

JOURNAL OF RELIGION & ABUSE™

Volume 7
Number 3
2005

CONTENTS

FROM THE EDITOR'S KEYBOARD	1
“Back Then It Was Legal”	
The Epistemological Imbalance in Readings of Biblical and Ancient Near Eastern Rape Legislation	5
<i>Susanne Scholz</i>	

The article examines the epistemological imbalance that currently exists in the area of biblical and ancient Near Eastern rape laws. The imbalance reflects a larger development in western intellectual discourse in which we are moving from an empiricist-positivist epistemology to a postmodern epistemology. The former is characteristic of the modern western worldview and assumes objectivity, value neutrality, and universality. It is primarily interested in the historical quest. The latter recognizes the contextualized, particularized, and localized nature of all exegetical work, and emphasizes the readers' responsibilities in the meaning-making process. Three sections structure the investigation. A first section examines how empiricist-positivist readings present Deut. 21:10-14 as a law on marriage and not on rape. A second section analyzes Deut. 22:22-29, and shows how this biblical passage emerges as adultery laws within the modern paradigm of interpretation. A third section focuses on ancient Near Eastern legislation to demonstrate that the laws address the rapes of women, children, and certain kinds of animals when a reader, living in the contemporary global rape culture, searches for rape in the ancient legislative materials. A conclusion acknowledges the current impasse between modern and postmodern epistemologies in reading biblical

and ancient Near Eastern legislation and suggests that currently this imbalance cannot be evened out.

KEYWORDS. Biblical rape legislation, ancient Near Eastern rape legislation, Deut. 21:10-14, marriage, adultery, seduction, desire, gender, violence, rape, male violence, androcentric bias and ideology, Deut. 22:22-29, family and sex laws, Numbers 5:11-31, Lev. 20:10, Middle Assyrian Law, Code of Hammurabi, adulterous wife/woman, rape law, incestuous rape/incest, bestiality

**Situating the Ninety-Nine:
A Critique of the *Trafficking Victims Protection Act* 37
*Yvonne C. Zimmerman***

Congress passed the Trafficking Victims Protection Act (TVPA) in 2000. Yet of the estimated 50,000 individuals trafficked into the U.S. each year, far fewer than one thousand victims have been identified under this legislative statute. I argue that the TVPA contains narrow definitions of 'victim' and 'victimization' that select for sexually exploited, passive females. Furthermore, the TVPA conceives coercion only with reference to inter-personal dynamics between traffickers and victims. A more complete and effective redress must include more complex conceptions of victimization, coercion, and harm in order to adequately grasp the socio-political and economic dynamics that structure global human trafficking.

KEYWORDS. Human trafficking, sex trafficking, Trafficking Victims Protection Act (TVPA), coercion, consent, gendered subjectivity, gendered migration

**Family Violence in the Jewish Community:
Existing Knowledge and Emerging Issues 57
*Susan Altfeld***

The myth that family violence does not exist in the Jewish community has been effectively refuted with both research and advocacy. However, unsubstantiated beliefs about the nature of Jewish family violence and its prevalence are widely accepted. Additional study is needed to explore the dynamics and epidemiology of family violence in the Jewish community and to provide a better foundation for addressing this problem.

KEYWORDS. Family violence, Jews, domestic violence

**Child Abandonment and Religious Organizations: A Case Study 63
*David B. Wolf***

This paper describes the history and experience of child abandonment in the Hare Krishna movement. Causes and consequences of this phenomenon are discussed, as are processes of healing for individuals and the ISKCON (International Society for Krishna Consciousness) institution. A historical perspective on abandonment, including an analysis of abandonment in connection with Christianity and boarding schools, is presented as a backdrop for understanding child abandonment in

ISKCON. ISKCON, in attempting to authentically represent in the modern world the spiritual Vedic culture of India, must exercise maturity, sensitivity, and wisdom in its application of ancient principles. Otherwise, its endeavors will result in inhumane treatment of its members, especially those, such as children, who are most vulnerable.

KEYWORDS. Abandonment, Hare Krishna, ISKCON, child maltreatment, child abuse, Gurukula, Vaishnava

What Clergy Should Do to Reduce Potential Legal Abuses in Same-Sex Relationships	89
<i>Rabbi Arthur Gross-Schaefer</i> <i>Robert Dixon</i>	

Caring religious professionals who choose to perform same-sex commitment ceremonies should strongly encourage same-sex couples to retain competent counsel(s) to draft legal documents that will afford each partner certain legal rights in case of separation, death, or incapacity. Commitment ceremonies provide important ritual, religious, and spiritual moments. However, in the absence of legal substance, such a relationship can lead to problematic, confusing, and even appalling consequences.

KEYWORDS. Same-sex commitments, gay and lesbian legal rights, same-sex marriage, pastoral care with same-sex couples

BOOK REVIEW

<i>The Clergy Sexual Abuse Crisis: Reform and Renewal in the Catholic Community</i> , by Paul R. Docecki	105
<i>Reviewed by James S. Evinger</i>	