of culture that subjected the wife to her husband's will, and due to the complexity of the marriage institution, the husband cannot be law suited under the marital rape crime because he only does that to his 'property.' The woman is being sexually abused, and society expects her to survive the abuse without taking any action to protect her as a victim, as they view marital rape as less severe (Singh et al., 2014). Not to mention, the awareness of the community toward marital rape can also be affected by misunderstanding in religious practices. Misunderstandings in religious practices happen because the members of society do not study the scripture deeply, which can cause misunderstandings (Morsalin, 2021).

Taking the context of countries that practice Islam as their religion or even specific people in the community that practice Islam, they used the verses in the Quran to justify their actions to fulfill their sexual desires. The verse is that the angel would curse the wife if she rejects her husband's request for sexual intercourse. Not only in Islam but even in the Hindu religion. The Hindu believers also use their scripture to justify their actions. Thus, a conclusion is made that culture and religion play a big part in the legalisation or criminalisation of specific issues. In this case – the marital rape. This is because, even though the legal system has already criminalised the problem, the culture still rooted inside the community would prevent them from using the section to punish the perpetrator. Other than that, there are near to no research papers talking about the awareness that is vital in the movement to make marital rape well known.

The assimilation with the cultural practices and misunderstanding religious practices is why this issue is considered taboo in Malaysia (Morsalin, 2021). The women might not realise that their rights are being violated in this so-called pure institution which leads them to let the marital rape experiences be. The issue is also rising in Malaysia, which leads to curiosity and awareness among women regarding the issue. Due to the papers that related to marital rape mostly mentioning its legal status as well as the

experiences and impacts of marital rape on the victims, it creates research gaps in several places, especially the part where legal might be influenced by the culture of one setting (Verner and Verner, 2014).

Therefore, the study wants to examine the awareness level of married women in Gombak regarding the marital rape issue happening in Malaysia. This is because marital rape is still in an uncertain place despite it already being issued under Section 375A, Malaysia Penal Code (Morsalin, 2021). Using a quantitative method, the study expects to unfold women's awareness of the issue.

### ***Cultural Misunderstanding***

Marriage allows sexual intercourse to happen due to the unification of man and woman being identified by society and law; thus, marital rape usually being experienced by women even though it is not exclusive (Yadav, 2018 and Morsalin, 2021). Marriage is seen as a relationship that allows sexual intercourse to happen, and from a cultural perspective, sexual intercourse would be seen as a private matter, thus the lack of awareness of marital rape issues among the members of society, especially women. Traditionally, the role of a wife is stereotyped as submissive, docile, and a homemaker, and the husband is mainly expected to be a provider with the woman as their property. It is believed that the man should dominate the woman, and the latter should act in submission (Troshynski and Dirks, 2016; Yadav, 2018). The woman should also provide their husband sexual access, and by doing this, it seems the marriage contract binds the women and limits their fundamental rights.

The claims above are also supported by Morsalin (2021), where there is a favourite in the traditional husband-wife relationship. The husband is being favoured more than the wife as there is a belief that the husband has autonomy before his wife's body, which does not make any sense in the present as the wife has solely autonomy before her own body and has equal standing with her husband in the sexual relationship. The societal norms should be changed as if they believe that women should behave submissively and docile because a docile homemaker who values her family more than herself would not drag her husband to court unless it is her last straw. In Alan Wertheimer's book, it is mentioned that the woman's mutual matrimonial consent is the reason the husband cannot be charged with marital rape, as the wife already gave herself up to her husband (Mateen, 2020). As stated by Gul and Schuster (2020), the wife's behaviour might indicate some significant reason for the marital rape behaviour perpetrated by the husband, as it is seen as a threat to the husband's masculinity.

Societal pressure is one of the reasons marital rape is internalised in society. Therefore, it is crucial to have a movement done by feminist campaigners who can bring forwards the issue of intimate partner abuse and marital rape as well as the unjust punishment being perpetrated on the husband. Women should receive equality and human rights even though it is hard to believe that the husband is capable of imposing such heinous crimes on the wife (Singh et al., 2014; Troshynski and Dirks, 2016; Morsalin, 2021).

