

Exposing sexual harassment and assault: has the #MeToo done more harm than good?

What they said...

'If all 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'

Actor and activist, Alyssa Milano

'There must be a balance between believing women and ensuring that the lives of innocent people are not destroyed'

Herald Sun commentator, Rita Panahi

The issue at a glance

On October 15, 2017, United States actress and activist, Alyssa Milano, encouraged victims of sexual harassment and assault to use the phrase #MeToo on social media as part of an awareness campaign in order to reveal how widespread the problem is. Within 24 hours, more than 500,000 tweets and 12 million Facebook posts had been shared with the phrase. <http://www.independent.co.uk/news/world/women-me-too-hashtag-twitter-sexual-harassment-stories-trending-him-though-men-responsibility-a8004806.html>

Reactions were immediate and diverse. Within the United States lists were published of supposed sexual abusers. <https://www.vox.com/culture/2018/1/11/16877966/shitty-media-men-list-explained> Some social media posters began to name their alleged assailants while in other countries, such as France, there was a specific call for perpetrators to be named online. <https://www.npr.org/sections/parallels/2017/11/03/561677686/instead-of-metoo-french-women-say-out-your-pig>

In countries like Australia, investigative media units began appealing to women to nominate those who had sexually abused them so that these people could be examined and exposed. <http://www.smh.com.au/comment/the-australian-media-industry-operates-a-protection-racket-for-men-like-don-burke-20171127-gztgu3.html>

High-profile men around the world began to be named. Many either stepped down from their positions or were removed. <https://www.nytimes.com/interactive/2017/11/10/us/men-accused-sexual-misconduct-weinstein.html>

The backlash was almost immediate with critics warning, in particular, that justice was being denied those named as perpetrators as they were being regarded as guilty merely because they had been accused.

On January 8, 2018, an open letter was published from a group of prominent French women, including internationally-known actor Catherine Deneuve, which was critical of the #MeToo movement. <http://edition.cnn.com/2018/01/10/europe/catherine-deneuve-france-letter-metoo-intl/index.html>

On January 21, prominent Australian author and feminist, Germaine Greer, condemned the #MeToo movement for being retrospective. She argued that women should act when the offence occurs. <http://www.smh.com.au/world/germaine-greer-challenges-metoo-campaign-20180121-h0lpra.html>

Background

(The information below has been drawn from the Wikipedia entry titled 'Me Too (hash tag)'. The full text can be accessed at [https://en.wikipedia.org/wiki/Me_Too_\(hashtag\)](https://en.wikipedia.org/wiki/Me_Too_(hashtag)))

"Me Too" (or "#MeToo", with local alternatives in other languages) spread virally in October 2017 as a two-word hash tag used on social media to help demonstrate the widespread prevalence of sexual assault and harassment, especially in the workplace. It followed soon after the public revelations of sexual misconduct allegations against Harvey Weinstein.

Origin

Social activist and community organizer Tarana Burke created the phrase "Me Too" on the Myspace social network in 2006 as part of a grassroots campaign to promote "empowerment through empathy" among women of colour who have experienced sexual abuse, particularly within underprivileged communities. Burke, who is creating a documentary titled Me Too, has said she was inspired to use the phrase after being unable to respond to a 13-year-old girl who confided to her that she had been sexually assaulted. Burke later wished she had simply told the girl, "me too".

On October 15, 2017, actress Alyssa Milano encouraged spreading the phrase as part of an awareness campaign in order to reveal the ubiquity of the problem, tweeting: "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." Milano later acknowledged earlier use of the phrase by Burke, writing on Twitter, "I was just made aware of an earlier #MeToo movement, and the origin story is equal parts heartbreaking and inspiring".

Purpose

The original purpose of #MeToo by creator Tarana Burke was to empower women through empathy, especially the experiences of young and vulnerable brown or black women. In October 2017, Alyssa Milano encouraged using the phrase to help reveal the extent of problems with sexual harassment and assault by showing how many people have experienced these events themselves.

However, after millions of people started using the phrase, and it spread to dozens of other languages, the purported purpose began to change and expand, and has come to mean different things for different people. Though creator Tarana Burke accepts the title of the leader of the movement, she has stated she considers herself a worker of something much bigger. She has stated that this movement has grown to include both men and women of all colors and ages, and supports marginalized people in marginalized communities. There have also been movements by men aimed at changing the culture through personal reflection and future action, including #IDidThat, #IHave, and #IWill.

Burke stated in an interview that the conversation has expanded, and now in addition to empathy there is also a focus on determining the best ways to hold perpetrators responsible and stop the cycle.

Laws and policies

Burke has stated the current purpose of the movement is to give people the resources to have access to healing. She has advocated a change to "legitimate things like policies and laws", highlighting goals such as processing all untested rape kits, re-examining local school policies, improving the vetting of teachers, and updating sexual harassment policies.[19] She has called for all teachers or paraprofessionals to be fingerprinted and subjected to a background check before being cleared to work with children. Burke supports the #MeToo Congress bill, which would remove the requirement that staffers of the federal government go through months of "cooling off" before being allowed to file a complaint against a Congressman.

Milano has stated that there should be a universal code of conduct and a standard protocol across all industries so victims are able to file complaints and be taken seriously without fear

of retaliation. She stated that a priority for #MeToo should be changing the laws surrounding sexual harassment and assault. She supports a legal framework that makes it harder for publicly traded companies to hide cover-up money from their stockholders and opposes the practice of requiring new employees sign NDAs (that would silence future victims from talking about what happened in the workplace) as a condition of their employment.

Time's Up

Milano announced in an interview with Rolling Stone that she and 300 other women in the film industry are now supporting Time's Up, an initiative that aims to help fight sexual violence and harassment in the workplace through lobbying and providing funding for victims to get legal help if they can't afford it. Time's Up started with \$13 million in donations for its legal defence fund. The initiative aims to lobby for legislation that creates financial consequences for companies that regularly tolerate harassment without action. A working group from Time's Up helped create a Hollywood Commission that examines Sexual Harassment, which is led by Anita Hill. Another group is working towards legislation that would discourage the use of NDAs to keep victims from talking about sexual harassment they experienced.

