

HIDDEN SEXUAL ASSAULT: DANGERS OF THE ACT OF STEALTHING AND ITS PERSPECTIVE IN INDIA

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“Our lives begin to end the day we become silent about things that matter”

- Martin Luther King, Jr.

ABSTRACT

Since the time of independence, we as a nation have realized the value and importance of freedom which has also been enshrined as a Fundamental Right under our Indian Constitution. We as a collective society have achieved that freedom and developed it with the passage of time. But do we possess that freedom individually? Do we possess the right on our own will- the right to say yes or NO? With the global advancement of the world at large, we have come a long way from what we have started. People have been recognized to have human rights which cannot be taken away by any other person. It is the lack of support and courage which makes an individual question their power to resist something against their will. Societal barriers playing an equally important role in aiding this feeling has suppressed victims to silently accept the evils of the perpetrators. One of such crime that exists prominently but is not talked about openly is the act of Stealthing in which sexual intercourse occurs against the will of the partner who is deceived and is unaware of what has he/she signed for. Stealthing implies the act of removal of protection during sexual intercourse without the will and hiding it from the partner who has consented only to protected sexual intercourse. The victims being stigmatized by the society feels reluctant to fight for something which has been against their will. This paper is an attempt to enlighten the society as to how much importance it holds to support the victims of such crime through various regulations, punishments and mental assistance. The paper starts with an introduction to the concept and why it is important to address this situation. It then delves into various States which have been positive to support the victims of such crime and provide the most reasonable approach towards the same. Following it, the paper then reflects the current situation of the Indian society, the current legal mechanisms in relation to the concept and why is it necessary for criminalization of the act of stealthing in India. At last, few suggestions as to how the mechanism can work to provide the best possible aid to the victims

and to deter the perpetrators have been proposed so that the society moves a step closer to being a healthy society.

INTRODUCTION

Until the beginning of 2017, barely any individuals had known about, not to mention contemplated “stealthing”. A pursuit of writing referencing the term before then yields a grasp of academic yet no striking standard talk. The question of who was removing or in any case tampering with condoms was a generally minor worry in the domain of sexual vulnerability. In reality, the term stealthing used to be pliant; before 2017 it alluded to any sort of condom-tampering. Presently, however, it implies just a single thing: the intentional removal of a condom by a partner, purposely attempted without the knowledge or consent of his sexual accomplice. An online search yields countless outcomes and the term is utilized by columnists, news anchors and laypeople all over the world.¹ “Stealthing” or Non-Consensual Condom Removal is the new sexual assault that adds another turn to current problems of consent in instances of sexual violence. The practice, not rape but “rape-adjacent”, as one casualty put it, alludes to partners who during consensual sex with a condom clandestinely remove it, or cause it to be removed.²

In mid 2017, Alexandra Brodsky directed an investigation during which she distinguished an online network where non-consensually removing a condom during otherwise consensual sex, was named “stealthing”³ Brodsky’s research drove her to what is alluded to as the “manosphere”, which is “a gathering of loosely related websites, blogs, and forums all dealing with masculinity and men’s problems.”⁴ Strikingly, the manosphere incorporates commentary by Men’s Rights Movement activists.⁵ In the manosphere, Brodsky found that men had been sharing individual stealthing encounters, in which the men gloated about removing their condoms during sex without their partners being aware of it.⁶ While stealthing was given an official name just within recent few years, the practice has been continuing for

¹Ashley Thomson, *The Stealthing Panic: Gendered Neoliberalism in Online Media*, Australian Humanities Review 64 (May 2019). ISSN: 1325 8338

²“Stealthing” and the law: Is it sexual assault? - The Lawyer's Daily, 7/13/2017

³Alexandra Brodsky, “Rape Adjacent”: Imagining Legal Responses to Nonconsensual Condom Removal, 32 COLUM. J. GENDER & L. 183, 184 (2017).