The legislation used the findings from research to avoid the criminalisation of marital rape by claiming that the impact of marital rape is less severe when the victim themselves are reported to have flashbacks, emotional pains as well as sexual dysfunction for years even after they are out of the violent context (Yadav, 2018). It is also being said that the legislators use the excuse of interfering with marriage if they punish the husband for marital rape, as marriage is a pure bond. Still, it is no longer pure if being associated with violence and abuse. In many countries that practise the patriarchal system,

men hold power over women. The households in Malaysia also use these beliefs in their cultural practices to misunderstand religious practices (Morsalin, 2021).

It is stated in Morsalin's (2021) article that for many years, patriarchy and domestic violence have existed hand in hand. Argues over the authority of the men over the women and the attitude of the men dominating women come from the patriarchal beliefs rooted deeply in the cultural beliefs and practices. Not only in Malaysia but across the culture, women are being discriminated against over patriarchal ideas and settings. All of the cultural practices have a gender role for society to play. It is common in patriarchal settings that the man gains power over his wife, which results in a change in the woman's status and position in the house as well as in society.

### ***Religious Misconceptions***

Marital rape in Malaysia is a relevant issue to discuss, where most of the population is Muslim. With their conservative culture and beliefs, it is indeed hard to get rid of their misunderstanding of marital sex issues (Morsalin, 2021). From the Islamic perspective, the family is an essential institution due to the union between females and males through legal and religious rules and regulations. Mateen (2020) stated that marital rape is not a threat to the rights of the husband as long as the husband abides by the limitations and does not abuse the wife just for him to enact his rights to his wife.

The Islamic jurists from different schools of law had clearly defined marriage and rape in Islam. Abu Huraira narrated one hadith that stated the Prophet SAW: If a man invites his wife to sleep with him and refuses to come to him, the angels curse her till morning (Mateen, 2020). In this hadith, some jurists point out that the hadith should be understood that marriage is about maintaining the chastity of the husband and wife by offering the right way for both to satisfy their sexual desire legally. Indeed, a family institution is an institution that depends on the preservation of chastity. At the same time, this hadith also implicates men, not only women, as is demonstrated in Surah Al-Baqarah verse 226-227, in which the pre-Islamic Arabs swore out of anger at their wives for sexual relations. As this becomes the legal terminology, it shows that married life is not always harmonious, as tensions and strains exist.

Most importantly, misinterpreting the husband or wife's refusal should also be considered (Morsalin, 2021). Marital rape is not a crime in Islam, but it is still regarded as a sinful behaviour that would cause a penalty in the hereafter. This is because marital rape can cause severe harm to the body and damage internal organs. The consequence of this action is that the wife can charge the husband for the damage. The punishment her husband would face is either compensation or punishment, according to Tazir (the leader's punishment).

Imam Ibn Al-Qayyim, in his famous book "Tibb Al-Nabawi," mentioned that the Prophet SAW forbade sexual intercourse before foreplay (Mateen, 2020). Al-Ghazali mentioned in his writings on the ethics of sexual relations that intimate physical relationships should not occur unexpectedly. This shows that an intimate physical relationship should be in a natural setting where no force is added. Sexual actions should be done with mutual permission (Morsalin, 2021).

There is a misunderstanding in the hadith widely used to justify the husband's sexual desire for his wife. It is the hadith reported by Abu Hurairah, said by the Prophet SAW that:

*"If a husband calls his wife to his bed and she refuses and causes him to sleep in anger, the angels will curse her till morning."* (Sahih al-Bukhari, Book 59, Hadith 48).

If taken as itself, and without further interpretation, the above hadith can be understood that the husband can force his wife to be in a sexual relationship. However, upon further elaboration, the Islamic jurists justified that the wife did nothing wrong as long as there was a valid reason behind the refusal (Rahma, 2017; Morsalin, 2021). In addition, they justified the act of Angles' curse as not a vile one but more towards the condemnation of the act displayed.

