

HOW THE BIBLE STEPS BACK UP THE MOUNTAIN FROM SEXUAL SHAME TO HOLY INTIMACY

An example from Deuteronomy 22:23-29 (and other passages outlining laws with regard to sexual behaviour).

[The mountain is a metaphor for understanding how the bible takes us from the dark valley depths of lawlessness back up to the mountaintop where the need for laws evaporates as we stand before God, naked and unashamed.]

When studying these apparently heartless passages I find it helpful to consider what the law was doing – beyond prescribing a punishment. Usually, when the Old Testament (or, for that matter the New Testament) lays down a law it is doing so in response to an injustice. So, I ask myself, what is the deeper injustice that this law is seeking to address here?

In ancient societies such as Canaan, a girl who lost her virginity would struggle to find a husband (because it would be a shameful item of public knowledge) and she would be forced either into prostitution or, if she had a supportive family, into seclusion. This is what happened to Tamar after she was raped by Amnon, “so Tamar lived, a desolate woman, in her brother Absalom’s house.” (2 Samuel 13:20).

It is probably surprising to us but the woman may well have preferred the marriage option (Tamar pleads to be allowed to marry her abuser). Remember that any marriage would likely have been arranged for her and the person who raped her may well have been known to her and come from the pool of available men.

By laying down a statute, as in Deuteronomy 22, that the man would have to (1) pay the usual dowry of marriage and (2) take the woman as his wife, the lawmakers were providing both a deterrent to rape and a solution for the victim who had lost the chance of marriage (which meant loss of protection, financial security and the identity of raising a family).

So this would be an example of a “step back up the mountainside”. The law doesn’t go as far as we would like but is moving in the right, redemptive, direction. The best parts of our law derive their essence from these laws which, at this early stage, have taken steps to deter the atrocity, address the shame and provide for a future for the woman.

Granted, today, the perpetrator would be locked up and the victim, though violated and traumatised, may have some freedom of opportunity as well as a degree of privacy.

Of course, I am not trying to minimise the effect of rape. I am noting that, unlike 3,000 years ago, a lifelong, incapacitating stigma may not be the only outcome today.

Let’s look at it in segments. I am not an OT scholar so there is much more to say – and I am necessarily making clumsy abbreviations in describing the situation.

	2000 BC pre-Deuteronomy	2000 BC post-Deuteronomy	2019 AD
Independence	Men were legally independent Women were legally tied to a father or brother or husband which was seen as a protective arrangement.		Men and women (boys and girls) treated as independent legal entities.
Virginity	Very precious, to be preserved at all costs. The loss of virginity would bring enormous shame on the person (usually the woman) and their family.		Outside of highly moral (religious) settings the loss of virginity is less highly valued and can sometimes be seen as a rite of passage.
Marriage	Essential for protection, security, prosperity and identity.		Seen as a choice, almost cosmetic in some people's eyes. Even where it has high sacramental value it is less crucial to security and identity.
Rape - consequences for the perpetrator		A serious offence worthy of capital punishment - except where the victim is a virgin.	A serious offence worthy of a custodial sentence - whoever the victim.
Rape - consequences for the victim	Catastrophic shame, exclusion from marriage, leading to prostitution or seclusion which would compound the inevitable psychological damage.	Marriage (probably to someone known) with some level of residual shame. Psychological damage.	Serious psychological (and possibly physical) damage. Possible broken relationships and shame (dependant on how public the information is).
Children as a result of rape	Stigmatised and deeply problematic upbringing without a father.	Some stigma but raised in a family unit.	Many options: ranging from abortion to "typical" upbringing.

David Flowers

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