⁴CHRISTA HODAPP, *MEN’S RIGHTS, GENDER, AND SOCIAL MEDIA*, at xv (2017).

⁵ Ibid.

⁶ Supra note 3 at 184.

quite a long while in the gay community.⁷ Nevertheless, stealthing has picked up footing in the heterosexual community, in large part through online conversation boards identifying with the Men's Rights Movement (MRM).⁸

The beginning of the MRM is to a great extent obscure, its individuals guarantee, because of censorship.⁹ The essential objective of the MRM, however, has stayed unaltered consistently: "reclaim masculinity, and reassign the lost value to conventional male values."¹⁰ MRAs' dissatisfaction of the feminist movement has showed itself in the formation of the "manosphere"¹¹ The philosophy of the manosphere can be rearranged into two center standards: "(1) feminism has overwhelmed/debased modern culture, disregarding nature/biology/inherent gender differences, and (2) men can best tempt women ([or] spare society by and large) by embracing an excessively prevailing, uber masculine gender role, forcing women to fall into step behind them."¹²

Basically, the "manosphere" sustains the thought that "sexual entitlement to women is a right."¹³ According to Brodsky's investigation, men who stealth "bolster a philosophy of male supremacy wherein violence is a man's natural right."¹⁴ The bedrock of stealthing, in this way, seems to be the socialized masculine predominance preached and practiced by MRAs hoping to satisfy the objectives of the MRM.¹⁵

DANGERS OF STEALTHING: THREAT TO VICTIMS

⁷See Vonny Leclerc, Vonny Moyes: Let's Not Kid Ourselves That 'Stealthing' Is a Trend. It Is Rape, THE NATIONAL (Apr. 30, 2017), <http://bit.ly/VonnyMoyes>

⁸ Sexual community via the 'manosphere,' where Men's Rights Activists and Men Going Their Own Way followers see sexual entitlement to women as their right, and stealthing as a means of gratification and punishment.").

⁹See PETER WRIGHT, Introduction to A BRIEF HISTORY OF THE MEN'S RIGHTS MOVEMENT: FROM 1856 TO THE PRESENT (2017) (claiming that the inception of the MRM has been censored).

¹⁰ Supra note 4 at viii.

¹¹ Ibid at xv.

¹² Ibid.

¹³ Supra note 7.

¹⁴ Supra note 3.

¹⁵ Supra note 7.

Stealthing as different types of sexual assault is perilous because victims¹⁶ may suffer endure physical and psychological damage.¹⁷ Physical health dangers during penetrative sex increment without the utilization of a condom because the odds of sexually transmitted infections (STI) and unwanted pregnancy hike. Therefore, victims of stealthing ordinarily need to search out extra conceptive administrations and STI testing after the occurrence. Because of the deception engaged in stealthing, the act can likewise cause harmful emotional and mental impacts.

Since victims of stealthing don't agree to put themselves at this physical hazard or participate in sex without protection, their consent and trust are violated. Those individuals who have encountered stealthing describe the act as something akin to sexual assault or sexual violence. Some experience Post Traumatic Stress Disorder (PTSD) and are left with sentiments, for example, disgrace and disarray. Ordinarily victims don't have the best possible jargon to communicate what has befallen them because stealthing isn't usually discussed as a type of sexual assault.

The act of stealthing is established in hazardous gender expectations regarding sex. If men are instructed to be sexually aggressive, put their wants first, and view their partners as latent items intended to support their requirements, then consent and respect are viewed as an insignificant piece of sex. This conviction prompts acts like stealthing, acts that violate a person's pride and right to healthy and consensual sex.¹⁸

WHY DO PEOPLE STEALTH?

There's actually no rhyme or reason to stealth. Sex is extremely private for loads of individuals (both physically and/or emotionally), and stealthing is a selling out of your partner's trust. This can leave individuals feeling disregarded, furious, resentful, apprehensive, embarrassed, and even damaged. So there truly is nothing but bad reason for that.

