

# **When survivors speak, what does Twitter say?: A multiple case study of #metoo**

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## Abstract

On October 15th, 2017, actor Alyssa Milano tweeted “#metoo” in solidarity with women coming forward with allegations of sexual assault against Hollywood executive Harvey Weinstein, stating that she too had experienced sexual violence. Since then, #metoo has seen unprecedented numbers of people participating in discussions across the globe, challenging the culture of silence that often envelopes sexual violence. To provide insight into how society discusses sexual violence, this study uses a multiple case study design involving three prominent hearings in which women give a victim impact statement or testimony: the Larry Nassar sentencing hearing, the Bill Cosby sentencing hearing, and Brett Kavanaugh’s Supreme Court confirmation hearing. Through a content analysis of 2419 tweets, the findings reveal that the majority of Twitter discourse ties into larger discussions on privilege, provides survivors with support, condemns the accused or convicted, or critiques the #metoo movement and survivors of sexual violence.

**Keywords:** #metoo; *Me Too*.; sexual violence; Larry Nassar; Bill Cosby; Brett Kavanaugh

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## List of Acronyms

AMMSA	Acceptance of Modern Myths about Sexual Aggression
ARVS	Attitudes Toward Rape Victims Scale
ASI	Ambivalent Sexism Inventory
ATR	Attitudes Toward Rape
AWS	Attitudes Towards Women Scale
CRMA	Chinese Rape Myth Acceptance
FBI	Federal Bureau of Investigation
IACP	International Association of Chiefs of Police
IRMA	Updated Illinois Rape Myth Acceptance Scale
KRMAS-R	Korean Rape Myth Acceptance Scale – Revised
LSH	Likelihood to Sexually Harass
MSU	Michigan State University
NDA	Non-Disclosure Agreement
OAS	Others as Shamers Scale
RAPE-SUPPORT	Rape-Supportive Attributions Scale
RES	Rape Empathy Scale
RMA	Rape Myth Acceptance
RMAS	Rape Myth Acceptance Scale
RMS	Rape Myth Scale
SAC	Sexual Assault Centre
SCOTUS	Supreme Court of the United States
SHMA	Illinois Sexual Harassment Myth Acceptance
SRMS	Stranger Rape Myth Scale
USAG	United States of America Gymnastics
VCS	Victim Credibility Scale
VIS	Victim Impact Statement
WHO	World Health Organization

# Chapter 1.

## Introduction

Sexual assault remains one of the most underreported crimes in Canada, England, Wales, Scotland and the United States (Daly & Bouhours, 2010; Doolittle, 2017; Johnson, 2017). The silencing of survivors in cases of sexual violence has long been documented by scholars (Hockett & Saucier, 2015; Jordan, 2004; Prasad, 2018) who often point to survivors' decisions not to report. This decision is commonly influenced by the fear of not being believed due to stereotypes and myths surrounding what "real" victims look like and how they behave during or after the assault (Estrich, 1987; Jordan, 2004; Lonsway & Fitzgerald, 1994). This reluctance to report is one of the largest contributors to high attrition (i.e., cases of sexual violence being "dropped" at any point during the reporting process") and underreporting rates of sexual assault and rape (Daly & Bouhours, 2010). Though literature on sexual assault and rape remain pertinent to this study, the term "sexual violence" is used to cover the spectrum of abuse and harm and to accommodate differing legal definitions of rape, sexual assault, and consent.

In October 2017, allegations of sexual assault surfaced against Hollywood executive Harvey Weinstein. On October 15th, 2017, actor Alyssa Milano tweeted using the hashtag "#metoo" in solidarity with the women coming forward against Weinstein, stating that she too had experienced sexual violence. In hopes of demonstrating the pervasiveness of sexual violence, Milano encouraged others to identify themselves as survivors of sexual violence and to say "me too" by posting the hashtag. Through the volume of membership online – 19 million tweets between October 2017 and October 2018 – #metoo set forth an "unprecedented" (MacKinnon, 2018) tidal wave of discussion and awareness. This conversation was not the first-time survivors were saying "me too"; in 2006, sexual violence survivor Tarana Burke founded the *Me Too*. movement to provide solidarity to communities of Black women and girls from low socioeconomic homes. Eleven years later, Burke's message and movement were turned into a monumental hashtag by Milano, resulting in never before seen numbers of people participating worldwide. One day after Milano tweeted, encouraging others to say "me too", she credited Burke as the initial creator of the movement on Twitter. The hashtag iteration