In addition, there are indications in the Quran and hadith regarding some situations where the husband is forbidden to request sexual favours from his wife. These situations include when his wife is in a menstrual cycle state, in an inappropriate sexual state, or during the fasting period in Ramadan. If the husband still pushes the wife to engage in sexual intercourse, it is rape in marriage, as Allah gives the woman the right to stay away from her husband. The husband should first ask his wife about her menstruation and wait until she purifies herself before approaching her. This is because Allah loves those who are in a pure state and repent themselves. Therefore, marital rape is not only a crime but is sinful and would be punished.

Marital rape is still indeed an offence, as some of the reports might lack the evidence to prove the intention. Marital rape is still indeed an offence, as some of the reports might lack the evidence to prove the intention.

### ***Gender Roles and Culture***

According to Berger (1967), society holds a unique position among the cultural forms of men. A man is given not merely a set of roles by society but also a predetermined identity as he is expected to fundamentally be a husband to a wife, father to his children, or uncle to his nieces and nephews, among others (Berger, 1967). The conflict theorists opine that the functions of the family seem to be about maintaining power imbalances and inequalities in the larger society. When social placement is carried out through the patriarchal culture, it seems to encourage the exploitation of women (Lindsey, 2021). Many societies accept patriarchal standards that place women in passive and subservient positions while the males play the dominant and aggressive roles.

The theory of social construction of reality states that social reality is constantly built, dismantled, and remade. It is an ongoing historical process linking the social system and the psychological frameworks. Individuals preserve the natural appearance of cultural laws. The cultural law shields the individual from the existential crisis brought by societal pressure that leads to psychological problems such as depersonalisation (Vandenberghe, 2018). According to OpenStax (2016), individuals' behaviours could be influenced by how they subjectively construct the world instead of being influenced by objective reality. For instance, if cases of marital rape are nonchalantly accepted while the marital rape victim is regarded as ungrateful to their husband, in the long run, the victims become oblivious, leading to low awareness about marital rape issues, no longer regarded as the victims of such marital vice. They may not even believe it does not happen to them.

### ***Gender Roles and Religion***

Religion is a belief system that gives meaning and purpose to human existence. It is one of the elements inside the cultural system that permeates every community in some way and comprises moral principles, ideals, rituals, and myths (McGivern, 2014). Different people will define religion in various ways as religion is hard to understand, and with the influence of the culture of different regions, the understanding of religion varies. According to Barman (2022), religion may have a highly harmful societal impact on society and its adherents. For instance, they may only accept statements and

commands about their religion with in-depth research or listening to experts. Many studies on religion frequently viewed gender as a descriptive and historical term that implies that it represents specific religiously related life circumstances for females and rarely for males, which include their religious experiences, daily religious activities, and many more (Katarzyna et al., 2016).

Furthermore, one of the famous theorists of the conflict theory, Karl Marx, stated that religion is the opium of the masses because it promises happiness in the hereafter and redemption for their sins (Mckinnon, 2010). Conflict theorists vigorously reject the notion of pointing to the few faiths that advise their adherents to be content with what they have since it has been divinely selected for them. In addition, feminist theorists contend that traditionally, women would be treated highly as they play a crucial role in socialisation.

On the other hand, Peter Berger (1967) believes that religion serves as a sacred canopy over society as it offers a shield that would protect individuals from uncertainty in life by assisting them in coming to peace with terms in the world and their role. Religion contributes to the stability of society. One of the structures in religion is known as nomos or a law. To respond to the current threats to the nomos, the methods of reasoning for contrary evidence (theodicies) within the nomos's framework must be developed (Ellen, 2014).

## **METHODS, METHODOLOGIES AND FINDINGS**

This study collected data and gathered information on the level of awareness among married women in Gombak toward marital rape. It uses a set of questionnaires with the five Likert scale and in-depth interviews. The survey was distributed to more than 50 respondents who lived in Gombak. After that, they were divided into several clusters to be randomly selected. The questionnaire items covered the demographic characteristics, understanding of the religious practices related to marital rape, and cultural practices embedded in the family. Each section has approximately ten items. As for the qualitative method, they were interviewed using the Google Meet online platform. The data was analysed using SPSS version 26.

