



VULNERABILITY OF WOMEN TO MARITAL RAPE: REFLECTIONS FROM THE PANDEMIC CONTEXT COVID-19

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ABSTRACT

Objective: To reflect on women's vulnerabilities to marital rape during the Covid-19 pandemic. **Method:** Theoretical-reflective study built from May 2020 to March 2021, for the theoretical foundation of a doctoral thesis structured from the theoretical contributions of Heleieth Saffioti that deal with gender and violence and José Ricardo Ayres to support the analysis from the vulnerability perspective. **Results:** The vulnerability of women to marital rape may be accentuated due to the intensification of the couple's coexistence in the pandemic period. From this perspective, we can identify the individual, social and programmatic character of the phenomenon, including situations such as women do not recognize themselves in this experience; the lack of employment during this period, and the difficulty in accessing the support network. The social constructions of gender support the practices of violence in marital relationships when they naturalize sexist and patriarchal postures. **Final Considerations:** The vulnerabilities faced by these women are a reflection of the perpetuation of unequal gender behaviors, which may be more incisive in the Covid-19 pandemic. In this sense, professionals from different areas must use new technologies for access, such as remote service and the use of online social media.

Keywords: Violence Against Women. Rape. Sex Offense. Women. Pandemics.

INTRODUCTION

Marital rape is an act of intimidating, manipulating through violence or threat so that one of the partners allows, witnesses, or performs the libidinous act and has as a peculiarity the history of bond or affection of women with the author of the violence, in this case, the spouse. Therefore, it is one of the forms of sexual violence expressed in relationships⁽¹⁻²⁾. Classified as a heinous crime by Law 12.015 and sexual violence by the Maria da Penha Law, and the perpetrator may suffer punitive measures, this violation of sexual rights is a recurrent public health problem in society, as it has caused physical and psychological damage, Infections Sexually Transmitted, pregnancies resulting from violence, among others, and maybe enhanced in times of the Covid-19 pandemic⁽¹⁻³⁾.

This disease is highly transmissible, because of the expressive and accelerated growth in the number of infected people and the high mortality rates, which is mainly due to the Severe Acute Respiratory Syndrome⁽⁴⁾. Brazil, for example, is one of the countries in the ranking of the number of infected, with 13,943,071 confirmed cases and 373,335 deaths until April 18, 2021⁽⁴⁾.

Because of this, the World Health Organization (WHO) recommends individual and collective hygiene care. It also emphasizes the importance of staying at home, taking into account social isolation to reduce the speed of virus transmission, avoiding a collapse of public health services⁽⁵⁻⁶⁾.

However, this isolation even though necessary in the pandemic context can prove dangerous for women, as it intensifies their coexistence with men, which can predispose to

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violence or enhance its occurrence⁽⁶⁻⁷⁾. Since the beginning of the pandemic, an increase of 19% was identified in the number of complaints registered on Dial 100 (Human Rights Dial) and Dial 180 (Service Center for Women in Violence Situations), which contrasts with the previous year⁽⁸⁾.

Despite these evidence of growth in the number of situations of violence against women in the domestic environment during the current context, scaling this problem is still a challenge, given the underreporting of the crime due to shame, fear, disbelief in the justice system by women or lack of professional preparation to attend and notify the marital rape⁽⁹⁾. This scarcity of information raises the lack of expressiveness in denunciations of this type of violence, as shown by a Brazilian study, in which, among 610 notified cases, marital rape represented only 12.9% of them⁽³⁾. This reality negatively impacts the notoriety of the problem, considering that epidemiological data are essential for recognizing the phenomenon and for thinking about prevention and coping strategies.

The National Coalition Against Domestic Violence in an instructional guide points out that between 10 and 14% of married women will be raped at some point during intercourse⁽¹⁰⁾. This estimate alerts to the occurrence of this type of violence and the need for preventive measures. However, some women do not mention the occurrence of marital rape when reporting the experience of violence. This fact may be linked to their difficulty in perceiving this condition of aggression^(6,11).

