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RAPE

In some cultures, rape was seen less a crime against a particular girl or woman than as a crime against the head of the household or against chastity. As a consequence, the rape of a virgin was often more serious crime than that of a non-virgin, even a wife or widows, and the rape of a prostitute or other unchaste woman was, in some laws, not a crime because, her chastity could not be harmed.

Furthermore, the woman's consent was under many legal systems not a defense. In seventeenth-century France, even marriage without parental consent was classified as rape.

The penalty for rape was often a fine, payable to the father or husband, as they were in charge of household economy. In some laws, the woman might marry the rapist instead of his receiving the legal penalty. This was especially prevalent in laws where the crime of rape did not include, as a necessary part, that it be against the woman's will, thus dividing the crime in the current meaning of rape, and a means for a couple to force their families to permit marriage.

Radical feminist explanations of rape (sexual intercourse must be

understood in the context of patriarchal society where women face systemic coercion and subordination, under these conditions genuine consent is difficult to be given ; "Rape exists any time sexual intercourse occurs when it has not been initiated occurs when it has not been initiated by the woman out of her own genuine affection and desire). Michelle madden Demesy and Jonathan Herring argue in why sexual penetration requires justification, that sexual penetration of a woman by a man is a prima facie wrong, meaning that it requires justification in order to validate it.