The Illinois Rape Myths Acceptance Scale replicated the instrument's items with 20 items used out of 45 items (Payne et al., 1999), Attitude Towards Rape with 10 out of 32 items being used (Field, 1978), Rape Empathy Scale with 10 out of 19 items (Deitz et al., 1982) and Attitudes Towards Women Scale with 15 items used out of 55 items (Spence et al., 1973 and Spence and Hahn, 1997).

For the in-depth interview methodologies, this study interviewed three interviewees who are married and live in Gombak. They were interviewed via Google Meet. The interviewing sessions were recorded – with their permission. The Google Meet system auto-transcribed the sessions, making the initial analyses easier. However, the AI transcriber committed typos and technical errors, which also needed human correction.

The in-depth interviews aimed to obtain data support for the survey. The “dry” quantitative data was enriched by the “fluid” and dynamic qualitative data. The interview items were meant to dig into the details of the interviewees' views on marital rape. The fact that they were all married made their input very interesting and beneficial for this study.

### ***A) Quantitative Data Findings***

All of the respondents in this survey are married women. They are grouped into four age groups, which consist of 20 of 29 (51.9%), 40-49 (29.6%), 50-59 (18.5%), and 30-39 (0.0%). The educational background shows that most respondents have a degree (31.5%), followed by ‘others’ represented by the Masters’ and Doctorate (27.8%). In addition, the survey also considers the married women’s years of marriage, with the majority of them already been married for up to five (35.2%), followed by 15 to 20 years of marriage (31.5%). See Tables 1, 2, and 3 for details.

Table 1. Age

<b>Age</b>	<b>Respondents</b>	<b>Percentage</b>
20-29	28	51.9
30-39	0	0.0
40-49	16	29.6
50-59	10	18.5
<b>TOTAL</b>	<b>54</b>	<b>100.0</b>

Table 2. Educational Background

<b>Educational Background</b>	<b>Respondents</b>	<b>Percentage</b>
Sijil Pelajaran Malaysia (SPM)	14	25.9
Diploma	8	14.8
Degree	17	31.5
Others	15	27.8
<b>TOTAL</b>	<b>54</b>	<b>100.0</b>

Table 3. Years of Marriage

<b>Years of Marriage</b>	<b>Respondents</b>	<b>Percentage</b>
1-5	19	35.2
6-10	7	13.0
10-15	11	20.4
15-20	17	31.5
<b>TOTAL</b>	<b>54</b>	<b>100.0</b>

***Married Women’s Attitude Towards Cultural Practices in Society***

Below are the findings deriving from the questionnaire data based on sets of research questions. The respondents provided their responses using the 5-Likert Scale of Strongly Agree, Agree, Neutral, Disagree, and Strongly Disagree.

Research Question 1: What is the cultural misunderstanding that influences women’s level of awareness toward marital rape?

*Statement 1: Wife can be forced into sex because the marriage already consents to it.*

Of 54 respondents, 50 (92.6%) disagreed with the above statement. However, it is surprising that four respondents (7.4%) agreed with the statement.

*Statement 2: Marital rape evidence can be fabricated by the wife.*

Fifteen respondents (27.8%) surprisingly agreed with the statement.

*Statement 3: The husband is a perpetrator of marital rape.*

There is a slight margin difference between the respondents who disagree and those who agree. Thirty-two disagreed (59.3%), while 22 agreed (40.7%).

*Statement 3: In reality, married women are never raped by their husbands.*

Surprisingly, there are still 19 respondents (35.2%) who agreed with the statement, which stated that women are never raped by their husbands. In contrast, the other 35 (68.4%) disagreed that the husband never is the perpetrator who rapes their wife.