Because of this, there is the social belief that sexual relations are conceived as a praxis of the couple, and therefore, considered a marital obligation. This idea of sexual obligation between couples, culturally rooted due to the unequal construction of gender, contributes to the silencing of women in the face of acts of oppression and sexual imposition experienced in marital life⁽⁹⁾. Thus, it is not uncommon for women to remain in this naturalized context of submission, basing their sexual behavior on satisfying the man's desire, without envisioning the search for support to break this relationship.

The support of the social network is an important strategy for women to be able to recognize aggression and not allow them to live violent relationships⁽⁶⁾. However, in the

pandemic context, social relations necessarily needed to undergo remodeling, as there was a reduction or absence of face-to-face social meetings, the virtualization of dialogues reduces the possibilities of eye-to-eye and proximity between people, leaving some women helpless⁽¹¹⁾. Since March 2020, when the Covid-19 pandemic took place in Brazil, some women experience a range of situations that, in addition to making them vulnerable to marital rape, accentuate their permanence in violent relationships, as the possibilities for support and break.

Considering this scenario, this article aims to reflect on women's vulnerabilities to marital rape during the Covid-19 pandemic. The relevance of such reflections lies in the opportunity to bring up still-veiled issues of the violent marital relationship, which causes harm to women's lives and chronic physical and mental illnesses. The opportunity to contextualize marital rape, an ancient event, highlighting current conditions that can accentuate aggression, is to favor the problematization of some possibilities for the performance of social actors, such as health professionals, in supporting the prevention, diagnosis, and confrontation of violence.

METHOD

This is a theoretical-reflective study, carried out from May 2020 to March 2021, structured to compose the theoretical framework of a doctoral thesis in a Brazilian public university. The choice for this method was due to the possibility of addressing reflections on marital rape, from the perspective of vulnerability according to Ayres⁽¹²⁾ and Saffioti⁽¹³⁾ who deal with gender as an analytical category, corroborating the findings also with available scientific evidence in the literature.

From this perspective, we used the concepts of vulnerabilities according to Ayres⁽¹²⁾, who defines it in three domains: individual – corresponding to the “biological, emotional, cognitive and attitudinal” aspects linked to social relationships; social – comprising the cultural, social and economic aspects that provide access to goods and services; and finally, programmatic – consisting of resources in the social sphere, essential for the protection of the individual and his biopsychosocial well-being. Through these

assumptions, we elucidated, through the lens of this framework, situations in which the couple lives together that make women vulnerable to the experience of marital rape and can be enhanced due to the pandemic context.

Understanding that this context is strongly influenced by gender inequality, imbricated in our society, which has been configured as an element that makes women vulnerable to the occurrence of marital rape, this theoretical framework was used to support the behaviors and attitudes that they are usually experienced in conjugality. Thus, feminist authors were also cited throughout the text.

A simple review was carried out between January and February 2021 to support the reflection in the Virtual Health Library (VHL) and the National Library of Medicine (PubMed). For this purpose, we used the following Health Sciences Descriptors (DeCs) associated by the Boolean operator "AND": "Study on Vulnerability"; "Women"; and "Coronavirus Infections". After the association, we included the texts available in full for free and based on the themes: vulnerability, marital rape, Covid-19, and gender.

In addition, Law 11,340 of 2006 (Law Maria da Penha), Law 12.015, of August 7, 2009, observation and discussion of official data on coronaviruses^(1-2,4,5,8, 10,14). Thus, this material was chosen and analyzed from discussions proposed by the Laboratory of Violence, Health, and Quality of Life Studies (VID@) of the School of Nursing at the Federal University of Bahia through virtual meetings between the authors, who interpreted the texts directing them to a new reality triggered by the Covid-19 pandemic. The concepts of vulnerability proposed by Ayres and about gender by Saffiotti were selected because they are references that supported the discussions, enabling a better understanding of the theme⁽¹²⁻¹³⁾.