A substantial list of prominent men accused of sexual harassment or assault current to January 11, 2018, has been published by The New Yorker. It can be accessed at <https://www.nytimes.com/interactive/2017/11/10/us/men-accused-sexual-misconduct-weinstein.html>

Internet information

On January 21, 2018, The Australian published excerpts from a speech given by Australian author and feminist Germaine Greer in which she expresses additional reservations about the #MeToo movement.

The full text of the article can be accessed by subscribers to The Australian at <http://www.theaustralian.com.au/news/nation/germaine-greer-on-metoo-i-want-women-to-react-now/news-story/9bda0d50e1783eb031183ddf2d0113d4>

On January 15, 2018, The Verge published a comment by Laura Hudson titled 'Forget the backlash — we need #MeToo now more than ever' which outlines the social and legal circumstances which make the #MeToo movement necessary.

The full text can be accessed at <https://www.theverge.com/2018/1/15/16893734/metoo-movement-backlash>

On January 13, 2018, The Globe and Mail published a comment by Canadian author Margaret Attwood titled 'Am I a bad feminist?', in which Attwood criticises aspects of the #MeToo movement.

The full text can be accessed at <https://www.theglobeandmail.com/opinion/am-i-a-bad-feminist/article37591823/>

On January 11, 2018, ABC Radio broadcast an interview with Australian author and feminist Germaine Greer in which she criticised aspects of the #MeToo movement. An audio recording can be accessed at <http://radio.abc.net.au/programitem/pg75Koqw6?play=true>

On January 11, 2018, Spiked published a comment by its editor Brendan O'Neill titled 'The misogyny of #MeToo' arguing that some of #MeToo supporters adopt extreme positions.

The full text can be found at <http://www.spiked-online.com/newsite/article/the-misogyny-of-metoo-katie-roiphe/20746#.WmWAhaiWbIV>

On January 8, 2018, Vox published a comment and analysis by Constance Grady titled 'Are men accused of harassment being denied their due process? Or are the victims?' which argues that the men accused of assault and harassment have not been unfairly treated and that the legal system is not responsive to accusations of sexual harassment and assault. The full text can be accessed at <https://www.vox.com/culture/2018/1/6/16855434/weinstein-reckoning-sexual-harassment-due-process-daphne-merkin-keillor-franken>

On January 8, 2018, ABC News published a report detailing some of the accusations of sexual harassment and intimidation made against Australian actor Craig McLachlan. The full text can be accessed at <http://www.abc.net.au/news/2018-01-08/craig-mclachlan-accused-of-indecent-assault-sexual-harassment/9304452>

On January 8, 2019, Le Monde published an open letter signed by 100 prominent French women, including actor Catherine Deneuve, which claims that some of the attitudes and behaviours prompted by the metoo movement are excessive and ill-judged. The full text can be accessed in English translation at <https://www.worldcrunch.com/opinion-analysis/full-translation-of-french-anti-metoo-manifesto-signed-by-catherine-deneuve>

On January 5, 2018, The New York Times published a comment by author and critic Daphne Merkin titled 'Publicly, We Sat #MeToo. Privately, We Have Misgivings' Merkin details some of her reservations about the #MeToo movement. The full text can be accessed at https://www.nytimes.com/2018/01/05/opinion/golden-globes-metoo.html?smid=tw-nytimes&smtyp=cur&_r=1

The December edition of Time Magazine named 'The Silence Breakers', those who had alerted others to the sexual abuse they had suffered, as the magazine's 'Person of the Year - 2017'. The accompanying lead article can be accessed at <http://time.com/time-person-of-the-year-2017-silence-breakers/>

On December 21, 2017, Le Courrier Australien published a comment by Penny Burfitt titled 'What Geoffrey Rush's Case Means for #MeToo in Australia' Burfitt is critical of the manner in which the Daily Telegraph treated supposed sexual misconduct allegations against Australian actor Geoffrey Rush and suggested that Rush's defamation case might damage the fledgling #MeToo movement. The full text of the opinion piece can be accessed at <http://www.lecourrieraustralien.com/opinion-what-geoffrey-rushs-case-means-for-metoo-in-australia/?lang=en>

On December 19, 2017, Vox published a comment by PR Lockhart titled 'Women of color in low-wage jobs are being overlooked in the #MeToo moment' which acknowledged the value of the #MeToo movement but warned that some vulnerable groups were being ignored. The full text can be accessed at <https://www.vox.com/identities/2017/12/19/16620918/sexual-harassment-low-wages-minority-women>

On December 18, 2017, Spiked published a collection of comments, each taking issue with some aspects of the #MeToo movement.

The full text can be accessed at <http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmVwwaiWbIV>

On December 12, 2017, The Sydney Morning Herald published an editorial titled 'Burke case shows law must adapt to deal with sexual harassment claims' which argues that changes are necessary if the law is to respond fairly to victims of sexual harassment and assault.

The full text can be accessed at <http://www.smh.com.au/comment/smh-editorial/burke-case-shows-law-must-adapt-to-deal-with-sexual-harassment-claims-20171211-h02j8h.html>

On December 3, 2017, The Guardian published a comment by Australian actor Yael Stone titled 'The #metoo moment is hitting home, and it hurts. But it's our chance for change' in which the author outlines some of the opportunities she believes are presented by the #MeToo movement.

The full text can be accessed at

<https://www.theguardian.com/world/commentisfree/2017/dec/03/the-metoo-moment-is-hitting-home-and-it-hurts-but-its-our-chance-for-change>

On November 11, 2017 DW (the German newspaper Deutsche Welle) published an analysis titled '#MeToo: 'Sexual predators' list divides Indian feminists' which looks at the effect of the #MeToo movement on feminism in India.

