

Inquiring Minds Topic – 16 March 2018

Riv Swartz, Moderator

A Backlash to the # MeToo Movement?

...and the Pendulum swings. One moment men are holding power over women in their ability to harass, assault and humiliate. The next moment, women appear to have the power to hold men accountable as the tables turn 180 degrees.

1. Has the pendulum of power swung too far for fairness?
 2. Should all matters of sexual harassment be treated the same? How did you distinguish between various types of harassment?
 3. Where does due process come into play within this Movement?
 4. Should Al Franken and Roy Moore be treated the same in terms of sexual harassment?
 5. How would the Anita Hill/Clearance Thomas scandal been treated in today's atmosphere? If the Scenario had been treated differently, would the outcome have been more just?
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Despite What You May Have Heard, "Believe Women" Has Never Meant "Ignore Facts"

 elle.com/culture/career-politics/a13977980/me-too-movement-false-accusations-believe-women/

By Sady Doyle

The backlash to the #MeToo movement is here. The groundswell of public transparency about sexual harassment in recent months has only been possible because of the public's unprecedented willingness to hear out and support accusers rather than shame them. That support was so powerful that a number of formerly untouchable harassers were finally brought face-to-face with the consequences of their actions. But nothing gold can stay. This week, with a failed "sting" operation aimed at discrediting rape survivors, a survivor-shaming op-ed in the paper of record, and mass cultural hand-wringing around the issue of "false accusations," rape culture is fighting back.

On Tuesday, the *New York Times* published an editorial titled: "[The Limits of Believe All Women](#)." Its writer, Bari Weiss, argues that "[t]he huntresses' war cry — 'believe all women'...creates terrible new problems in addition to solving old ones." Specifically, that the idea that we must "believe all women" is terrorizing men, who now have to fear that false accusations of sexual misconduct will derail their careers or lives: "In a climate in which sexual mores are transforming so rapidly, many men are asking: If I were wrongly accused, who would believe me?"

It's more than a little bizarre to refer to sexual assault survivors as "huntresses" in the first place; to my knowledge, no-one has actually shot Harvey Weinstein and mounted his head on her wall. Women are coming

forward in order to make their work spaces safer, not for kicks, and though the consequences for the accused men have been unpleasant, they've been non-violent and, from my vantage point, entirely deserved. The accusers, whose sexual harassment tended to be very violent indeed, cannot say the same.

Of course, if men are genuinely nervous about being called out for harassment due to “transforming sexual mores,” perhaps they will stop engaging in the behaviors that seem likely to offend their female colleagues. That would be good. In the meantime, the cultural shift Weiss envisions more or less boils down to men becoming a bit more considerate in how they treat women. It's hardly the Bonerpocalypse.

But Weiss fears more than a sudden epidemic of male politeness. She argues that we're setting ourselves up to believe false rape and sexual harassment allegations. For evidence of this, she points to... some easily, instantly debunked false allegations, including and notably the botched Project Veritas “sting” attempted at the *Washington Post*.

“Just yesterday *The Washington Post* reported that a woman named Jaime Phillips approached the paper with a story about Roy Moore,” she writes. “She claimed that in 1992, when she was 15, he impregnated her and that he drove her to Mississippi to have an abortion. Not a lick of her story is true.” What is true is that Moore's bid for an Alabama Senate seat has been plagued by a wave of credible sexual assault allegations since November, when the *Post* printed the first four allegations against him—most notoriously, [Leigh Corfman's claim](#) that Moore had trapped her in his car and forced her to touch his crotch when she was just 14. This has made the *Post* a target of hostility from Moore's campaign, which [alleged that](#) “[the] *Washington Post* has already endorsed the Judge's opponent, and for months, they have engaged in a systematic campaign to distort the truth about the Judge's record and career.” Conservatives, always eager to bite down on a “fake news” hook, have often portrayed the Moore allegations as a story about liberal media bias. Not only is President Trump firmly in Moore's corner (claiming that Moore “totally denies [molesting children]” and that “[you have to listen to him, also](#)”), conservative writer Dinesh D'Souza has said, “If Roy Moore wins it will be the most demoralizing blow for the media since Trump's election.”