*Statement 4: To protect the husband's dignity, it should be challenging to prove that rape has occurred in the marriage.*

An impressive number of respondents agreed with the statement. There are 40 respondents (74.0%) who agreed with the statement which mentioned that marital rape should be challenging to prove to protect the husband's dignity. In comparison, the rest disagreed with 14 respondents (26%).

*Statement 5: It is taboo to talk about sexual experiences the wife felt with the husband in public.*

A staggering number of 40 respondents agreed (74.0%) that sexual experiences are a taboo topic to talk about in public, while the other 14 respondents (26.0%) disagreed with the statement.

### ***Married Women's Misconception of Religious Beliefs***

Research Question 2: What are the misconceptions of religion women have that can influence their awareness of marital rape?

*Statement 1: When the woman is married, her body is autonomously her husband's.*

Surprisingly, 32 out of 54 respondents agreed (59.3%) that the wife's body is autonomously the husband's after marriage, while the other 22 respondents (40.7%) disagreed.

*Statement 2: Wife refused the husband to bed; the angels would curse her.*

The majority of the respondents, with 43 respondents (79.6%), agreed with the statement that the angles would curse the wife if she refused to bed her husband. Only 11 respondents (20.4%) disagreed with the statement.

*Statement 3: The verse in the Quran, "approach your cultivation as what you like," is most likely to be interpreted as an aggressive approach, but it is also acceptable.*

Astoundingly, 40 respondents (74.0%) agreed with “approaching your cultivation as what you like,” which may be interpreted to an extent as using an aggressive approach toward the wife to have sexual intercourse. The respondents agreed that the aggressive approach is acceptable. However, only 14 respondents (25.9%) were against accepting the aggressive way as acceptable and thus disagreed with the statement.

*Statement 4: Women should worry less about their rights and more about becoming good wives and mothers.*

Shockingly, there is little difference between the respondents' opinions on the statement that stated women should worry less about their rights and focus on being good wives and mothers only. There are 20 of the respondents (37.0%) responded agreeing to the statement, while the other 34 (63.0%) disagreed.

*Statement 5: Wife should follow the husband's command as it is a sin if she does not follow it.*

The majority of the respondents, with 43 responses (79.6%), agreed that the wife should follow her husband's command and will be sinned if she does not. On the other hand, only 11 respondents (20.4%) disagreed with the statement.

### ***B) Qualitative Data Findings***

This study also applied an in-depth interview with three women interviewees who are married and live in Gombak. They provided significant inputs in understanding the marital rape among married women.

#### ***Lack of Awareness Regarding Marital Rape***

The lack of awareness regarding this issue is a crucial aspect that is impacted by culture and religion. As awareness is the main issue in understanding marital rape, the interpretation of the findings can explain the level of awareness.

The in-depth interviews further explore the critical aspects regarding the lack of awareness of marital rape. Indeed, the interview session is vital as it opens the door for the women (aka the victims) to tell their stories and get help rather than having their stories invalidated and consequently bringing about awareness of marital rape for them to reach out for help. Interviewee 1 stated: *It is indeed hard to prove that marital rape is happening in the marriage. As we know, there is a lack of awareness regarding this issue.* (Interview: 8/11/2022). She even continued: *It is similar to sexual abuse [marital rape]. The more people tell stories not only to tell stories but to talk about them intellectually, [not in a] gossip [manner], maybe people will be open; the wife will not be embarrassed. Not embarrassed [or humiliated] and open to talking about the issue.* (Interview: 6/11/2022). The statement mentioned by interviewee 1 emphasises the willingness of people to talk about marital rape in public so that the victims will be open to sharing their experiences and not feel embarrassed.

Interviewee 2 supported the statement by stating that *people would ask the wife to stay silent about their sexual experiences. Making the wife think that maybe being forced to have sexual intercourse with their husband is a regular thing. It may not be raped.* (Interview: 8/11/2022).

Moreover, Interviewee-1 also shared the experience her friend faced related to marital rape and indirectly emphasised that awareness regarding marital rape is essential as it would help the victims to

see themselves as a victim and not someone that is not grateful (to their husbands). She said: *I think my friend has faced things like this [sexual abuse and physical abuse], but she tries to deny it. She tries to deny it by saying that her husband is not like that. She is only being abused sometimes, whereas, at other times, she is not.* (Interview: 6/11/2022).