¹⁶ Supra note 3 at 184.

¹⁷Nishita Gupta, Stealthing, or a Partner Taking Off the Condom During Sex Without Consent, Is a New Sex 'Trend', VAGABOMB (Apr. 25, 2017), <http://bit.ly/DangerousSexTrend> ("Victims of stealthing face similar consequences as that of rape, including... increased risk of pregnancy and exposure to sexually-transmitted infections.").

¹⁸ <https://us.breakthrough.tv/resources/stealthing-101/>

Nonetheless, here are some of the reasons individuals try to attempt for stealthing:

- They do not like wearing condoms.
- They feel they reserve a privilege to discharge into their partner(s), paying little mind to consent.
- They are narrow minded about their pleasure.
- They couldn't care less about the emotions or security of their partner(s).
- They want to exert control over their partner(s).
- They believe it's interesting or want to humiliate/disgrace their partner(s).
- They consider that it will make them feel 'better' or 'sexier'.

None of these are acceptable or legitimate reasons or reasons to assault someone. These aren't defenses for sexual assault, because there are no justifications for sexual assault.¹⁹

HOW IS IT NORMALIZED?

Unhealthy sexual practices become normalized when we see them show up in mainstream society or in places like our preferred online stages without affirmation that they are hurtful or wrong. For a lot of people Stealthing, by its name sound to be like an interesting cool computer game far from the reality of it i.e., a sexual assault. This kind of deceiving name makes nonconsensual condom expulsion appear to be an ordinary or even fun conduct.

The normalization of stealthing doesn't just stop with its name, yet in addition proceeds via social media in the form of memes. People on Instagram and Twitter have taken to posting "funny" memes about removing a condom without their partner's mindfulness. In doing as such, they are assisting with advancing depict stealthing as a satisfactory sexual act.²⁰

The men appeared in these memes aren't embarrassed about their activities but instead appear to be content with what they have achieved. While memes are considered to be a healthy way to address and communicate storable personal sexual experiences, memes regarding stealthing brag about something which is uninvited, nonconsensual and extremely harmful in its nature. This celebration of sexual misleading instructs individuals that stealthing is alright, yet in addition that it is something to invest wholeheartedly in. There are likewise few online

¹⁹ <http://teenhealthsource.com/blog/whats-the-deal-with-stealthing/>

²⁰ <https://us.breakthrough.tv/resources/stealthing-101/>

sites accessible which sell stealth condoms explicitly ensuring such success each time a sexual intercourse is performed. Normalizing stealthing, through memes or something else, just encourages the practice to proceed without criticism.²¹

IMPORTANCE OF CRIMINALIZATION OF SUCH ACT OF STEALTHING

Examining stealthing not just guarantees that victims are proficient about the assets accessible to them for recuperation yet additionally underscores the unmistakable quality of rape culture.²² Prior to Brodsky's article, numerous ladies didn't realize they were overcomers of sexual assault.²³ Once "nonconsensual condom removal" was given a name, victims approached to recount to their accounts.²⁴ Presently, tending to what kinds of assets are accessible is significant in helping victims in their recuperation procedure. Similarly significant is guaranteeing that rape culture is wrecked and that conversation about rape doesn't, once again, become taboo.

This act ought not to be considered as anything short of commitment of rape of the victim, be it by a stranger or an acquaintance. It should be treated as akin to rape as the victim in this case also faces the same trauma as the rape survivor. The victim had consented for a condom protected intercourse, which can be termed as a conditional consent. The moment terms of the agreement are changed in the mid-act, condition itself is gone and consent is said to be vitiated and thereby the act should be considered under the parlance of sexual offence as a proper understanding needs to be made that consenting to one act does not mean giving consent to all of them.

CASES AND LEGALIZATION OF STEALTHING AROUND THE WORLD

²¹ Ibid.