But, in fact, the *Post* expose was an example of media working the way it's supposed to. The accusations in the initial piece have been carefully backed up with witnesses and supporting evidence; the mothers of two accusers, Corfman and Wendy Miller, have testified that they saw Moore bothering their daughters. Miller's high-school yearbook, from the year she turned 16, bears a flirty inscription from Moore. None of this relies on the accusers' word alone; as CNN anchor Jake Tapper recently [noted](#), “I don't think a story with [30 sources and four women making the accusations on the record](#) is gossip.” Which is exactly why, when Phillips approached the *Post*, they were able to catch her red-handed.

According to the *Post's* [account](#), Phillips' story raised suspicions due to “inconsistencies in her story and an Internet posting that raised doubts about her motivations.” They were also keyed in to something fishy about the story when “she repeatedly pressed *Post* reporters to give their opinions on the effects that her claims could have on Moore's candidacy if she went public.” The *Post* elected not to publish her story, and kept track of her until they saw her walk into the offices of right-wing lie factory Project Veritas.

Project Veritas, led by James O'Keefe, are notorious malefactors; they produce misleading “sting” videos aimed to make progressive institutions (or those that they perceive to be progressive, but are in fact just media companies) look bad. They've hit Planned Parenthood and NPR. This time around, O'Keefe presumably intended to bolster the narrative that the *Post* was printing false accusations in a deliberate effort to ruin Moore's career. It's a vile ploy. But—and here's the important part—it is also a ploy that didn't work.

“[It's] not hard to imagine how this episode might have played out if Ms. Phillips had announced her accusations on, say, Twitter,” Weiss claims. “Or even if she'd taken her story to a less fastidious news organization. In this climate, it would have caught on like wild fire.” Yet Weiss is stuck invoking an imaginary catastrophe, because the fact is, the *Post* never printed Phillips' story. Their fact-checking process caught the inconsistencies in her claims, and those inconsistencies were investigated until her lie was exposed.

Contra Weiss, “believe women” does not actually come into conflict with fact-checking sources; there's a

difference between engaging with sexual assault claims in good faith and having the legal grounding to print those claims, and even passionately feminist reporters understand that journalism has to adhere to the second standard. The other accusers' stories were not discredited by association, as O'Keefe evidently hoped; in fact, they actually look more credible, now that we know they passed through the same rigorous fact-checking process that Phillips' failed.

Though "false rape accusations" make for a good bogeyman, they are both rare and, according to the best evidence we have, shockingly obvious. Quartz recently published a round-up of the available [research on false rape allegations](#), finding in the most detailed study ever conducted, "out of 216 complaints that were classified as false, only 126 had even gotten to the stage where the accuser lodged a formal complaint. Only 39 complainants named a suspect. Only six cases led to an arrest, and only two led to charges being brought before they were ultimately deemed false." And furthermore, the research finds that false accusers tend to fit a recognizable profile: "[Almost] invariably, adult false accusers who persist in pursuing charges have a previous history of bizarre fabrications or criminal fraud." Finally, these accusers usually make claims of exceptionally violent sexual assault—if they want to frame somebody, there's no point in framing them for a crime that might be dismissed as "minor."

Unsurprisingly, the woman hired by Project Veritas fits exactly this profile; her false allegation comes from an organization with a history of "bizarre fabrication," it had obvious inconsistencies, and its violence was exaggerated in comparison to the other accounts—where Leigh Corfman alleged that Moore had forced her to touch him over his underwear, Phillips claimed that Moore had raped her, gotten her pregnant, and forced an abortion on her. From the beginning, it raised red flags for reporters who'd heard more credible allegations.

Though Weiss waves her hands in the direction of kangaroo courts and character assassination campaigns, she's unable to come up with any concrete example in which our current cultural support for survivors has led to an undeserved negative outcome for the accused man. Both of her other "false allegation" examples center on Senator Al Franken (D-MN), who has apologized for groping Leeann Tweeden, saying that although he recalls details of her account differently, "you have to respect women's experience." In one, a conservative radio host claimed Franken "stalked" her after he called her on the phone three times; this was widely decried as an opportunistic exaggeration. In another, the *New York Post* claimed to have unearthed photos of Franken "groping" Arianna Huffington; this was debunked [by Huffington herself](#), who confirmed that the photos were staged, writing that "[Franken] was no more 'groping' me than I was 'strangling' him."

