THE #METOO MOVEMENT AND BLACK FEMINISM

How the Mainstream White Feminist Movement Failed Black Women and Where We Go From Here

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THE BEGINNING OF #METOO:
TARANA BURKE
THE EARLY START

• 2006: Burke used phrase “MeToo” on MySpace
  • Purpose: focused on helping women and girls of color who had survived sexual violence
  • Spread a message for survivors: You’re heard, you’re understood
THE #METOO MOVEMENT: WHEN WHITE FEMINISM TOOK OVER
THE BEGINNING OF THE MAINSTREAM MOVEMENT

Oct. 5, 2017
Ashley Judd accuses Harvey Weinstein of sexual violence

Oct. 15, 2017
Alyssa Milano tweet spurs an explosion of the #MeToo movement
If you’ve been sexually harassed or assaulted write ‘me too’ as a reply to this tweet.

Me too.

Suggested by a friend: "If all the women who have been sexually harassed or assaulted wrote 'Me too.' as a status, we might give people a sense of the magnitude of the problem."
THE MOVEMENT EXPLODES

• #MeToo was used over 14 million times in the first year
• Hashtag trended in 85 countries
• ~425 prominent public figures were accused of sexual violence
• Dec. 2017: TIME names ‘Silence Breakers’ as 2017 person of the year
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<th>Larry Nassar</th>
<th>Woody Allen</th>
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<td>Gary Goddard*</td>
<td>Jeffrey Epstein</td>
<td>Joe Biden</td>
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<td>Roy Moore</td>
<td>Jeremy Piven</td>
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<td>Cuba Gooding Jr.</td>
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<td>Louis C.K.</td>
<td>Quentin Tarantino</td>
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<td>Matt Lauer</td>
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<td>Aziz Ansari</td>
<td>Jason Mitchell</td>
<td>Katie Hill*</td>
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SHORTCOMINGS

Where The Movement Failed BIPOC
Fact: The Mainstream #MeToo Movement Overlooked the Struggle of BIPOC
THE BLACK FEMALE BODY: “OTHERED”

• The hyper/oversexualization of WOC has its roots in racism, colonialism, and slavery

• Sarah Baartman
  • Born in the 1700’s in South Africa
  • Taken to London by a European Doctor and put on display because of her large buttocks
  • Displayed alongside caged animals
  • Passed off to a naturalist and studied like an animal

• After her death her remains were put in a museum
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It was considered illegal for slaves to refuse sexual advances.

Plantations symbolize continuing legacy of the sexualization of WOC.

"Crops of slaves"

"With so much at stake, black women’s reproductive role became politically, as well as economically, decisive. If enslaved mothers did not bear sufficient numbers of children to take the place of aged and dying workers, the South could not continue as a slave society.” Marie Jenkins Schwartz
• “For Beyoncé’s *Lemonade*, the dance in this space is an act of defiance, of claiming self and freedom. Beyoncé’s throne is an “impossible black place.” Beyoncé Knowles-Carter’s and Serena Williams’s bodily freedom does not belong here, yet they have claimed it for themselves.” Ellen C. Bush
Mammy – maternal, portly, caretaker, life is centered on bearing the burdens of others.
Sapphire – a name coined after a character in Amos and Andy referring to women as being feisty, sassy, emasculating, and angry.
Jezbel – “the portrayal of black women as lascivious by nature is an enduring stereotype. The descriptive words associated with this stereotype are singular in their focus: seductive, alluring, worldly, beguiling, tempting, and lewd.

“Historically, white women were portrayed as models of self-respect, self-control, and modesty - even sexual purity, but black women were often portrayed as innately promiscuous, even predatory.”
CHALLENGES FACED BY BIWOC

• Traditionally media has perpetuated “oversexualized stereotypes of Latinas with swinging hips, thick accents, and irrational emotions.”

• Forced sterilization of women detained in ICE detention centers

• Domestic violence exacerbated by COVID-19
CHALLENGES FACED BY BIWOC

• Native women are more likely to be killed or trafficked
  • 84% Physical, Sexual, Psychological Violence
  • 13% of sexual assault reported by native women report in arrest, compared to 35% for black women and 32% for white women
  • 1 in 3 Native women have been the victim of rape or attempted rape
  • 5,712 were reported missing in 2016 but only 116 native women were logged as missing U.S. Department of Justice’s federal missing persons

• Not Invisible Act of 2019

• Transwomen are disproportionately affected by fatal violence

91% of them were Black women. 81% were under the age of 30. 68% lived in the South.
WHY IS THIS IMPORTANT?

- Intersectionality – “describe[s] how race, class, gender, and other individual characteristics “intersect” with one another and overlap”
  - Kimberlé Crenshaw
**WHY IS THIS IMPORTANT?**

- **BIPOC** experience female identity differently than white women and differently from each other
  - Their lived experience is shaped in part by their race

- **White or mainstream feminism** often does not always consider those points of view
  - In short it does not address the intersectionality of women of color

- **How does this play out**
  - A look at media portrayals of the black R. Kelly victims and the mostly white Harvey Weinstein victims
ADDITIONAL CRITICISMS

• Overemphasis on high-profile cases, ignoring lower-level, everyday situations

• Overemphasis on fairness and due process due to the perpetrator instead of the victim.