The full text can be accessed at <http://www.dw.com/en/metoo-sexual-predators-list-divides-indian-feminists/a-41295522>

On October 21, 2017, Cornwall Live published a comment by Jacqui Merrington titled 'What's wrong with me too and why the rhetoric needs to change' in which the author criticises the #MeToo movement for being extreme and divisive.

The full text can be accessed at <http://www.cornwalllive.com/news/news-opinion/whats-wrong-rhetoric-needs-change-662501>

On October 17, 2017, The Guardian published a comment by Jessica Valenti titled, '#MeToo named the victims. Now, let's list the perpetrators' which argues for the need to out perpetrators of sexual harassment and assault.

The full text can be accessed at

<https://www.theguardian.com/commentisfree/2017/oct/16/me-too-victims-perpetrators-sexual-assault>

On October 16, 2017, The Atlantic published a report by Sophie Gilbert which noted the size and the immediacy of the response to Alyssa Milano's #MeToo tweet.

The full text can be read at <https://www.theatlantic.com/entertainment/archive/2017/10/the-movement-of-metoo/542979/>

On October 15, 2017, United States actor Alyssa Milano posted a tweet calling for those who had suffered sexual harassment or assault to add the status #MeToo.

The tweet can be read at

https://twitter.com/alyssa_milano/status/919659438700670976?lang=en

Arguments suggesting the #MeToo movement has been damaging and excessive

1. Many men have been publicly condemned on the basis of untested allegations

It has been argued that the #MeToo movement has led to public claims of sexual harassment and abuse being made against prominent men, ruining their reputations and careers. The concern is that such untested allegations have been treated as fact.

In an opinion piece published in The Globe and Mail on January 13, 2018, author Margaret Attwood criticised any process in which accusations were treated as proof of guilt. She described this as a 'witchhunt', referring to 'the structure of the Salem witchcraft trials, in which you were guilty because accused.' <https://www.theglobeandmail.com/opinion/am-i-a-bad-feminist/article37591823/>

A similar point was made by academic and feminist Germaine Greer in a Radio National interview conducted on January 11, 2018, in which she queried the treatment received by Australian actor, Craig McLachlan, since accusations of sexual assault, harassment and bullying were levelled against him. Greer stated, 'If you actually look at what's happened to Craig McLachlan, he's been punished already. His new series has been stopped and they're pulling the Doctor Blake Mysteries and so on and so forth and he hasn't been proved guilty of anything.' <http://radio.abc.net.au/programitem/pgs75Koqw6?play=true>

In a comment published in the New York Times on January 5, 2018, author and critic Daphne Merkin also expressed concern about the standard of proof being applied when men were publicly condemned for sexual misconduct. She stated, 'It goes without saying that no one is coming to the defence of heinous sorts...But the trickle-down effect to cases...in which the accusations are scattered, anonymous or, as far as the public knows, very vague and unspecific, has been troubling.' https://www.nytimes.com/2018/01/05/opinion/golden-globes-metoo.html?smid=tw-nytimes&smtyp=cur&_r=1

This criticism has also been made in relation to the accusations reported in the media about Australian actor, Geoffrey Rush. On December 21, 2017, Penny Burfitt, writing in Le Courrier Australien, noted, '[This allegation]...barely constitutes a viable case, and certainly not one strong enough to have been splashed across the front page.'

<http://www.lecourrieraustralien.com/opinion-what-geoffrey-rushs-case-means-for-metoo-in-australia/?lang=en>

A similar opinion has been expressed in relation to the media's treatment of the allegations made against Craig McLachlan. The creator of the Rocky Horror musical (in a production of which McLachlan allegedly behaved inappropriately) has urged caution in the publication of allegations, stating, 'You and I are not privy to what went on so we shouldn't speculate. In fact, I don't think anyone accused should be named until the police press charges.'

<http://www.smh.com.au/entertainment/musicals/a-tragedy-rocky-horror-creator-richard-obrien-responds-to-craig-mclachlan-allegations-20180109-h0fxvw.html>

In a Twitter post made on January 13, 2018, Claire Lehmann, the founder and editor of the online magazine Quillette, stated, 'When someone is accused of murder we give them the right to a defence lawyer and the right to present their case. This isn't because society "supports murder" but because society supports individual rights, including [the] right to natural justice. I never want to live in a society where a mere accusation can bury a person.' <https://twitter.com/clairlemon/status/952333740532908032>

Herald Sun commentator Rita Panahi summed up concerns regarding a loss of the presumption of innocence in the rush to support abused women. She states, 'Due process and the presumption of innocence cannot be forgotten in our eagerness to embolden women coming forward with allegations of harassment and sexual assault. There must be a balance between believing women and ensuring that the lives of innocent people are not destroyed.'

<http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmAfYjeYO00>

2. The #MeToo movement has fostered an exaggerated view of what constitutes sexual harassment and assault

Critics of the metoo movement have complained that those claiming to have been sexually harassed or assaulted often adopt a highly inclusive definition of these offences so that even relatively innocuous or harmless behaviours are classified in this way.

It has been suggested that what are essentially courtship or flirting behaviours, where a man is indicating his sexual or romantic interest in a woman, are being deemed offensive and perhaps criminal.

On January 8, 2019, Le Monde published an open letter signed by 100 prominent French women, including actor Catherine Deneuve, which claims that some of the attitudes and behaviours prompted by the metoo movement are excessive and ill-judged.

The letter begins, 'Rape is a crime. But trying to pick up someone, however persistently or clumsily, is not — nor is gallantry an attack of machismo... Today we are educated enough to understand that sexual impulses are, by nature, offensive and primitive — but we are also able to tell the difference between an awkward attempt to pick someone up and what constitutes a sexual assault.' The letter suggests that the metoo movement is blurring these distinctions. <https://www.worldcrunch.com/opinion-analysis/full-translation-of-french-anti-metoo-manifesto-signed-by-catherine-deneuve>

The letter suggests that men are being forced to go back over past behaviours, scrutinising conduct they had previously perceived as harmless. 'Men, for their part, are called on to embrace their guilt and rack their brains for "inappropriate behaviour" that they engaged in 10, 20 or 30 years earlier, and for which they must now repent... when their only crime was to touch a woman's knee, try to steal a kiss, talk about "intimate" things during a work meal, or send sexually-charged messages to women who did not return their interest.'

