### Quarterly Review of Film and Video



ISSN: (Print) (Online) Journal homepage: https://www.tandfonline.com/loi/gqrf20

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#### Samikhya Dash & Soumya Jose

**To cite this article:** Samikhya Dash & Soumya Jose (15 Dec 2023): Spousal Sexual Violence and Invisible Disability: A Case Study of Provoked and Kettyolaanu Ente Malakha, Quarterly Review of Film and Video, DOI: 10.1080/10509208.2023.2293429

To link to this article: <a href="https://doi.org/10.1080/10509208.2023.2293429">https://doi.org/10.1080/10509208.2023.2293429</a>

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## Spousal Sexual Violence and Invisible Disability: A Case Study of Provoked and Kettyolaanu Ente Malakha

Samikhya Dash (b) and Soumya Jose

#### Introduction

The United Nations' Declaration on the Elimination of Violence Against Women (DEVAW) has ushered in an increased awareness of spousal sexual violence. Despite international and European declarations categorizing gender-based violence as a societal problem, the violence rate continues to escalate worldwide (Bloom 2008; Martinez and Schrottle 2006). Global studies have shown that 10-70% of women have reported being subjected to physical assault by their intimate male partners at some point in their lives, amounting to 40-70% of femicide (Bloom 2008; UNIFEM n.d.; WHO 2005). The United Nations has deemed it a "problem of pandemic proportions" (UNIFEM n.d.). One such gender-based violence is spousal sexual violence, also known as marital rape. Spousal sexual violence refers to "[a]ny unwanted intercourse or penetration obtained by force, by threat of force, or when a partner is unable to consent" (Kallakuru and Soni 2018; Phiri-Alleman and Alleman 2008, 155; Basile 2008; Katz, Carino, and Hilton 2002). This gender-based violence is not criminalized under IPC Section 375 of Indian Penal Code. The lack of legal framework of India to criminalize such an act compels women to become silent sufferers.

Spousal sexual violence not only mutilates a woman physically, but it also disables her emotionally and psychologically, leading to various consequences, including absolute silence, flashbacks, borderline personality disorder, sleep disorders, eating disorders, dissociative identity disorder, depression, post-traumatic stress disorder (PTSD), guilt, anger, and hysteria. Looking at the history of crimes committed against women's bodies, one finds that women have never been safe, especially in their marital homes. Living with an abusive spouse makes a woman experience

Samikhya Dash, Research Scholar, Department of English, School of Humanities and Management, National Institute of Technology Andhra Pradesh, India. Ms. Dash's research interests include film studies and trauma studies. Ms. Dash has published an anthology of her poems and has contributed chapters to edited books. She has also presented papers in many national and international conferences.

Dr Soumya Jose, Assistant Professor and Head, School of Humanities and Management, National Institute of Technology Andhra Pradesh, India. Dr. Jose's research interests include African American Theatre, First Nations Theatre, gender studies, and diaspora studies. Dr. Jose has published many articles in journals and has contributed chapters to edited books and encyclopedia.