²² Elizabeth Johnston, "Let Them Know That Men Did This": Medusa, Rape, and Female Rivalry in Contemporary Film and Women's Writing, in *BAD GIRLS AND TRANSGRESSIVE WOMEN IN POPULAR TELEVISION, FICTION, AND FILM* 183, 185 (Julie A. Chappell & Mallory Young eds., 2017) (citing EMILIE BUCHWALD ET AL., *TRANSFORMING A RAPE CULTURE* (Milkweed rev. ed. 2005) (1993)).

²³ Supra note 3 at 183.

²⁴ Ibid.

1) Switzerland

Switzerland is out in front on this issue all around, with courts there maintaining a year suspended sentence for a man indicted for stealthing. The Swiss case is accepted to be the first to explicitly deem the removal of a condom without a partner's consent to be a criminal act.²⁵

2) Germany

A German cop has been seen as liable of rape for stealthing, in what is accepted to be the primary instance of its sort to be arraigned in Germany. The defendant was seen as blameworthy at a neighborhood court in Berlin on December 11, 2017 in the wake of completing the offense at his loft in the German capital on November 18, 2017. He got an eight-month suspended prison sentence from the court and was fined €3,000 (\$3,400) in harms, alongside a €96 fine to pay for a sexual wellbeing test for the female casualty.²⁶

Preceding the change of Germany's sexual wrongdoing laws in 2016, the nation's enactment was viewed as out of date as it expected casualties to show that they genuinely opposed assaults before charges of assault and rape could be presented. Following a reaction in the wake of rapes completed in Cologne on New Year's Eve 2015-16, the administration upgraded the enactment and put together it with respect to the principle of "no means no". The new enactment currently considers any "verbal or physical signs" of issue with sexual contact, implying that any victim who voices their refusal preceding a rape can record a criminal protest.²⁷

3) California

California's consent law is famously alluded to as "affirmative assent".²⁸ Affirmative consent exists when both partners expressly show, either with words or actions, that they consent to proceed with the sexual activity that is currently occurring.²⁹ California's consent law is famously alluded to as "affirmative assent". Under California's consent law, over comers of

²⁵ <https://theconversation.com/case-in-victoria-could-set-new-legal-precedent-for-stealthing-or-removing-condom-during-sex-118343>

²⁶ <https://edition.cnn.com/2018/12/20/health/stealthing-germany-sexual-assault-scli-intl/index.html>

²⁷ Ibid.

²⁸ CAL. PENAL CODE § 261.6 (West, Westlaw through Ch. 228 of 2018 Legis. Sess.)

²⁹ Ibid.

stealthingly would seemingly have a premise to bring charges against their assaulter.³⁰ In the case of stealthingly damages affirmative consent can't be resolved with assurance, however, a California court has not had event to think about the issue.³¹

4) United Kingdom

In April 2019, it was extensively reported that a man was sentenced of raping a sex worker by removing his condom during "consensual" sex. The press revealing proposed that the sex worker had clearly stated that the utilization of a condom was a stipulation of the agreement to have sex and that the defendant hadn't paid the sex worker for the intercourse.³²

It is highly probable that with the passage of time the law in relation to this will be tested and accordingly be developed as per the needs. Right now, it isn't completely clear what the limits of "conditional consent" may include. Up until this point, courts have been eager to stretch out the principle to material trickeries with respect to the nature and act of the sexual action being referred to (including the removal of a condom³³), as well as elucidation as to the gender of the significant parties.

Till now, the Courts have stipulated that "a few mis-leadings (such as, corresponding to wealth) will clearly not be adequate to vitiate consent"³⁴. However, it is not yet clear whether the Courts will extend the conditions that are equipped for adding up to a material trickiness, for instance to incorporate the inability to pay a sex worker. As the Crown Prosecution Service seem to have an encouraged methodology towards prosecuting "conditional consent" cases, it may be that the Courts will be required to re-figure out what is fit for amounting to "conditional consent".

5) Australia

³⁰CAL. PENAL CODE § 261.6.