<https://www.worldcrunch.com/opinion-analysis/full-translation-of-french-anti-metoo-manifesto-signed-by-catherine-deneuve>

It has been claimed that the #MeToo movement has revealed a problem of definition within countries, between countries and between age groups. During November, 2017, YouGov, a United States pollster, surveyed people in five Western countries as to whether a series of behaviours by men towards women constituted sexual harassment. The questions ranged from actions that are often innocuous, such as asking to go for a drink, to overt demands for sex. The range of views was very wide. <https://yougov.co.uk/news/2017/11/01/sexual-harassment-how-genders-and-generations-see/>

The Economist, which published a report on the survey on November 17, 2017, concluded 'Given how little agreement exists about the definition of sexual harassment, employers seeking to ensure a comfortable work environment may need to be more explicit about the boundaries of acceptable behaviour than they may have previously realised was necessary.' <https://www.economist.com/blogs/graphicdetail/2017/11/daily-chart-14>

It has further been suggested that even in the area of sexual assault clarification is necessary. In a Radio National interview conducted on January 11, 2018, academic and feminist Germaine Greer called for revised definitions. She stated that there should be a category of sexual assault where there are 'different degrees of gravity according to the amount of damage that you do'. <http://www.news.com.au/entertainment/tv/radio/germaine-greer-talks-mclachlan-trump-and-the-feminist-revolution/news-story/5136531ac09c9d1d7db818ccdd696988>

3. The #MeToo movement encourages victimhood rather than responsibility among women

Critics of the #MeToo movement have further suggested that rather than empowering women, it encourages a victim mentality which has women deny their own competence and responsibility in sexual interactions with men.

On January 9, 2019, Le Monde published an open letter signed by 100 prominent French women, including actor Catherine Deneuve, which claims that some of the attitudes and behaviours prompted by the #MeToo movement disempower women. The letter states, 'This frenzy for sending the "pigs" to the slaughterhouse, far from helping women empower themselves, actually serves the interests of the enemies of sexual freedom, the religious extremists, the reactionaries and those who believe — in their righteousness and the Victorian moral outlook that goes with it — that women are a species "apart", children with adult faces who demand to be protected... we consider that one must know how to respond to [sexual] freedom...in ways other than by closing ourselves off in the role of the prey.'

<https://www.worldcrunch.com/opinion-analysis/full-translation-of-french-anti-metoo-manifesto-signed-by-catherine-deneuve>

A similar point of view was expressed by author Lionel Shriver, who as a contributor to a collection of comments published in Spiked on December 18, 2017, noted, 'I am concerned that we are casting women as irremediably scarred by even minor, casual advances, and as incapable of competently and sensitively handling the commonplace instances in which men are drawn to them sexually and the feeling doesn't happen to be mutual.' <http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmAfYjeYO00>

Another contributor to the Spiked comments, journalist and author Mary Kenny, has noted, 'Feminism should mean taking responsibility for ourselves and also standing up for ourselves. Unwanted attention should be dealt with...What is dismaying about current trends is the tendency to return women to delicate, Victorian damsels who reach for the smelling salts if they hear a lewd joke. What next – chaperones?' <http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmAfYjeYO00>

A related point was made by Australian author and feminist, Germaine Greer, who has stated that it is not effective to complain after the event. When, she argues, should act when the harassment occurs or the assault is attempted. '[I]t's too late now to start whingeing about that [years after the event]...I want women to react here and now. I want the woman on a train who feels a man's hand where it shouldn't be... to be able to say quite clearly, "Stop".' <http://www.theaustralian.com.au/news/nation/germaine-greer-on-metoo-i-want-women-to-react-now/news-story/9bda0d50e1783eb031183ddf2d0113d4>

It has further been suggested that the #MeToo movement encourages women never to assume shared responsibility for sexual encounters that do not turn out well.

On November 9, 2017, Quillette published a comment by therapist Lexa Frankl who recounts a drunken, consensual sexual encounter which left her with an incurable STI. She notes, 'For a moment, I found myself tempted by an escape into victimhood...Self-examination forced me to acknowledge that both my partner and I shared responsibility for the events of that night, and that martyrdom would be a cowardly and dishonest excuse for my own poor judgment.'

Frankl warns in regard to the #MeToo movement, 'Any rational discussion of moral responsibility has been drowned out by the deafening hue and cry about institutional misogyny and structural male oppression...[admitting no] ethical distinction between systematic sexual predation and...poor personal choices...' <http://quillette.com/2017/11/09/im-uneasy-metoo-movement/>

4. The #MeToo movement demonises all or most men

It has been suggested that the #MeToo movement has become too extreme, seeming to condemn all or most men of being guilty of sexual harassment or assault.

