Rape is a heinous Crime : Whether the punishment for Rape in India is severe?

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Rape is undoubtedly a heinous crime and an issue of great concern in India today. Despite enacting new laws with stringent punishments and setting up fast-track courts, things have not changed much. With more rape cases are coming to the fore and covered in the news, few questions always come to our mind.

Is it only the pervert individuals who are responsible for rape cases or is it that our criminal justice system is inept? The question that follows is even more thought-provoking. Is it not because of the delay in legal proceedings that make criminals feel that they will not be convicted in their lifetime?

**India’s New Anti-rape Law**

Considering the punishments meted out in other countries, India is too soft on convicts. In fact, before 2013, rape was not considered a major crime. The highest degree of punishment that could be given to the convict was imprisonment for seven years This was possible only when the culprit was arrested and proved guilty.  
 After the Nirbhaya incident, the Parliament passed the Anti-rape Bill. Now, an act of rape is liable to life-long imprisonment and even death penalty in extreme cases. According to the new law, not only rape but other acts like sexual harassment, molestation, acid attacks, stalking and voyeurism are also liable to stringent punishments. The new law has the provision of awarding minimum 20 years of rigorous imprisonment, which can extended to life imprisonment to those found guilty of gang-rape.

Out of the six men arrested in the infamous Nirbhaya rape case of December 2012, four of the accused adults were awarded death penalty in March 2014. It took almost two-and-half years for the judiciary to give the verdict.

**::2::**

**Punishments Across the Globe**

Let us look at the punishments for rape convicts in different countries:

**1. Saudi Arabia:** Being an Islamic country, the legal system of Saudi Arabia is based on Sharia – Islamic law. The punishment for rape, or for that matter any other crime like murder, drug trafficking, sodomy, robbery, and apostasy is public beheading. It is said that while beheading, the victim is given a sedative. This is done in a public place where the victim is made to kneel down facing Mecca and his head is beheaded with a single stroke by the police.

**2. China:** In China too, strict punishment is given to rapists. Rape is a brutal crime and a death penalty is declared once the rapist is convicted. This is done by firing a single bullet at the spinal cord joining the neck. Another punishment given to the rapists in China is castration. The same punishment is given for other heinous crimes too. It is worth noting that the court proceedings are very quick.  
**3. North Korea:** In North Korea too, there is no leniency when it comes to punishing a rapist. The offender is either shot in his head or vital organs by a firing squad. This kills the convict relatively quickly and provides instant justice to the victim.

**4. Afghanistan:** Even in Afghanistan, the Islamic law is followed for punishing the rape accused. The rapist is either hanged to death or  shot dead by a bullet in the head. The punishment is given within four days of the crime.

**5. Iran:** According to Islamic law, death penalty is essential for rapists. In Iran too, a rapist is given a death sentence. Even for other crimes, death is the penalty. Sometimes, the rape victim settles the case by taking compensation. In such a case, the rapist gets away with 100 lashes and sometimes imprisonment.

6. France: The rape laws and punishments are more defined and extensive in France. An individual, if found guilty of aggravating a rape incident, is liable to 10 years of imprisonment. If the rape victim dies, the term is increased to 30 years. A rapist is given a life imprisonment if the victim undergoes any kind of torture and is subjected to acts of barbarism even after the rape.

**7. USA:** In USA, punishments are enacted depending on the different types of sexual assault, which also include rape. Punishment is categorised as 1st, 2nd and 3rd degree rape punishments. The maximum sentence for rape is life imprisonment, which could be 30 years in jail.

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**8. Greece:** In Greece, the rapist is punished with incarceration.  
**9. Russia:** In Russia, the years of imprisonment for a rapist is three to six years. If the victim is below 18 years or suffers from any health problem after the rape, the period of imprisonment becomes four to 10 years. If the victim dies after rape, the imprisonment years increases from eight to 15 years. The convict is also banned from taking up any occupation or job for 20 years. The rapist would get 12 to 20 years of imprisonment if the victim is under 14 and she dies after the rape.  
**10. Israel:** In Israel, a rape convict gets imprisoned for minimum four years and a maximum of 16 years.

**11. United Arab Emirates:** In United Arab Emirates too, the punishment, is death. The rapist is hanged till death and this punishment is meted out within seven days of the crime.

**12. Egypt:** In Egypt too, the culprit is hanged till death.

**13. Netherlands:** Any kind of sexual assault or forced sex, including a French kiss, is considered as a rape in Netherlands. The punishment for the rapist ranges from four to 15 years of imprisonment depending on the age of the victim. Even the rape of a prostitute or any harassment done to her is given much priority in Netherlands.

**Conclusion**

What we can make out from the above is that every country has a strict legal policy in place and the punishments for the culprit are clearly defined. While the punishment in the Muslim-dominated countries is instant death, in other countries, the punishment extends from few years of jail to life imprisonment depending on the extremity of the case. It’s good that India, too, has come up with the new anti-rape law. To what extent it will be successful, only time will tell.

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