In this sense, research with human beings was not developed, which dispensed with the need for an evaluation by the Research Ethics Committee. However, all the literature used was referenced to give due credibility to the authors of the studies. In the end, the reflection was presented from the following category "Female vulnerability to marital rape in the context of a pandemic".

Female vulnerability to marital rape in the context of a pandemic

Studies show that social isolation is configured as a necessary and effective measure to control the Covid-19 pandemic, especially in places with an increase in cases, but this sanitary behavior has resulted in the confinement of families⁽⁷⁾. Thus, in addition to the fear of coronavirus infection, many women experience sexual abuse in their daily lives, which is intensified due to the couple's confinement due to social isolation.

The daily presence of the spouse in the household due to a pandemic is influenced by social, political, and economic facts. The Covid-19 pandemic imprinted a new economic reality on the world, marked by significant social inequalities, with situations of reduced working hours and informality. In this scenario, massive unemployment, whether related to formal or informal work, is one of the elements that prolongs the couple's time together at home⁽¹¹⁾.

Regarding this context, a WHO note developed by the Center for Global Development, in the city of Washington, United States of America (USA), which addresses the issue of intimate partner violence in the context of the Covid-19 pandemic, signals that stay at home it makes women vulnerable to intimate partner violence⁽¹⁴⁻¹⁵⁾. This greater vulnerability to marital rape is supported by a sexist society in which it finds justifications in social isolation and in various events to act with violence. Fear of illness increased stress for the couple, unemployment, the consequent reduction in income and financial dependence - especially in less favored social classes - the use and abuse of alcohol and other drugs, reduced contact with support networks, are situations that have encouraged men to practice violence. Conflicts between the perpetrator of violence and the partner have been faced with rape also as a form of control, domination, and maintenance of the status quo in the environment^(7,13).

Sharing the home with a person with an aggressive profile and who imposes his will, disrespecting female individuality, makes many women vulnerable to marital rape. The macho person acts from conceptions learned in the family, school, media, and in other spaces that he transits, imprinting behaviors that subject

women to a multitude of practices performed by them, models of representations of domination, which harm not only women but life in society⁽¹³⁾.

The vulnerabilities that women who live with men with this outline are exposed are diverse, situations of marital rape can be understood from the point of view of the individual sphere. According to Ayres⁽¹²⁾, individual vulnerability is related to a series of attitudes that give the person the opportunity to be exposed to a certain risk, such as individual perceptions of health, relationship, knowledge about violence, cognitive and emotional aspects. Considering that the couple's behavior is influenced by social vulnerability, supported by gender inequality, spending more time with the perpetrator of marital rape can expose women to new risk situations.

An example of this is the triggers identified during this coexistence and even in the absence of situations that justify the practice of marital rape, violence is committed. Men justify the occurrence of rape because they understand that women must satisfy their sexual desires, in addition to not recognizing violence, believing that these actions are part of marriage, granting great power over women. On the other hand, some, who recognize the practice, deny the aggressor's identity through the social representation of the rapist, a place of discredit and crime, and assuming that this violence is a form of correction of female behavior⁽¹⁶⁾.

Another situation that comes up with restriction of social life is the reduction of leisure activities outside the home environment. This measure can be another element that favors the increase in cases of marital rape, since the prohibition of permanence in public spaces, the limitations in carrying out collective activities, such as soccer games, can harm health if we think that they make it possible to reduce stress, favor well-being and energy expenditure. Thus, men with an aggressive profile may identify idleness to commit marital rape as opportune. Dissipating energy from the exercise of sexuality is a maxim for all individuals, but for them, even when unauthorized, there is an imposition of strength and power⁽⁶⁾.

In this area, it is important to consider that idleness is a fertile ground for healthy adult subjects to increase the frequency of sexual

practices^(6,11), nothing out of step if sexual desire is mutual, but when men force their partners to maintain relationships this configures a crime: rape.