### ***Cultural Influence on Married Women***

Through the findings in this study, it can be understood that society's culture plays a vital role in married women's behaviour regarding marital rape. By interpreting the respondents' answers, the researcher finds a hidden patriarchal culture in the answers, as they would either mention it indirectly or directly. Some of the responses would hint a reluctant to state their mind, as Interviewee3 mentioned: *Honestly, I do not know whether marital rape indeed happens inside of the marriage or not, but to prove that marital rape happens inside of the marriage, the proof should be hard to prove, right? It is to take care of the husband's dignity.* (Interview: 10/11/2022).

Interviewee-1 mentioned that society would always bring women into the picture to make them take the blame as, despite any circumstances, the wrong one would always be a woman. She then continues... *men are never wrong... like in our society, men can do anything they want.* (Interview, 6/11/2022). For the Malaysian culture, she said that men had the privilege of never getting blamed for anything that society sees as vital, and they have the freedom to achieve anything they desire.

Interviewee-1 also continued by mentioning the circumstances after marriage where, culturally, the wife would be seen to belong to her husband, and she needs to follow his command. She said *the wife only belonged to the husband and needed to follow his instructions; if the husband were good, he would not do that.* (Interview: 6/11/2022).

Her view is then supported by Interviewee 3, stating that culture indeed has a crucial role in how married women think, especially on sexual issues. She said: *Culture plays a significant role in influencing how we think, you know? Especially our perspective on sexual issues.* (Interview: 8/11/2022).

### ***Use of Religion-Related to Marital Rape***

The second research question concerns the misconception of religion influencing women's awareness of marital rape. This theme of the findings can show the particular misconception that married women have towards the religious affairs related to them and be able to explore the various perspectives regarding the misconception stated.

As for Interviewee 2, she questioned the reason for the use of physical violence by the husband on the wife if she does not obey him on something. She also questioned the use of physical force when the wife rejects the husband to the bed. Interpret that physical force is disagreeable, primarily due to a sexual motive. She wondered *Why the husband needed physical force when the wife was not obedient. We will not like it if someone is violent to us physically, right? Then, why [does the husband] need to use violence, especially physical force, if the wife rejects him to bed?* (Interview: 8/11/2022). She continued by stating that the husband should not use his physical strength on the wife. She said: *Do not use force even if [the husband] has power.* (Interview: 8/11/2022).

Her opinions were supported by Interviewee 3, who stated that the husband should not abuse his power over his wife. She said: *If the husband abuses his power due to small things, I do not think it*

*should be exercised at all, but if the wife is indeed disobedient, I guess the husband should exercise his power but follow the guidelines stated by Islam.* (Interview: 10/11/2022).

It was three, further emphasised by Interviewee-1, who mentioned the hadith that provides guidelines on using physical punishment on the disobedient wife. She elaborated: *There is a hadith. Where did the prophet mention that if the wife is not obedient, separate in bedding and all?* (Interview: 6/11/2022). In addition, Interviewee 2 mentioned how the hadith may be misunderstood *hadith* to justify the husband's action against the wife sexually. She said: *...we see in that hadith; he said that the angel will curse if the husband is angry with his wife because she does not want to bed the husband.* (Interview: 8/11/2022).

The statement mentioned by Interviewee 2 was supported by Interviewee 3, who also expressed her opinion that not only should the wife communicate with the husband regarding her feelings, but the husband also needs to understand why his wife rejected him to bed. She explained: *The husband should understand the reason his wife refused to have sexual intercourse with him, but if it is due to the wife having other scandals or whatnot, not only would the angel curse her, but God would also do the same.* (Interview: 10/11/2022).