³¹Laura Kelly, California Bill Seeks to Add 'Stealthingly' to Rape Definition, WASH. TIMES (May 17, 2017), <http://bit.ly/CaliforniaBillStealthingly>.

³² <https://www.lexology.com/library/detail.aspx?g=630e5037-43d5-4cc3-9b6c-a92457f7feb9>

³³ Assange v Swedish Prosecution Authority [2011] EWHC 2849 (Admin) at paragraph 86

³⁴ McNally v R. [2013] EWCA Crim 1051 at paragraph 25

In spite of the times of broad reform of laws governing sexual offences in Australia, prominent loopholes persist in the legislative provisions administering consensual intercourse.³⁵

Definitions of rape in Victoria and sexual assault in different states command an appraisal of whether or not a person comprehends the sexual nature of the act and whether full consent has been offered before to engaging in intercourse. Under present laws, this consent can't be granted without "free agreement". The issue is, there is no lawful precedent for such a case in Australia.³⁶

6) Canada

In a current Canadian case, the Ontario Superior Court of Justice held that non- utilization of a condom against a partner's desires would amount to rape as it robs an accomplice of their liberty to engage in sexual relationship according to the concurred terms and conditions.

In this case, the lady encountered Mr. Rivera online and they additionally chose to meet at the complainant's home for a sexual confront. She messaged Mr. Rivera, and set down two pre-conditions to sex; first that a condom was must and second that 'no means no'. Mr. Rivera consented to both these pre-requisites. However, during sex, Mr. Rivera continued to penetrate her vagina without wearing a condom regardless of several demands by the victim.

While holding Mr. Rivera guilty of sexual assault, the court depended on the guideline set down in R.v. Ewanchuk³⁷, which specifies that a participant can consent to a sexual action and can deny it at any time during the activity itself. In this current case, one of the conditions set somewhere by the complainant was violated by Mr. Rivera, consequently the sex was not, at this point consensual. The consent to have sexual intercourse has been revoked at the moment Mr. Rivera continued to penetrate without wearing a condom. Subsequently, in this manner, the sexual independence of the victim has been expropriated.³⁸

³⁵ <https://theconversation.com/case-in-victoria-could-set-new-legal-precedent-for-stealthingly-or-removing-condom-during-sex-118343>

³⁶ Ibid.

³⁷ [1999] 1 SCR 330

³⁸ <https://criminallawstudiesnluj.wordpress.com/2019/08/11/stealthingly-as-post-penetration-rape/>

CURRENT APPROACH TO STEALTHING UNDER CRIMINAL LAW IN INDIA

The previously mentioned cases have significant lessons for Indian rape laws which are vague in circumstances where sexual exercises happen violating the concurred terms between participants. There are some situations where the other party denies consents during sex however there has been no judicial precedent to address the same. Correspondingly, the act of stealthing is unaddressed in the Indian setting. Rape has been defined in Section 375(2) of IPC³⁹.

Henceforth, the key premise mirrored in the rape legislation is that if sexual intercourse occurs against the will of the women or without her consent then it amounts to rape. Presently the issue is whether the provision provides for the right of renouncing consent during intercourse. There hasn't been any express stand of law on this locus. As till now, the Law Commission Reports as well as judicial precedents have remained silent with respect to the issue. There is, by all accounts, an insufficiency of understanding of the term 'consent' in lawful parlance. The endeavors to reform the rape laws in the past 30 years are extremely huge to be shrouded in this space. Strikingly, the marital rape exception hasn't been discarded despite efforts towards expanding the definition of consent. The Indian law is generously influenced by common law thought that once consensual intercourse begins, a man can't be prosecuted for rape regardless of whether the woman withdraws her consent during the act itself. Then again post-penetration rape which has been recognized as rape in various legal frameworks over the globe alludes to conditions where the woman repudiates her consent during sexual intercourse or expresses her desire to terminate it yet the man continues to have sex against her wishes.⁴⁰ As there hasn't been any deliberation with respect to the post-penetration rape in India, the guilty committing stealthing go unscathed due to the lawful lacunae.