• Concern over consequences being too harsh

“Sexual violence happens on a spectrum so accountability has to happen on a spectrum . . . . I don’t think that every single case of sexual harassment has to result in someone being fired; the consequences should vary. But we need a shift in culture so that every single instance of sexual harassment is investigated and dealt with. That’s just basic common sense.”
• Failure to examine the systems that have enabled workplace abuse for so long and instead treating it like an issue that is fixed once the “villain is defeated”
• Disregard for incarcerated women
• Failing to address the systemic imprisonment of abused women and men.
BURKE’S RESPONSE

• Initially, hesitant of movement
• Did not want #MeToo on social media
• Is a leading force in the movement
• Happy to see movement toward de-stigmatization of sexual violence
• Calls for systemic change, greater understanding of the underlying issues that still exist
• Calls for greater focus on minority and other marginalized communities

“When Michelle called me and said: ‘I would love to take you to the Golden Globes,’ I said: ‘Why? I’m trying very hard not to be the black woman who is trotted out when you all need to validate your work.’”
“I think that the media doesn’t focus on the trauma that people of color experience. The work that we do in the movement centers on the most marginalized people. And so if you only define the Me Too movement by what you read in the media then no, there is not enough representation or even conversation about how sexual violence affects people of color, queer people, disabled people, anybody who is marginalized. But if you understand that Me Too is not simply what the media has defined it as, it’s the work that we are moving forward, then you know that our works start with and centers the most marginalized, including queer and trans people.”
‘These women are able not just to share their shame but to put the shame where it belongs: on the perpetrator.’

- Tarana Burke
RECLAIMING THE NARRATIVE AND CONTINUING CHALLENGES

- There is no set end goal, unlike “same-sex marriage”
- Listen to all women and recognize privilege
  - Recognize the struggle of transwomen, women of color, disabled women, etc.
- Continue to share stories of marginalized women
- It’s more difficult to stop a decentralized movement
- Challenges
  - Recent changes to title IX
    - The thresholds for proving sexual harassment has been raised
  - Rejection of anti-racist and anti-sexist training and theory at federal level
LEGAL RAMIFICATIONS
STATE LAWS

• Expanded requirements for harassment training and prevention in the workplace
• Employees granted extended time to file harassment complaints
• Limit use of NDAs
• Increased worker protections by including independent contractors
• Increased protections for domestic workers
• Movement to end tipped minimum wage
• Improved testing of rape kits
• Extended statute of limitations for sexual harassment complaints
FEDERAL LAWS – BE HEARD ACT

- Bans some types of NDAs
- Expands protections for independent contractors
- Expands protections for domestic workers
- Ends tipped minimum wage/ raises tipped minimum wage to meet standard minimum wage
FEDERAL LAWS

• Updated procedures for congressional staffers who have sexual harassment claims
  • Eliminated 3-month mandatory counseling before filing a claim
  • Congresspeople cannot use taxpayer money to settle harassment claims
  • Staffers are still not guaranteed legal counsel
FINANCIAL RESTITUTION

• In addition to accused being sentenced to serve time in prison

• Larry Nassar
  • Michigan State University: $500 million settlement fund
  • Survivors could get between $250,000 and $2.5 million each

• Restitution has generally risen since #MeToo movement began
  • 2018: EEOC filed 41 sexual harassment lawsuits, won $70 million
  • 50% more cases, 47% more restitution than 2017
DEFAMATION SUITS

• Used as a tool by men and women to “enlist the courts to endorse their version of disputed events”

• Women responding to allegations of lying; professional repercussions
  • Ashley Judd

• Men responding to allegations of violence
  • Johnny Depp

• These lawsuits could push survivors back into the shadows
TITLE IX CHANGES
• Federal act that protects against discrimination based on sex in the workplace
• Originally passed in 1972
TITLE IX

- **A University is required to respond to sexual misconduct that meets the regulations’ jurisdictional mandates.**
  - a University has actual knowledge of sexual harassment or allegations of sexual harassment
  - committed by a person in the United States
  - in a University education program or activity.

- **Sexual harassment is:**
  - Unwelcome conduct determined by a “reasonable person” that is “so severe, pervasive, or objectively offensive” that it “denies a person equal access to the school’s education program or activity”.
  - Or “quid pro quo” harassment from faculty directed toward students.

- **Per se “sexual harassment”:** sexual assault, rape, dating violence, domestic violence, or stalking.
TITLE IX CHANGES

• Dear Colleague Letter
  • Litigation mostly by male respondents
  • Gender identity vs. Sex
• New regulations enacted August 2020
• Colleges have a choice to use the preponderance of the evidence standard or clear and convincing
• Sexual Harassment Standard
  • The Title-IX standard is met when unwelcome conduct of a sexual nature occurs that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity
• Live hearings and cross examinations
PROTECTIONS FOR COMPLAINANTS

• Anti-retaliation rules
• Identity of parties must be kept confidential, to an extent
• Students’ First Amendment rights may not be restricted
  • Complaints must be filed according to the school’s grievance procedure.
• Rape Shield
  • Questions regarding sexual history are not allowed except to prove someone other than the respondent committed the harassment or the evidence relates to consensual sexual behavior between parties and offered to prove consent.
  • While this evidence can’t be used by decision makers it can be shared with parties
CHALLENGES

• Chilling effect

• There is discretion in every step of the process:
  • Deciding to take on a case
  • Is there a policy violation?
  • Final adjudication

• Princeton’s admission to racist past

• Executive Order on Combating Race and Sex Stereotyping
THANK YOU!