### ***Private Topics Associated with the Wife and Husband***

To understand the reason marital rape is a taboo to be discussed publicly, a theme was constructed. There is a statement expressed by Interviewee-3 where she mentioned that marital rape is a sensitive topic to discuss out loud in public due to it being shameful and kept confidential between the husband and wife. It is forbidden for both of them to talk about their sexual experiences in public. She said: *In my opinion, it is forbidden for the wife or even the husband himself to talk about the sexual experiences faced by them. It is a shameful topic; it is better if both keep it alone.* (Interview: 10/11/2022).

The statement mentioned by Interviewee-3 is partially supported by the response from Interviewee-2, who stated that *talking about the sexual experience is not taboo. Still, it is about our [married couple's] private issues as it is included in our [married couple's] personal life experience.* (Interview: 8/11/2022).

Interviewee-1 also believed that discussing sexual experiences among wives should have a limit. It is only allowed if it falls within the category of being abused. She said: *That thing [sexual experiences] is at a certain point. If you want to tell a story about it, things that are considered as bad are abuse.* (Interview: 6/11/2022). In addition, Interviewee 2 mentioned there is a particular norm when talking about sexual experiences among wives. This indicates the extent to which discussing marital rape is considered taboo by society, nor to talk about it in public. She opined: *We always padded talk (Perkins) when talking about the sexual experiences faced by the wife, as you know, the Malay culture. Always polite, even talking about something important like this.* (Interview: 8/11/2022).

In contrast, Interviewee-3 still stands in her opinion regarding the taboo of marital rape by saying: *That is right, it is forbidden. Illegal. It is prohibited for a wife or husband to talk about personal matters like this to others.* (Interview, 10/11/2022). Interviewee 3 continued by emphasizing that sexual affairs between the husband and wife should be kept confidential between them only. She said: *It is best to keep this kind of shame between them. No need to tell anyone.* (10/11/2022).

This contrasts with the interpretation from Interviewee-1, who said: *These taboo things have limits.* (Interview: 6/11/2022). She admitted that bedroom experiences and stories are humiliating things to share with the public, but it is needed to prevent any worse situation. She viewed the bedroom talk as *humiliating. Sometimes, when you want to tell someone, it could be more comfortable.* (Interview: 6/11/2022). It was supported by the statement mentioned by Interviewee-2, who said: *If we think about our husband's dignity, of course, we [as the wife] would not talk about these "private" things mindlessly, but if we do need help, authorities might be helpful such as psychologists or anyone we can trust.* (Interview: 8/11/2022).

## DISCUSSION

The responses collected from the married women through survey and interview methods elucidated that their awareness regarding the issue is still low, as some of them even claimed that it was their first time hearing the concept of marital rape and did not have any intention to understand the definition. This shows their lack of awareness of the impact of marital rape. The respondents also stated that because the issue is complex to prove, many people have low awareness of marital rape.

Fifty respondents agree with the statement that marriage already consents to the sexual affairs between the husband and wife. Thus, the term forced marriage is not being taken into account as the marriage already consents to that. It is also found in the literature that in Alan Wertheimer's book, it is mentioned that the woman's mutual matrimonial consent is the reason the husband cannot be charged with marital rape, as the wife already gave herself up to her husband (Mateen, 2020). Equal to the findings found by in-depth interviews, the respondents stated that the wife would be expected to stay silent on her own sexual experiences, which leads to the mindset that marital rape is a regular thing.

The analysis revealed that 34 respondents agreed with the statement that it is normal for the husband to satisfy his sexual urges in an aggressive way, which then interpreted that they internalised the culture in Malaysia that always pardoned the men and sided with them. This is equal to the findings in the in-depth interview where the respondent mentioned that the member of society always judges women. Whenever something is wrong with the marriage, they mainly blame the women. The claims are supported by Morsalin (2021), who mentions that society favours the traditional husband-wife relationship. The husband is favoured more, and there is a belief that the husband has autonomy before his wife's body, which does not make any sense in the present as the wife has sole autonomy before her own body and has equal standing with her husband in the sexual relationship.

