

**“LEGITIMATE” RAPE  
Male Honor vs. Women’s Rights**

By Nick Gier

Read his columns on the 2012 election  
at [www.NickGier.com/2012.pdf](http://www.NickGier.com/2012.pdf)

Read his column “The Real Meaning of Sodomy”  
at [www.class.uidaho.edu/ngier/sodom.htm](http://www.class.uidaho.edu/ngier/sodom.htm).

*A man penetrates, conquers, colonizes, plants.  
A woman receives, surrenders, accepts.*

—Douglas Wilson, Calvinist pastor, Moscow, Idaho

*Women can be fields where men plant their seed but  
women can also be bloodied fields of male contest.*

—Michael Carden, “Homophobia and Rape in Sodom and Gibeah”

*Behold, I have two daughters who have not known man; let me bring  
them out to you, and do to them as you please; only do nothing to  
these men, for they have come under the shelter of my roof.*

Lot the Righteous, Genesis 19:8

*In Christian Scripture and tradition we find a Middle Eastern ethic of care for strangers that  
renders precarious the moral standing and human rights of women.*

—Lois Gehr Livezey, *Christian Century*, October 28, 1987

*If the woman is dry, the sperm will die.*

—Texas Sex Education brochure

**The Rape of the Levite’s Wife and the Daughters of Shiloh**

The most horrific story in the Bible is the gang rape of the Levite’s wife in Judges chapters 19-20. One night in the land of Benjamin a Levite and his wife find themselves in Gibeah, where they are put up by a kindly old man. Just as in case of Lot and his visitors in Sodom, the men of the city demand that the Levite be handed over for their pleasure. The old

man offers his virgin daughter instead, but the Levite insists that his woman be taken. The mob rapes her to death, and the next day the Levite divides her body into twelve pieces and sends them to the tribes of Israel for their judgment.

The Israelite leaders meet at Mizpah and decide that the Benjamites should be punished for their “abomination.” In a long series of battles the Israelite warriors nearly annihilate the Benjamites. The remaining 11 tribes are forbidden to give their daughters in marriage, but they do encourage the Benjamites to kidnap the daughters of Shiloh, one of the most sacred sites in Israel (Judges 21:23). The restoration of an Israelite tribe is based on the rape of hundreds of young women.

### **Protecting the Honor of Men and Their Property**

The fact that Lot also offered his daughters to the Sodomites to protect his guests (so much for the “righteous” Lot) proves that the main issue here is not the abuse of women but the honor of men. As Bible scholar Michael Carden explains: “The laws of hospitality demand that Lot protect the male honor (heterosexuality) of his guests. In this world it is better that women be raped than men because rape of men takes away their heterosexuality.”

Andrew Solomon expands on this point: “Historically, rape has been seen less as a violation of a woman than as a theft from a man to whom that woman belonged, either her husband or her father, who suffered an economic loss and an insult to his honor.” Owners have a right to use or abuse their property in any way they see fit. The great sociologist Thorstein Veblen believes that women were the very first private property, and that “ownership-marriage” became for patriarchs the “only beautiful and virtuous form of the relation” between men and women.

A man’s children were also his property. In Christian England before the Norman Conquest, a father could sell his own children as slaves if they were under seven years of age, and he could lawfully kill any of his children “who had not yet tasted food.” Medieval Christian women who bore infants conceived in rape could expose them with little or no punishment. Infanticide for whatever reason was widely practiced in all Christian countries until the 19th Century. The historian Lloyd de Mause quotes a priest who in 1527 said that “the latrines resound with the cries of children who have been plunged into them.”

### **The Rape of Roman Christian and the Sabine Women**

St. Augustine of Hippo, a theologian praised by both Catholics and Protestants, offered a perverse moral lesson in the rape of Christian women when the Visigoths sacked Rome in 410. Incredibly, the great Church father suggests that rape could save women from the sin of pride. Some women may have “some lurking infirmity which might have betrayed them into a proud and contemptuous bearing, had they not been subjected to the humiliation that befell them in the taking of the city.”

Blaming rape on the victim rather than the rapist goes back as far as Hammurabi, whose, as Andrew Solomon reports, “describes rape victims as adulterers; English law of the seventeenth century takes a similar position. In Puritan Massachusetts, any woman pregnant through rape was prosecuted for fornication.” After all Eve was perceived in the early Christian church as a seductress, and women in general, according to the church father Tertullian, are “the doorway of the devil.”

In his *New Yorker* article “The Legitimate Children of Rape” (8/29/12), Andrew Solomon reminds us that the rape of the Sabine women was considered a noble act, because King Romulus ordered it as a way to populate the new city of Rome. Romulus and his twin brother Remulus were also conceived in the rape of the vestigial virgin Rhea Silvia. They were left to die by the Tiber River and were nursed to life by a she wolf.

In the Renaissance, wedding chests were frequently decorated with images of the Sabine women being ravished, and we must ask ourselves what message this offered to the bride and groom. It certainly would warn the bride that the groom, as a local pastor says, “has a right to penetrate,” and she has a duty to “receive, surrender, and accept.” For the groom might it not excuse him from any form of sexual violence in the future?

Thorstein Veblen would have said that the image of the Sabine women represents a “mock-capture” that reenacts the original rape. For the bride it means “the formal profession of fealty and submission on the part of the woman.” Finally, one could ask why the daughters of Shiloh, rather than pagan women, were not the preferred rapes of the Renaissance Christian wedding night.