This position was put by print and broadcast journalist Nathalie Rothschild, who as a contributor to a collection of comments published in Spiked on December 18, 2017, stated, '[T]he insistence that men are complicit in perpetuating a "rape culture" characterised by a "continuum of abuse" – running from lockerroom banter to gang rape – demonises half the world's population.' <http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmB30KiWbIU>

A similar comment was made by author and journalist Cathy Young, within the same set of comments published in Spiked. Young stated, 'The post-Harvey Weinstein #MeToo momentum has ended the silence surrounding sexual abuse committed by a number of wealthy and powerful men, so it's difficult not to see a positive side. But it is also increasingly clear that this cultural moment has turned into an orgy of female victimhood and the demonization of men.' <http://www.spiked-online.com/newsite/article/meet-the-women-worried-about-metoo/20639#.WmB30KiWbIU>

Two months before, on October 21, 2017, Cornwall Live published a comment by Jacqui Merrington which raised comparable concerns. Merrington stated, 'The implication is that if every woman you know has been harassed by a man at some point, then every man you know has probably made a woman feel uncomfortable or unsafe or worse, abused. But should we be dividing the world along gender boundaries and victimising all women and demonising all men in pursuit of a change in culture that should involve us all?' <http://www.cornwalllive.com/news/news-opinion/whats-wrong-rhetoric-needs-change-662501>

Merrington further noted, 'We...need to be careful that this does not turn into a counterproductive power struggle, defined along strict gender lines. The men who've joined the #MeToo campaign...and tried to speak out about their own experiences of being victims appear to have been largely dismissed. Instead, there's a clamour for all men to admit #Ididthat and a sense that if a man doesn't own up to something, then he hasn't realised he's wrong yet – not that he could be blameless.' <http://www.cornwalllive.com/news/news-opinion/whats-wrong-rhetoric-needs-change-662501>

5. The #MeToo movement is intolerant of criticism

It has been claimed that many spokespeople for the #MeToo movement are intolerant of criticism and that the movement is becoming dictatorial. Some critics have noted that women, in particular, who challenge aspects of the movement are condemned as disloyal or as being brainwashed by the supposedly woman-hating culture that surrounds them.

In a comment published in Spiked on January 11, 2017, the editor, Brendan O'Neill, stated, 'Any woman who criticises #MeToo can expect to be metaphorically attached to the stake. This week the wonderful Catherine Deneuve and other French cultural figures slammed #MeToo for being anti-men and demeaning to women's agency. Deneuve was raged against, with Asia Argento, the actress who started the accusations against Harvey Weinstein, saying she has clearly been "lobotomised" by "interiorised misogyny".' <http://www.spiked-online.com/newsite/article/the-misogyny-of-metoo-katie-roiphe/20746#.WmCERqiWbIU> O'Neill went on to suggest that the role of speaking for all women had been monopolised by a small group of influential women in media and entertainment who were seeking to advantage themselves further and who therefore silenced criticism. O'Neill stated, '[#MeToo] is a highly politicised campaign driven by, and benefiting, well-connected women in culture and the media, who must maintain their alleged victim status at all costs because it is leverage for them in terms both of their career and their moral authority in public discussion. This is why they respond with such unforgiving, misogynistic fury to any woman who questions them – because these women...threaten to unravel the victim politics that is so beneficial to a narrow

but influential strata of society today.' <http://www.spiked-online.com/newsite/article/the-misogyny-of-metoo-katie-roiphe/20746#.WmCErqiWbIU>

In a comment published in Quillette on January 16, 2018, French PhD researcher Ulysse Pasquier also discussed the hostile response many #MeToo supporters gave to the writers of the open letter signed by Catherine Deneuve.

Pasquier notes that the letter draws attention to supposed intolerant, totalitarian aspects of the metoo movement and argues that it was greeted with the same intolerance. He states, 'In many ways, critiques arguing that the letter is anti-#MeToo are not only incorrect but off-topic. The letter's main intent is to serve as a warning and call out an ongoing societal trend that goes beyond a current awareness of sexual harassment. The signatories indeed point the finger at a new representation of feminism that runs the risk of "installing a totalitarian climate on our society".'

Pasquier concludes by highlighting the extremism and rejection of differing views that he claims mark many of the metoo advocates. He writes, '[T]he #MeToo movement has drawn attention to a scourge that has long remained silent and covered up, but any group-based movement driven by emotion runs the risk of exaggeration and excess. Today's wave of feminism runs the risk of alienating not only men but many women too if it cannot brook dissent, when it distorts narratives, and when it shows a cavalier disrespect for the principles of a free society.' <http://quillette.com/2018/01/16/catherine-deneuve-metoo-fracturing-within-feminism/>

Arguments supporting the me-too movement as necessary and appropriate

1. The #MeToo movement has raised awareness of sexual harassment and assault

One of the principal intentions of the #MeToo movement has been to increase public awareness of sexual harassment and assault. Though the hash tag #MeToo had been used as a rallying cry since 2006, it only became widely used after a Twitter posting on October 15, 2017, by actor Alyssa Milano in which she stated, 'If you've been sexually harassed or assaulted write "me too" as a reply to this tweet. Suggested by a friend: "If all 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."'

https://twitter.com/alyssa_milano/status/919659438700670976?lang=en

Social commentators noted that what the hash tag had achieved was to supply a simple marker by which people could indicate that they were the victims of an offence that is usually kept silent. Social activists have long argued that the incidence of rape and other forms of sexual abuse is under-reported and thus communities everywhere do not recognise the full extent of the problem.

One day after Milano's post, Twitter announced that half a million people had posted using the hash tag. On the same day Sophie Gilbert commented in The Atlantic, 'The power of #MeToo...is that it takes something that women had long kept quiet about and transforms it into a movement. Unlike many kinds of social-media activism, it isn't a call to action or the beginning of a campaign, culminating in a series of protests and speeches and events. It's simply an attempt to get people to understand the prevalence of sexual harassment and assault in society. To get women, and men, to raise their hands.'

<https://www.theatlantic.com/entertainment/archive/2017/10/the-movement-of-metoo/542979/>

Many posters and others have spoken of the increased awareness of the problem of sexual abuse that the ever-growing number of #MeToo posts has given them. Will Goodman, a journalist in New York, wrote on Facebook, 'I have always known that [sexual abuse] is more widespread than acknowledged and to have these stark visual moments on social media is

horrifying and heartbreaking.' <http://www.smh.com.au/lifestyle/news-and-views/social/me-too-stories-of-sexual-harassment-assault-surge-on-social-media-20171016-gz2607.html>
Commenting on what she has observed through the #MeToo movement in Australia and overseas, Australian actor Yael Stone has stated, 'No one is numb to the discomfort when we are forced to look at the darker parts of our collective psychology. As a society, what have we sanctioned in secrets and silence? What are these parts of our humanity that have the potential to treat others with complete disregard, assuming that power, fame or both will keep them silent?'