The use/abuse of alcohol and other drugs can also be configured as an element that favors the occurrence of marital rape, a condition that has increased in this phase of increment of the infection curve by Sars-CoV-2⁽¹¹⁾. Several situations experienced by the individuals in this pandemic context can destabilize them and the search for alcohol and other drugs can be subterfuges used as support to face or escape problems^(6,17). In this scenario, drug use and lack of control encourage them, assume more aggressive postures, become fearless, do what they want, and can reverberate in a vicious cycle of episodes of violence^(16,18). A study developed with a population of women who suffered conjugal violence and in conditions of social vulnerability showed that the partner's use of alcohol enhances aggressive behavior⁽⁹⁾.

However, despite the abusive use of alcohol not being configured as a deliberative agent for the outcome of violence, it is routinely an enhancer in these situations⁽¹⁷⁾. This is because the consumption of this drink and other drugs is related not only to aggressive responses, imbalance but also with increased libido, being a potentiating agent for marital rape. It also works as an aid tool for people to become uninhibited and prone to think that they can have a good sexual performance^(11,17).

In addition to the possibility of an increased risk of experiencing marital rape, linked to potentiating factors such as abusive use of alcohol and other drugs by the spouse, it is important to analyze that the weakening of the support network is also a factor of female vulnerability. In an eventual context, this fragility is already presented, sometimes, in the form of delegitimization of the female discourse when women decide to report what happened, contributing to her silence and remain in the relationship without seeking strategies to leave^(6,3). This reality is consistent with the concept of social vulnerability represented by interference in conditions of social well-being, which includes the expression of freedom and thoughts to interfere in these women's decision-making⁽¹⁹⁾.

In the current context, the barriers to breaking the aggression are also physical, the request for help from women in situations of violence may take a while to arrive, as they may not have the opportunity to talk about what happened with someone close, such as family and friends. Thus, only at imminent risk of death, they can have space to report sexual abuse⁽⁶⁾. This reality alerts us that devices that could be activated by women in situations of risk are also affected in the current situation, with changes in their functioning, which has reduced the diversity of responses, such as legal-police support services for women in situations of violence. They have minimized human resources and special opening hours, which can make their access difficult⁽⁷⁾.

The physical barriers to accessing the network for coping with the violence experienced by women, which are revealed in the pandemic context, are conditions that represent programmatic vulnerability, as they directly conflict with the political commitment to ensure structured actions to tackle the problem⁽¹²⁾. Thus, resources need to be thought to support women who are vulnerable and/or experience marital rape. Health services have the potential for even in the pandemic, even if women do not attend the space to share the situation of marital rape, access these people through remote strategies, such as teleservice, especially when they are searched for the care given the repercussions of violence, such as Sexually Transmitted Infections (STIs) and unplanned pregnancies⁽³⁾.

Thus, even if they have to deal with factors that hinder to approach, such as the veiled nature of the injury and the smaller contingent of the workforce in health units, health professionals must pay attention to situations or complications that will continue to motivate women to search for care, especially in the context of Primary Health Care. The family health strategy brings as a peculiarity the proximity between the community and the service, the presence of Community Health Agents in the area, which favors the improvement of care and makes this

service a device closer to women and can be called upon when needed⁽¹⁹⁾.

Therefore, health professionals should recognize marital rape as a situation of violence to which women are vulnerable and make use of a careful look during the service. In the Covid-19 pandemic, a period in which many people are afraid to attend services, professionals can support the prevention and confrontation of marital rape by assisting via telephone, calls, WhatsApp messages, or video calls. These resources work as strategies that enable the monitoring of the disease, in addition to being able to disseminate campaigns over the phone and on social networks to spread guidance, communication, and help signals for women who are in situations of violence and marital rape⁽⁶⁻⁷⁾.

FINAL CONSIDERATIONS

The reflection emerges for the vulnerabilities of women to marital rape from the context of the Covid-19 pandemic. Situations such as confinement of the couple, restrictions on leisure and social life options, unemployment, and idleness produce stress and have affected the individuals' well-being. Those men with an aggressive and sexist profile find the time to be opportune to impose power and their will, subjugating partnerships to the place of subordination to attack them, forcing them to have unwanted sexual relations.