Presently, the inquiry is on what grounds post-penetration rape discovered avocation for its criminalization. Post-penetration rape is an infringement of bodily integrity of the woman as their right to be free from undesirable invasions is encroached in this case.⁴¹ Criminalizing post-penetration rape recognizes that consent can be openly given yet subsequently taken away. If this were not the situation, consent would work as an exchange of domain or

³⁹ The Indian Penal Code, 1860, No. 45, Acts of Parliament, 1860.

⁴⁰ Amy McLellan, Comment, Postpenetration Rape—Increasing the Penalty, 31 SANTA CLARA L. REV. 779, 780 (1991).

⁴¹ Susan Estrich, Rape, 95 YALE L.J. 1087, 1088 (1986).

irrevocable waiver; women would have no power over their own bodies, and men would be allowed to do whatever they wanted to already “consenting” women.⁴² Thus criminalization of post-penetration rape perceives women as responsible, self-governing creatures who have right to self-determination. And therefore, the criminalization of post-penetration rape is prefaced upon the principle that women have right to revoke consent whatever point she feels. In *State v. Robinson*⁴³, the Supreme Judicial Court of Maine convicted a man of post-penetration rape for a case where the woman repudiated during intercourse by holding that the continuation of sex was under compulsion consequently not consensual. In *State v. Siering*⁴⁴, the appellate court held initially that consensual sex could become sexual assault whenever continued forcibly after the revocation of consent. Initial consent for sexual activity can't be interpreted as consent to future sexual action. The rationale behind criminalizing assault including sexual assault is to ensure physical and mental integrity of each person. The center of human dignity and self-sufficiency exists in having power over who touches the body and how. Common law has perceived this guideline for quite a while.⁴⁵

Any rape is sexual invasion of a woman's body in which her own, private and internal space is abused without her consent.⁴⁶ Inability to perceive an individual's capacity to pull back consent to sexual intercourse denies individual nobility and independence under the law. Perceiving an individual's entitlement to consent agree to sex whenever opens adherence to social fantasies and out of date perspectives underlying hidden rape laws. One such fallacy is that of “The Unstoppable Male,” or the possibility that “once a man engages in sexual activity, it is genuinely inconceivable for him to stop.”⁴⁷ An individual who initially consents to sexual penetration or sexual conduct isn't considered to have consented to any sexual penetration or conduct that happens after the person in question withdraws consent over the span of sexual penetration or sexual conduct.⁴⁸

⁴² Sherry F. Colb, *Withdrawing Consent During Intercourse: California's Highest Court Clarifies the Definition of Rape*, FINDLAW'S WRIT (Jan. 15, 2003), <http://writ.news.findlaw.com/colb/20030115.html>.

⁴³ 496 A.2d at 1069.

⁴⁴ *State v. Siering*, 644 A.2d 958, 963 (Conn. App. Ct. 1994).

⁴⁵ Blackstone's Commentaries on the Laws of England (4th ed. 1770) Book III, at p. 120.

⁴⁶ Susan Brownmiller, *Against Our Will: Men, Women and Rape* 376 (Simon & Schuster 1975)

⁴⁷ Meg Garvin & Megan McGill, *No Means No: The Need for Vigilance in Sexual Assault Law*, Nat'l Crime Victim L. Inst. News at Lewis & Clark L. Sch., Spring/Summer 2007, at 6.

⁴⁸ 720 Ill. Comp. Stat. 5/12-17(c) (2004 Supp).