### **“Top Males” and Privileged Access to Women**

Although actual historical examples are few, medieval lords enjoyed the right (*droit de seigneur*) to “deflower” (sounds so gentle, doesn’t it?) any virgin in their lands. A Scottish lord’s “right of the first night” was dramatized in the movie *Braveheart*, and it was principal motivation for William Wallace’s revolt.

Royal access to all females was certainly present in the glory days of David and Solomon. Did Solomon’s 700 wives and 300 concubines actually give consent to sexual relations with the wise king? When David saw Bathsheba bathing, his lust was quickly satisfied by royal command, and another royal directive led to the death of Bathsheba’s husband Uriah. David’s punishment is revealing in that his God (the highest Lord) commands that one of David’s wives must have public sex with a man he knows, and the child of David’s rape shall die on the seventh day.

### **Marital Rape is still not a Crime in 140 Countries**

“Top male” access to women still continues among some of our presidents (the Kennedys and Clinton) and our pious preachers. All males used to have unconditional sexual license to their wives, and marital rape is still not illegal in 140 countries. (Honor killing of

“wayward wives” is not confined to just conservative Muslim countries.) In 1975 South Dakota was the first state to give its women the rights of refusal, but North Carolina lingered until 1993.

Many conservative Christians, such as local pastor Douglas Wilson, still insist that the husband must be the lord of his household. Indeed, the required, introductory course in this Wilson’s college—Moscow’s New St. Andrews College—is called “Lordship.” Criminalizing marital rape would, in Wilson’s words, undermine “the concept of authority and submission in marriage.” Would Wilson ever command that a congregant who commits adultery would follow God’s example and have his wife engage in public sex with one of his friends? Would this not be a logical extension of “an eye for an eye”? If Uriah gets a cuckold’s “horns,” then David must have two as well.

### **“They Asked for it” and “Legitimate” Rape Today**

A 2005 survey by Amnesty International showed that 34 percent of Britons—men and women together—believed that women, because of their actions and/or dress, were responsible for their attacks. Recent studies cited by the Pennsylvania Coalition Against Rape show that 43 percent of American college men believe that it is OK to coerce women to have sex. It is estimated that only ten percent of college women describe the sexual assaults they’ve experienced as rape, and this number amounts to 25 percent of the female campus population. Only 22 percent of reported campus rapes have been committed by strangers.

### **Congressmen Ryan and Akin on “Forcible” Rape**

In backing off from his atrocious remarks about “legitimate” rape, Missouri Congressman Todd Akin said that he meant to say “forcible” rape. This phrase was in a bill introduced by Rep. Chris Smith, co-sponsored by Reps. Paul Ryan and Todd Akin, in which abortions are allowed only in cases of “forcible” rape. The clear implication is that some women who claim to have been raped have somehow consented to the act. Ryan now claims that the phrase “forcible rape” was “stock language,” and that he supported its deletion after wide-spread objections.

The FBI uses “forcible” rape to distinguish it from the crime of statutory rape. This “stock language” simply does not work for anti-choice legislators. This would mean that adult rape victims who were really forced could get an abortion, but underage girls could not. Significantly enough, Ryan was sponsor of two earlier bills in which “forcible rape” was included but was not deleted. The most recent removal of the language was obviously done because of the outrage that has accompanied Akin’s “legitimate rape.”

### **The View that Rape Victims Cannot Conceive has Long History**

Todd Akin did not make up his claim that women who are raped cannot conceive. (Sadly, in the U.S. an estimated 32,000 raped women become pregnant.) This falsehood has been around since the time of the famous Greek doctor Galen, who believed that a woman must have an orgasm in order to conceive. In her book on the history of infertility in America, *The*

*Empty Cradle*, Margaret Marsh found that early America doctors believed that the “womb must be in a state of delight,” which then led to the belief that lack of issue was due to frigid or hysterical women, certainly not the fault of any man.

Journalist Dana Goldstein has written about a 2004 study published in the *Journal of Clinical Forensic Medicine* about interviews with rape victims. One of the most confusing and shameful things some women report is that they have experienced lubrication and even orgasm during the attack. Goldstein states: “The vagina can become lubricated during sex as a defense mechanism against tearing and pain, regardless of one’s level of enthusiasm or emotional buy-in.” This bodily reaction would have been naturally selected over millennia of rapes during war and raiding the next village for wives. This of course puts the lie to the outrageous slogan taught in Texas sex education classes: “If the woman is dry, the sperm will die.”

### **Is Male Honor Still Standing in the Way of Women’s Rights?**

Returning to the lessons of history, I want to conclude with this observation by Christian ethicist Lois Gehr Livezey: “In Christian Scripture and tradition we find a Middle Eastern ethic of care for strangers that renders precarious the moral standing and human rights of women.” In their attempts to control (and even penetrate with vaginal probes) women’s bodies, far too many American politicians still stand as a threat to “the moral standing and human rights of women.” Especially precarious are those of low socio-economic status, where most of the rapists and their victims are found. Of the 10.2 million rapes in 2010, 28 percent were perpetrated on black women, but African Americans make up only 13.6 percent of the population.

All throughout history the oppression of women and the poor have gone hand in hand. Mitt Romney claims that educational opportunity is the greatest human rights challenge of our age, but he and his fellow Republicans ought to lay off women’s bodies place equal weight on their rights.

Nick Gier taught philosophy and religion at the University of Idaho for 31 years.