Radically, the heart of this movement suggests that this imbalance will no longer be enough to keep less powerful victims silent. It turns an age-old pattern of behaviour inside out, exposing it to the light and giving us the chance to move forward as a society.'

<https://www.theguardian.com/world/commentisfree/2017/dec/03/the-metoo-moment-is-hitting-home-and-it-hurts-but-its-our-chance-for-change>

2. It is difficult for victims of sexual harassment and assault to gain justice through workplace complaints

Supporters of the #MeToo movement note there are many factors which make it difficult for women in the workplace to report sexual assault or harassment. Supporters of the #MeToo movement claim it gives victims a chance to reveal their situation that they have not had within the workplace.

In a comment and analysis published in Vox on December 19, 2017, it was noted 'Across economic classes, there are common threads when it comes to how workplace sexual harassment — and gender-based violence in the workplace more broadly — affects those who experience it. Fear of retaliation, of not being believed, of losing out on work and money are concerns shared by many survivors.'

<https://www.vox.com/identities/2017/12/19/16620918/sexual-harassment-low-wages-minority-women>

This fear of job loss or further discrimination means that many victims of abuse do not lodge a complaint. Time magazine's December 18, 2017 edition featured the #MeToo movement and victims who had broken the silence surrounding sexual assault and harassment. Many of the women interviewed explained their fears. One paraphrased interview read, 'Juana Melara, who has worked as a hotel housekeeper for decades, says she and her fellow housekeepers didn't complain about guests who exposed themselves or masturbated in front of them for fear of losing the paycheck they needed to support their families.' <http://time.com/time-person-of-the-year-2017-silence-breakers/>

Similar claims have been made in Australia where, for example, some of the women who have made accusations of sexual assault or harassment against actor Craig McLachlan have explained that they feared job loss or being disbelieved. <http://www.abc.net.au/news/2018-01-08/craig-mclachlan-accused-of-indecent-assault-sexual-harassment/9304452>

It has also been claimed that workplace managers often deal badly with the complaints that are made. Sociology Professor, Anna-Maria Marshall from the University of Illinois has commented on this mishandling of complaints. She notes, '[T]he women who do decide to come forward...are often met with scepticism and discouragement. Supervisors and human resources managers may want to protect women from harassment, but they are also trying to protect the employer from liability. As a result, the process starts to take the shape of litigation defence, and women start to feel as though they were the ones to blame.'

<https://phys.org/news/2017-12-women-sexual.html>

This point was made in relation to the handling of the Craig McLachlan allegations. Some of those who are now claiming to have been sexually harassed by McLachlan have recounted

that when they complained to representatives of the production company they were discouraged from proceeding.

One of the performers who has since made a formal allegation to the police has been reported as saying, '[T]he next day I decided to go to [a female production staff member]. I told her that [McLachlan] was intimidating me on stage and others and she said, "That's a very serious accusation and if you want to take that further I'm going to have to call the producers, is that what you want?" And the insinuation was, you don't want to take this further.'

<http://www.abc.net.au/news/2018-01-08/craig-mclachlan-accused-of-indecent-assault-sexual-harassment/9304452>

Before three of those now making accusations against McLachlan went public with their allegations, they asked the producers of The Rocky Horror Show, Gordon Frost Organisation (GFO) to investigate their claims before the show opened in Adelaide. The women said they were fearful that the current female cast members might have to endure what they did.

However, GFO declined to act and instead threatened the women, through their lawyers, that the company might sue them for defamation.

<http://www.centralwesterndaily.com.au/story/5156827/more-accusers-come-forward-in-light-of-craig-mclachlan-allegations/>

3. It is difficult for victims of sexual harassment and assault to gain justice through the legal system

Supporters of the #MeToo movement claim social media exposure of the offence and offender is far more accessible to victims of sexual assault and harassment than legal redress. The law, they claim, often does not supply justice to victims of sexual abuse.

There are many features of the legal system which make it difficult for women to prove that an offence has occurred, including the standard of evidence required. On January 8, 2018, Vox published a comment by Constance Grady in which she stated, 'There are usually few witnesses, physical evidence can be waved away as "she wanted it rough," and most people are primed to believe the accused rather than the victim — especially when... the accused is a powerful and well-liked man.' <https://www.vox.com/culture/2018/1/6/16855434/weinstein-reckoning-sexual-harassment-due-process-daphne-merkin-keillor-franken>

A report recently released from the Victorian Crime Statistics Agency found that in 2009 and 2010, over 3,500 rapes were reported to Victoria Police. Of those, only 3% ended in a court conviction. <http://www.news.com.au/lifestyle/real-life/news-life/terrifying-truth-about-rape-convictions-it-shatters-your-belief-that-the-world-is-a-safe-place/news-story/9fc4a65689f180b3534d79f4fd019b8e> The prosecution and conviction rates in the United States are higher; however, they are low when compared to the total number of cases investigated. Only 14-18% of all reported sexual assaults are prosecuted and only 18% of rape cases involving adult women result in conviction.

https://opsvaw.as.uky.edu/sites/default/files/07_Rape_Prosecution.pdf

In Australia, sexual harassment excludes actions that did not involve physical force or threatened physical force.

[http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4530.0~2015-](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4530.0~2015-16~Main%20Features~Sexual%20assault~32)

[16~Main%20Features~Sexual%20assault~32](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4530.0~2015-16~Main%20Features~Sexual%20assault~32) An editorial published in The Sydney Morning Herald on December 12, 2017 (following allegations of sexual harassment against celebrity gardener, Don Burke) suggested reforms were needed at law to make it easier to act against abusers. The editorial stated, 'A bigger question to flow from the allegations against Burke may be whether Australian laws need to be changed to provide better protections to victims of sexual harassment, and to afford them meaningful redress.'