Defending the honor of Al Franken is a dubious quest to begin with. But even our current cultural emphasis on "believing women" has not translated as an increased willingness to believe overtly spurious claims about him. And in the second instance, "believing women" actually meant believing Huffington when she said she was not abused. "I believe that it's condescending to think that women and their claims can't stand up to interrogation and can't handle skepticism," Weiss writes. "I believe that facts serve feminists far better than faith." That's fair. But Weiss seems to have forgotten to include the part where she shows that supporting survivors is incompatible with a respect for facts. "Believe all women" has never been a slogan for anti-rape advocates. Human nature being what it is, false rape claims are always possible. The phrase is "believe women"—meaning, don't assume women as a gender are especially deceptive or vindictive, and recognize that false allegations are less common than real ones. And, as a matter of fact, neither of those phrases is the actual rallying cry of the current moment. That slogan is #MeToo—which is, itself, a reference to a verification tactic. It's "me, too" as in "he did it to me, too." A powerful man's abuse can be more credibly exposed when multiple victims correlate each others' accounts. Not only are feminists not abandoning the need to responsibly investigate assault and harassment claims, they're turning the tenets of responsible investigation into hashtags.

"False rape allegations" are nowhere near enough of a threat to justify derailing #MeToo and its quest to bring justice to survivors. False allegations exist—but they're rare, they're bizarre, and they're easy to expose. Sexual violence, meanwhile, is neither rare nor strange. It happens every day, mostly to women. Those facts should bring some solace to any innocent man who is genuinely terrified of being falsely accused. But they also mean that when a normally trustworthy woman gives us an ordinary-sounding account of assault or harassment, she is

probably not making it up. It means, in other words, that you should believe women—not because you have an obligation to ignore the facts, but because the facts say women aren't lying.

Sexual Violence Myths & Facts

 rapevictimadvocates.org/what-you-need-to-know/myths-and-facts/

There is a lot of information that circulates about sexual violence and the people affected by it. The following myths are common and can impact survivors of assault or abuse, as well as the behavior and effectiveness of friends, family, medical, social service and law enforcement personnel. This sheet will help clarify some of the most common myths.

Myth: Sexual assault is an act of lust and passion that can't be controlled.

Fact: Sexual assault is about power and control and is not motivated by sexual gratification.

Myth: If a victim of sexual assault does not fight back, they must have thought the assault was not that bad or they wanted it.

Fact: Many survivors experience tonic immobility or a “freeze response” during an assault where they physically cannot move or speak.

Myth: A lot of victims lie about being raped or give false reports.

Fact: Only 2-8% of rapes are falsely reported, the same percentage as for other felonies.

Myth: A person cannot sexually assault their partner or spouse.

Fact: Nearly 1 in 10 women have experienced rape by an intimate partner in their lifetime.

Myth: Sexual assaults most often occur in public or outdoors.

Fact: 55% of rape or sexual assault victimizations occur at or near the victim's home, and 12% occur at or near the home of a friend, relative, or acquaintance.

Myth: Rape does not happen that often.

Fact: There is an average of 293,066 victims ages 12 or older of rape and sexual assault each year in the U.S. This means 1 sexual assault occurs every 107 seconds.

Myth: People that have been sexually assaulted will be hysterical and crying.

Fact: Everyone responds differently to trauma- some may laugh, some may cry, and others will not show any emotions.

Myth: Men are not victims of sexual violence.

Fact: 1.5% of all men have been raped and 47% of bisexual men have experienced some form of unwanted sexual contact in their lifetime.

Myth: Wearing revealing clothing, behaving provocatively, or drinking a lot means the victim was “asking for it”.

Fact: The perpetrator selects the victim- the victim’s behavior or clothing choices do not mean that they are consenting to sexual activity.

Myth: If a parent teaches a child to stay away from strangers they won’t get raped.

Fact: 60% of child sexual abuse cases are perpetrated by someone the child knows outside the family, and 30% are assaulted by family members.

Myth: Being sexually assaulted by someone of the same gender can make a person gay or lesbian.

Fact: The assault is typically not based on the sexual preferences of the victim or rapist, and therefore does not necessarily change the victim’s sexual orientation.

Myth: People with disabilities are at low risk for sexual assault.

Fact: People with disabilities are victims of sexual assault twice as much as people without disabilities.

Myth: Prostitutes cannot be raped because they are selling sex.

Fact: Prostitutes have the right to give and withhold consent to any sexual activity, and therefore, can be raped just like anyone else.

Myth: Getting help is expensive for survivors of assault.

Fact: Services such as counseling and advocacy are offered for free or at a low cost by sexual assault service providers.

Myth: There is nothing we can do to prevent sexual violence.

Fact: There are many ways you can help prevent sexual violence including intervening as a bystander to protect someone who may be at risk.