In addition, there are significant findings where the feelings of the women, especially fear towards their husbands, are being ridiculed. Not only that, but sexual matters would also be seen as private matters; thus, the hesitation of them to express it openly and to label their experiences as rape is challenging as there is no concept of marital rape in certain countries and cultures (Singh et al., 2014). Therefore, in the in-depth interview, the respondents said that the wife belongs to the husband; thus, she needs to follow his instructions as long as the command is acceptable, which is in line with the analysis on the survey that mentioned the wife would be sinned if she does not follow her husband's command which gets 43 respondents to agree to it.

Talking about the context of *hadith*, the respondent in the interview mentioned that the believers usually take the *hadith* literally without any further interpretation, and the respondents in the survey 50 agree that the believers should learn about the *hadith* accordingly to avoid any misconception. If taken as itself and without further interpretation, this hadith can be seen that the husband can force his wife to be in a sexual relationship. Still, behind the lines, as long as there is a valid reason behind the refusal,

the wife did nothing wrong (Rahma, 2017; Morsalin, 2021). Another section about the hadith specifies that it related to the angles that would curse the wife if they refused to bed the husband; 43 out of 54 responses agree.

On the other hand, the in-depth interview provides a deep understanding of this agreement, as the respondents unanimously agree that the wife would be cursed if she had no reason to reject the husband. If the wife has reasons, it is acceptable. In the literature, the reason is listed as, according to Mateen (2020), the wife may reject the husband's sexual urges during Fasting, during the menstruation period, performing pilgrimage, in the advanced stage of pregnancy if she believes that her husband is suffering from a sexually transmitted disease and when she is divorced.

One of the respondents from the interview stated that she does not know whether marital rape is happening inside of the marriage as it is hard to prove it is happening, significantly if it would hurt the husband's dignity. By interpreting the answers, equal to the finding found in the survey analysed the survey with 40 respondents agreed with the statement mentioned that the evidence for rape happening in marriage should be hard to prove to protect the dignity of the husband, which highlighted the mindset of the married women in believing that marital rape should not be spoken about as it would hurt the husband's dignity. Yadav (2018) mentioned that women are expected to provide their husbands with sexual access. Marriage itself is a contract that binds women and limits their fundamental rights because the social contract of marriage makes women oblige to these stereotypes and the expected gender role in marriage.

Yadav (2018) also further mentioned that sexual matters are usually a taboo topic to be discussed openly, which means the awareness of marital rape is also limited as the victim is not allowed to talk about it and even think it is a normal reaction from the husband. Unanimously, the respondents in the interview agree that sexual matters are humiliating and shameful for the wife to talk about as it is a personal affair between the wife and the husband, thus leading to the understanding that the 40 respondents agree with the statement that discussion or talking about sexual experiences in public is taboo. Therefore, whenever rape within wedlock happens, it is viewed as a private matter which led to people treating marital rape as a taboo and private issue despite many women facing marital rape issues, which can already be known as a severe social problem (Singh et al., 2014; Troshynski and Dirks, 2016 and Morsalin 2021).

### **RESEARCH LIMITATIONS AND RECOMMENDATIONS**

The main limitation of this research is the unavailability of reading resources on the subject matter, particularly from the cultural perspectives. Most literatures highlight the law. It challenges the researcher's exploration efforts to understand women's level of awareness about marital rape. Moreover, there is near to no quantitative research being done regarding marital rape issues, making it hard to support the qualitative search.

For future research, it is recommended to have quantitative research with a more extensive respondent representation to provide a better understanding and diverse responses. Qualitative research is also recommended to help in having a deep insight into the elements that would influence the mindset of the subject. It would be preferable to interview the victim of marital rape to understand the experiences, challenges, and impacts of marital rape brought to their life.

## CONCLUSION

Insofar marital rape discussions have limited resources. It needs more exploration and measurement due to only a few research focusing on the elements of cultural and religious influences on public awareness, particularly on married women's level of understanding, cultural misunderstanding, and religious misconception. Nonetheless, this research may contribute to the body of knowledge by providing new insights into marital rape – a topic that is thoroughly sensitive and taboo to be discussed in Malaysia.

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