<http://www.smh.com.au/comment/smh-editorial/burke-case-shows-law-must-adapt-to-deal-with-sexual-harassment-claims-20171211-h02j8h.html>

The editorial further noted that a less confrontational means of seeking redress is to lodge a complaint with the Australian Human Rights Commission. However, the editorial observes, this avenue is made less accessible by the requirement that the alleged offence be recent. The Commission can discount a complaint if it is made more than six months after the supposed offence occurred.

The editorial concluded, 'As the culture of reporting allegations of sexual harassment undergoes profound change, the law must respond with more flexible solutions.'

<http://www.smh.com.au/comment/smh-editorial/burke-case-shows-law-must-adapt-to-deal-with-sexual-harassment-claims-20171211-h02j8h.html>

Regarding the need to resort to social media exposure through the #MeToo movement, Dr Jennifer Wilson, an independent social and political commentator, has queried, 'Does anyone seriously believe that victims of such crimes would choose to disclose this abuse on social media if there was a viable option? An option that wouldn't result in either being ignored and humiliated by police or in an adversarial legal debacle almost guaranteed to end with the perpetrator walking away and the victim traumatised, re-traumatised and publicly flayed by the defence? Because this is what the majority of victims of sexual crimes must face when they enter the criminal justice system.' <https://independentaustralia.net/life/life-display/deneuve-greer-and-why-metoo-is-not-a-witch-hunt,11107>

Writing in The Verge on January 15, 2018, Laura Hudson explained, 'If the environment created by #MeToo is less than ideal in its standards of proof, that is a direct product of a deeply broken justice system...There's a reason why cases of rape and harassment have increasingly been tried in the court of public opinion: it is the only court where most victims have a chance in hell of experiencing anything close to justice.'

<https://www.theverge.com/2018/1/15/16893734/metoo-movement-backlash>

4. The naming of specific sexual predators and abusers may protect other potential victims

While many of those who have posted as part of the #MeToo movement did not name their assailants, others have. Further, the movement has prompted the publication of lists of men commonly named in informal social networks as being perpetrators of sexual harassment or assault. Those who support this extension of the #MeToo movement see it as supplying some sort of vindication for victims, punishment for perpetrators, and, importantly, serving to protect other women.

Commenting on this development in a discussion piece published on October 19, 2017, in The Perspective, Michael Bruckner summarised the views of some of those who favour outing, 'While the #MeToo movement is very empowering and raises awareness, starting to name the harassers and rapists is the best way to enact meaningful change...The big issue is that too many men get away with their crimes against women. Women need to stand together and ensure that this stops. Already, whisper networks of women warning each other are developing to protect the unknowing from danger. Being a victim of sexual assault comes with the terrible burden of not being believed, in addition to a terrible trauma. Outing the men that hurt these people can validate their pain and protect the victims of tomorrow.'

<https://www.theperspective.com/perspectives/living/metoo-movement-name-perpetrators/>

On October 17, 2017, Jessica Valenti, writing for The Guardian, urged women to name their abusers. She stated, 'It's true that telling our stories can help – it can help victims not feel quite so alone and make others understand the breadth and depth of the problem. But the truth is that nothing will really change in a lasting way until the social consequences for men are too great for them to risk hurting us. Why have a list of victims when a list of perpetrators could be so much more useful?'

<https://www.theguardian.com/commentisfree/2017/oct/16/me-too-victims-perpetrators-sexual-assault>

In France, women have begun to adopt another hash tag '#BalanceTonPorc' or 'out your pig' and posts are being made which name alleged perpetrators of sexual harassment and assault. <https://www.npr.org/sections/parallels/2017/11/03/561677686/instead-of-metoo-french-women-say-out-your-pig> Following the #MeToo social media campaign, a list appeared on social media in India containing the names of dozens of professors, activists and journalists accused of 'sexually predatory' behaviour. <http://www.dw.com/en/metoo-sexual-predators-list-divides-indian-feminists/a-41295522>

Naming alleged perpetrators of sexual harassment and assault is seen as a way of protecting others. One of the performers who has made allegations against Craig McLachlan stated, '[T]he crucial thing ... is to prevent similar behaviour from happening to others.' <http://www.smh.com.au/entertainment/hes-calculated-and-manipulative-a-predator-craig-mclachlan-accused-of-indecent-assault-20180107-h0enst.html>

5. The #MeToo culture has led to action being taken against alleged perpetrators of harassment and assault

In the climate created through the #MeToo movement action is beginning to be taken in a variety of ways against prominent men accused of sexually improper actions. A number of employers and corporations have removed from their positions people who have been accused of sexual harassment and assault. Others have either been pressured to resign or have felt the need to do so. Many supporters of the #MeToo movement see this as indicating a long-awaited shift in public attitude and a punishment of those who have sexually assaulted and harassed women.

The following list of alleged perpetrators and the official response made to the accusations raised against them are drawn from an article published in The New York Times and updated on January 11, 2018. It is a sample from the list of 51 prominent accused men that the newspaper published. <https://www.nytimes.com/interactive/2017/11/10/us/men-accused-sexual-misconduct-weinstein.html>

James Rosen, a Fox News correspondent has left Fox News following accusations of sexual harassment. Marcelo Gomes, a dancer at the American Ballet Theatre, has resigned following accusations of sexual misconduct. Charles Dutoit, a conductor, has withdrawn from three scheduled concert series and had several major orchestras sever contact with him sexual assault allegations from four women. Morgan Spurlock, a documentary filmmaker stepped down from his production company after making public accusations of sexual harassment and rape against him. Brett Ratner, a producer and director, stepped away from all activities related to a \$450 million agreement to co finance films with Warner Bros. after he was accused of sexual assault or harassment by six women. Tony Mendoza, a California state senator, was removed from his leadership positions pending an internal investigation into accusations of sexual harassment by three women. John Lasseter stepped away as head of Pixar and Walt Disney Animation for 'a six-month sabbatical' after he was accused of sexual harassment. He apologized. Ken Friedman, a chef and restaurateur, took a leave of absence from the management of his restaurants after 10 women accused him of unwanted sexual advances. He has apologized. Marshall Faulk, Heath Evans and Ike Taylor, analysts for NFL Network, and Donovan McNabb and Eric Davis, ESPN radio show hosts, were suspended pending investigations into accusations by a former co-worker, who sued them for sexual harassment and assault. Roy Price, the head of Amazon Studios resigned following an accusation of sexual harassment. Kevin Spacey, an Academy-award winning actor, was fired from 'House of Cards, and cut from other projects following multiple accusations of sexually assaulting men and one accusation of sexual misconduct with a minor. Matt Lauer, co-host of 'Today' was fired by NBC following an accusation of sexually inappropriate behaviour.