Publicly, We Say #MeToo. Privately, We Have Misgivings.

 [nytimes.com/2018/01/05/opinion/golden-globes-metoo.html](https://www.nytimes.com/2018/01/05/opinion/golden-globes-metoo.html)

By DAPHNE MERKIN

You can be sure that this weekend at the Golden Globes, Hollywood celebrities, not exactly known for their independent thinking, will turn the red carpet into a #MeToo moment replete with designer duds. Many have promised to wear black dresses to protest the stream of allegations against industry moguls and actors. Perhaps Meryl Streep will get grilled — again — about what she knew about Harvey Weinstein. The rest of us will diligently follow along on Twitter, sharing hashtags and suitably pious opprobrium.

But privately, I suspect, many of us, including many longstanding feminists, will be rolling our eyes, having had it with the reflexive and unnuanced sense of outrage that has accompanied this cause from its inception, turning a bona fide moment of moral accountability into a series of ad hoc and sometimes unproven accusations.

For many weeks now, the conversation that has been going on in private about this reckoning is radically different from the public one. This is not a good sign, suggesting the sort of social intimidation that is the underside of a culture of political correctness, such as we are increasingly living in.

The women I know — of all ages — have responded by and large with a mixture of slightly horrified excitement (bordering on titillation) as to who will be the next man accused and overt disbelief.

Publicly, they say the right things, expressing approval and joining in the chorus of voices that applaud the takedown of maleficent characters who prey on vulnerable women in the workplace.

In private it's a different story. "Grow up, this is real life," I hear these same feminist friends say. "What ever happened to flirting?" and "What about the *women* who are the predators?" Some women, including random people I talk to in supermarket lines, have gone so far as to call it an outright witch hunt.

It goes without saying that no one is coming to the defense of heinous sorts, like Kevin Spacey and Matt Lauer. But the trickle-down effect to cases like those of Garrison Keillor, Jonathan Schwartz, Ryan Lizza and Al Franken, in which the accusations are scattered, anonymous or, as far as the public knows, very vague and unspecific, has been troubling.

Perhaps even more troubling is that we seem to be returning to a victimology paradigm for young women, in particular, in which they are perceived to be — and perceive themselves to be — as frail as Victorian housewives.

Consider the fact that the campaign last month against the Met to remove a Balthus painting that shows a young girl in a suggestive light was organized by two young Manhattan feminists. Fortunately, they were unsuccessful. This is the kind of censorship practiced by religious zealots.

What happened to women's agency? That's what I find myself wondering as I hear story after story of adult women who helplessly acquiesce to sexual demands. I find it especially curious given that a majority of women I know have been in situations in which men have come on to them — at work or otherwise. They have routinely said, "I'm not interested" or "Get your hands off me right now." And they've taken the risk that comes with it.

The fact that such unwelcome advances persist, and often in the office, is, yes, evidence of sexism and the abusive power of the patriarchy. But I don't believe that scattershot, life-destroying denunciations are the way to upend it. In our current climate, to be accused is to be convicted. Due process is nowhere to be found.

And what exactly are men being accused of? What is the difference between harassment and assault and "inappropriate conduct"? There is a disturbing lack of clarity about the terms being thrown around and a lack of distinction regarding what the spectrum of objectionable behavior really is. Shouldn't sexual harassment, for instance, imply a degree of hostility? Is kissing someone in affection, however inappropriately, or showing someone a photo of a nude male torso necessarily predatory behavior?

I think this confusion reflects a deeper ambivalence about how we want and expect people to behave. Expressing sexual interest is inherently messy and, frankly, nonconsensual — one person, typically the man, bites the bullet by expressing interest in the other, typically the woman — whether it happens at work or at a bar. Some are now suggesting that come-ons need to be constricted to a repressive degree. Asking for oral consent before proceeding with a sexual advance seems both innately clumsy and retrograde, like going back to the childhood game of "Mother, May I?" We are witnessing the re-moralization of sex, not via the Judeo-Christian ethos but via a legalistic, corporate consensus.

Stripping sex of eros isn't the solution. Nor is calling out individual offenders, one by one. We need a broader and more thoroughgoing overhaul, one that begins with the way we bring up our sons and daughters.

These are scary times, for women as well as men. There is an inquisitorial whiff in the air, and my particular fear is that in true American fashion, all subtlety and reflection is being lost. Next we'll be torching people for the content of their fantasies.