Given the limited support networks, health professionals have great potential to support women in preventing and fighting marital rape. In this area, we emphasize the relevance of management that is attentive to the scenario, committed to the quality of health care in the community, which invests in the preparation of professionals to care for women in situations of violence, including new technologies for care such as remote care and use of social media, and the articulation of professionals with other areas, given the complexity of the phenomenon.

VULNERABILIDADE DE MULHERES AO ESTUPRO MARITAL: REFLEXÕES A PARTIR DO CONTEXTO DA PANDEMIA DA COVID-19

RESUMO

Objetivo: refletir sobre as vulnerabilidades de mulheres ao estupro marital durante a pandemia da Covid-19. **Método:** estudo teórico-reflexivo realizado em maio de 2020 a março de 2021 para fundamentação teórica de uma tese de doutorado estruturado a partir dos aportes teóricos de Heleieth Saffioti, que versam sobre gênero e violência, e José Ricardo Ayres para embasar as análises a partir da perspectiva de vulnerabilidade. **Resultados:** a vulnerabilidade de mulheres ao estupro marital pode estar acentuada em virtude da intensificação do convívio do casal no período pandêmico. Pode-se, a partir dessa perspectiva, identificar o caráter individual, social e programático do fenômeno, incluindo situações como as mulheres não se reconhecem nessa vivência; a escassez de emprego nesse período e a dificuldade de acesso à rede de apoio. As construções sociais de gênero amparam as práticas de violência nas relações conjugais quando naturalizam as posturas machistas e patriarcais. **Considerações Finais:** as vulnerabilidades enfrentadas por essas mulheres são reflexo da perpetuação de comportamentos desiguais de gênero, os quais podem se apresentar de uma forma mais incisiva na pandemia da Covid-19. Nesse sentido, profissionais de diversas áreas devem utilizar novas tecnologias para o acesso, como o atendimento remoto e uso de mídias sociais *online*.

Palavras-chave: Violência Contra a Mulher. Estupro. Delitos Sexuais. Mulheres. Pandemias.

VULNERABILIDAD DE LAS MUJERES A LA VIOLACIÓN MARITAL: REFLEXIONES A PARTIR DEL CONTEXTO PANDÉMICO DEL COVID-19

RESUMEN

Objetivo: reflexionar sobre las vulnerabilidades de mujeres a la violación marital durante la pandemia del Covid-19. **Método:** estudio teórico-reflexivo realizado en mayo de 2020 a marzo de 2021 como fundamento teórico de una tesis de doctorado estructurado a partir de los aportes teóricos de Heleieth Saffioti, que tratan sobre género y violencia, y José Ricardo Ayres para basar los análisis a partir de la perspectiva de vulnerabilidad. **Resultados:** la vulnerabilidad de mujeres a la violación marital puede acentuarse en virtud de la intensificación del convívio de la pareja en el período pandémico. Se puede, a partir de esta perspectiva, identificar el carácter individual, social y programático del fenómeno, incluyendo situaciones tales como: las mujeres no se reconocen en esta vivencia; la escasez de empleo en este período y la dificultad de acceso a la red de apoyo. Las construcciones sociales de género amparan prácticas de violencia en las relaciones conyugales cuando naturalizan las posturas machistas y patriarcales. **Consideraciones Finales:** las vulnerabilidades enfrentadas por estas mujeres derivan de la perpetuación de comportamientos desiguales de género, que pueden presentarse de una manera más incisiva en la pandemia del Covid-19. En este sentido, profesionales de diversas áreas deben utilizar nuevas tecnologías para el acceso, como la atención remota y el uso de redes sociales *online*.

Palabras clave: Violencia contra la Mujer. Violación. Delitos Sexuales. Mujeres. Pandemias.

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