Further implications

The #MeToo movement has highlighted the shortcomings of the law and of workplace complaint procedures with regard to sexual assault and harassment. It has also demonstrated the narrow application of the presumption of innocence. It is probable that it is about to test the efficacy of defamation law.

Numerous analysts and commentators have stressed the need for changes in the law governing sexual offences and how those laws are implemented. The law as it currently stands does not appear to offer the victims of sexual assault or harassment a genuine opportunity for redress or remedy. Too few of those accused are prosecuted and too few prosecutions result in conviction. Further, punitive societal attitudes and lack of faith in the outcome of investigations and trials means that a majority of victims of sexual assault do not even seek to have charges brought against their attackers.

<https://www.theglobeandmail.com/news/national/one-in-10-substantiated-sex-assaults-result-in-conviction-statscan/article36731269/>

Though critical of aspects of the #MeToo movement, Canadian novelist, Margaret Atwood, among many others, has pointed to the failure of current legal systems to deal adequately with sexual harassment and assault. Atwood has written, 'The #MeToo moment is a symptom of a broken legal system. All too frequently, women and other sexual-abuse complainants couldn't get a fair hearing through institutions – including corporate structures – so they used a new tool: the internet...This has been very effective, and has been seen as a massive wake-up call. But what next? The legal system can be fixed, or our society could dispose of it.' <https://www.theglobeandmail.com/opinion/am-i-a-bad-feminist/article37591823/>

As Atwood notes, it is not only the legal system that has been found wanting. Those in authority in workplaces - overseers, managers, human resources officers, producers, directors, those on the floor, in middle management and upper management have either not listened, not believed or had a greater loyalty to the business or the company than to individuals working within it. When actor Ashley Judd spoke of the sexual harassment she endured from producer Harvey Weinstein she explained the powerlessness she felt because she believed there was nowhere she could go to get redress. 'Were we supposed to call some fantasy attorney general of moviedom?...There wasn't a place for us to report these experiences.' <http://time.com/time-person-of-the-year-2017-silence-breakers/> It would appear that there is a need around the world to change the way workplaces respond to sexual harassment and assault. Numerous commentators have noted that it is not just policies that are needed. The manner in which they are acted upon is equally important. One of the actions that has been proposed is banning confidentiality clauses in sexual harassment settlements. <https://www.wired.com/story/how-to-pierce-the-secrecy-around-sexual-harassment-cases/> Though important, this is only part of the solution, as those receiving confidentiality are among a fortunate minority who have at least had their grievance addressed, however inadequately.

The flip side of this issue is the widespread concern that has been expressed for those accused of sexual harassment or assault who have lost their jobs and their reputations on the basis of an allegation. There is frequent reference made to a 'presumption of innocence'. This is a protection that exists only when an accused is being tried. It exists within the legal system, but nowhere else. None of those who have heard accusations made, for example within Australia, against Geoffrey Rush or Don Burke or Craig McLachlan or Robert Doyle is required to give any of these men the benefit of the doubt. However, the issue has exposed the readiness of the public to rush to judgement and condemn on the basis of an allegation. It suggests that there is need for widespread public discussion on what reactions are appropriate when someone is accused of an offence.

Media outlets and private citizens can be sued for defamation; however, depending on the jurisdiction, defamation has been claimed to be too easy or too difficult to establish at law. Defamation in Australia occurs when a person intentionally spreads false information about another person, group of people, or company that damages their reputation, or can make others think less of them. Being able to establish that the information that has been disseminated is true is a defence against defamation. A similar law operates in many other jurisdictions, including within the United States. Defamation is actionable regardless of the medium. A person can be defamed, for example, in print, through photos and on the internet. <https://www.slatergordon.com.au/blog/5-things-know-about-social-media-defamation> For example, Australian actor Geoffrey Rush is suing The Daily Telegraph for the manner in which it reported as yet undefined and unsubstantiated accusations of sexually improper conduct made about him. <http://www.abc.net.au/news/2017-12-08/geoffrey-rush-defamation-action-what-the-court-documents-say/9241976>

Many commentators have anticipated large numbers of defamation cases as a result of current accusations of sexual harassment or assault. Some individuals and media outlets have already been sued for defamation and it seems likely that more will be. In the United States, proving defamation in these cases is difficult, particularly because the plaintiff must prove the statement is false, in these instances that would mean that the sexual assault did not happen. The burden of proof is therefore shifted in defamation shifts to the person accused of sexual assault, which means alleged victims will have an easier time than they would in a criminal case where the state would have to prove that an assault did happen.

<https://www.salon.com/2017/12/16/can-you-be-sued-for-sharing-your-metoo-story/> This is not the case in Australia where a claimant needs to prove beyond reasonable doubt that an allegation is true. Thus the burden of proof remains with the person who has claimed to be assaulted. <http://www.theage.com.au/comment/the-age-editorial/facing-the-particular-challenge-of-metoo-in-australia-20171215-h05ctp.html>

It will be interesting to see how many of the men accused online of sexual harassment or assault will actually be charged with an offence and tried. Should this begin to happen, the legal system all around the world will have a harsh light shone upon it.