

Maryland Series in Contemporary Asian Studies

Number 4-2007 (191)

ISBN 1-932330-21-6, 109 pp., \$16.00

RAPE MYTHS IN AMERICAN AND CHINESE LAWS AND LEGAL SYSTEMS : DO TRADITION AND CULTURE MAKE THE DIFFERENCE?

Marietta Sze-chie Fa

TABLE OF CONTENTS

- I. Introduction
- II. Rape: A Misunderstood Crime
 - A. The Crime of Rape
 - B. Rape Myths
 - 1. Myths about Rape - Rape Is Purely about Sex
 - 2. Myths about Rapist
 - 3. Myths about Rape Victim
- III. Rape Myths in American Society
 - A. Rape Myths in American Culture
 - 1. America as a Rape-prone Society
 - 2. Myths of the Black Rapist and Black Victim
 - B. Rape Myths in Common Law
 - 1. Historical Definition of Rape
 - 2. Definition of Rape before 1970s
 - C. Rape Myths in American Legal System
 - 1. Police Processing
 - 2. Prosecutor Processing
 - 3. Juror Decisions
 - 4. Among Judges
 - D. Combating Rape Myths
 - 1. Rape Law Reform
 - 2. Rape Trauma Syndrome Testimony
- IV. Rape Myths in Chinese Society
 - A. Behind Rape Myths - the Cult of Chastity in Chinese Culture
 - 1. The Conception of Female Chastity in Early China
 - 2. The Conception of Female Chastity in Late Imperial China
 - B. Rape Myths in Chinese Rape Law
 - 1. The Evolution of Rape Law and Female Chastity
 - 2. Rape Myths in Historical Chinese Rape Law
 - C. Rape Myths in Contemporary Criminal Law and Legal System
 - 1. Rape Myths in Taiwan Criminal Code
 - 2. Rape Myths in the Taiwanese Legal System
 - 3. Rape Myths in the Criminal Law of People's Republic of China
 - 4. Rape Myths in the PRC's Legal System
 - D. Combating Rape Myths
 - 1. Amendment of the Rape Law in Taiwan
 - 2. Expert Testimony in Taiwan
- V. Conclusion