Even though the term ‘Stealththing’ has not been explicitly defined anywhere in the code yet the Explanation 2 to Section 375 of the Indian Penal Code⁴⁹ which defines ‘consent’ reflects on an important term, i.e. consent to the “specific sexual act”. It clearly states that “A woman’s consent to sexual intercourse includes unequivocal voluntary agreement or willingness to participate in the specific sexual act by words, gestures or any form of verbal or non-verbal communication.”⁵⁰ Therefore, as inferred from the explanation itself, the moment the condom is removed a deviation occurs from the conditions of the ‘specific sexual act’ upon which the consent was earlier given and would thus consider stealththing to fall under the ambit of the above mentioned section. However, this is just one perspective of the debate and there has not been vocal statement regarding such interpretation by the State or its functionaries.

CONCLUSION

Although the term ‘stealththing’ has been considered to be recently known but in reality the practice has been prevalent in the society since a sufficient span of time. The stigma attached to sexual offences that runs in our society makes the women feel suppressed to stand for their rights and raise a voice. It instead gives an upper hand to the perpetrators making the situation even more vulnerable. All the case scenarios discussed above of various jurisdictions of different countries are “first of its kind” and have attempted to pave a reasonable interpretation to all the existing regimes with regards to the offence.

In spite of all this, there is still an urgent need of a well drafted law specifically aiming to protect the victims who had experience stealththing against their will as a closer look to the already existing laws clearly shows that there exist many loopholes which give the criminals an easy way to get out of the hands of law by furnishing them a clean chit. Time and again it has been emphasized that the most prominent need of the hour is to promote set up of more gender-neutral laws giving a stricter and more adamant approach to the crimes committed by such people. This will even increase the radius on procedures to deal with such types of crimes and even swift a way to eradicate these evils from the society.

⁴⁹ Section 375, Indian Penal Code, 1860.

⁵⁰ Explanation 2, Section 375, Indian Penal Code, 1860.

Our judicial system functions on the principles of lawfulness over righteousness making it liable to follow and interpret only the laws already existing. Hence, it is unfortunate that in the absence of any criteria or set standard, there is bound to be occurrence of legal complications. So, it becomes the duty of the judicial system to take actions by reasonable application of laws and its interpretation keeping in mind the present view of the citizens of the country and overall need of the society by inducing the punishment which the perpetrator deserves and providing utmost support to the victims of the crime.

In furtherance to these solutions, yet another aspect which has still not received the level of recognition which it should, is introduction of sex education as a mandatory subject in all schools to burst out the hoax created among the masses about sexual activities. Lack of education in this regard till now has shown how people perceive this concept and rather avoid talking about it. There is an urgent need to break this stigma so that women understand their rights and are not hesitant to fight for them. This value can be best appreciated if inculcated since the beginning and hence, knowledge regarding it since school times will be extremely beneficial in this aspect. Women when educated will not fear the societal trauma which is put as a barrier in front of them even after being the victim. Moreover, this can even lead to a different yet better society which might not portray this trauma on the woman and instead support her. It is very important for an individual to understand that their own will is extremely important in all matters and no other person has the authority over it. Sexual activities which manipulate the consent appears to be very trivial in this society leading to non-reporting of such crimes. With knowledge as to the wrong being done to them, people will raise their voices.

Also, the government should initiate different literary programmes at various levels so as to enlighten women about their rights and provide assistance in reporting their cases of sexual assault and rape without fearing the society or thinking whether the judicial system would be able to help them in this regard. Imbibing confidence in them should be the main motive of the functionaries assigned for their aid.

We are yet far away from reaching to a solid legal mechanism in relation to criminalization of stealthing in India as even if a day comes when the same has been achieved, a new series of debate as to whether stealthing would have a similar fate as to the issue of marital rape and on what note the categorization of stealthing of a married or an unmarried woman will be done is

in itself a big question mark. Difficulties with regard to this issue will keep on persisting until a concrete solution is discovered. But it is equally true that the point of such concrete solution will not be reached until small steps are taken forward in regard to developing the laws for it. A stricter law specifically to address this issue is needed and with time and development, various amendments as required would aid the lives of people of the country and would give them the confidence of having the freedom to decide their will for something which is extremely personal to any individual.