of Burke's movement saw countless people breaking the silence on their own victimization. *Me Too*. was founded as a way of counteracting the silence and isolation survivors of sexual violence often feel and #metoo has taken its message of empathy and empowerment globally. Rotenburg & Cotter (2018) claim that #metoo has drastically impacted the reporting rates of sexual assault in Canada, with almost *all* Canadian provinces and territories experiencing an increase in the number of reports made. In an analysis of pre- and post-#metoo time periods, changes in the rates of police-reported sexual assault across Canada were highlighted: Quebec (+61%), Newfoundland and Labrador (+36%), Manitoba (+27%), Ontario (+19%), British Columbia (+16%), Nova Scotia (+15%), New Brunswick (+9%), Nunavut (+8%), Alberta (+7%), Prince Edward Island (+3%), Saskatchewan (+1%), Yukon (-18%), Northwest Territories (-10%) (Rotenburg & Cotter, 2018). Increasingly, scholars have taken notice of #metoo's reach and ability to increase awareness and discussion about sexual violence and its survivors/victims. #metoo has not received unanimous support, however, and some claim that the movement hinders due process and the presumption of innocence. Seen as "a vindictive plot against men" (TED, 2019) by some, the #metoo movement, much like any feminist movement, has received significant backlash for its role in perpetuating a court of public opinion.

Given the volume of its use online, #metoo presents an opportunity to delve into societal understandings of sexual violence on a global scale. To explore how society discusses sexual violence, this study uses a multiple case study design involving three prominent cases following the initial burst of #metoo in October 2017, the Larry Nassar sentencing hearing, the Bill Cosby sentencing hearing, and Brett Kavanaugh's Supreme Court confirmation hearing. Through a content analysis of tweets, this paper provides insight into how Twitter users, posting with the hashtag "#metoo", discuss cases of sexual violence when survivors give a victim impact statement (VIS) or testimony on record. The three cases selected for analysis consist of prominent men being accused or sentenced in which Twitter discussion using #metoo also increased. Importantly, each case study occurs during a time when survivors have given a formal statement, an experience that studies have found to be emotionally difficult and draining (Burger & Konradi, 2000; Lens et al., 2015). Comprehensive literature searches indicate that this study is one of the first studies to adopt a multiple case content analysis to investigate high-profile sexual assault cases while #metoo is trending. The use of three cases also encourages cumulative findings that speak to the larger framing of feminist activism and sexual violence. As many

await Weinstein's trial, scheduled for September 2019, this research provides valuable insight into perceived issues of importance, areas of controversy, and overall understandings of sexual violence.

Using open coding techniques that capture both the topic and agency expressed in each tweet, the following research question guides this project: "In prominent cases in which complainants deliver a formal testimony or a victim impact statement, what is the focus of the Twitter discussion among the #metoo movement?" During a time where the difficulty of reporting and speaking out is acknowledged and support is being given to survivors through a global hashtag, this study investigates how #metoo is being used on Twitter. Each case presents its own specific context wherein societal discussions and debate can be investigated. Through the inclusion of *three* cases, this study presents one of the first glimpses into what aspects of sexual violence are emphasized on Twitter across more than one case, and what patterns, if any, there may be in the overarching discussion involving #metoo.

An empirical review of relevant literature is presented throughout the next chapter. Chapter Three presents the research methods used for the study, including a context-specific background for each, the coding techniques used for analysis, and ethical considerations. A discussion of findings in each case study is presented in Chapter Four chronologically, beginning with the Nassar sentencing hearing, followed by the Cosby sentencing hearing, and finally the Kavanaugh U.S. Supreme Court confirmation hearing. A cumulative discussion highlights larger findings, similarities, and differences found across cases at the end of Chapter Four. In Chapter Five, the study's limitations are acknowledged and the research question is answered. Key takeaways and implications of the discussion presented in this project are presented alongside suggestions for future research projects involving survivors of sexual violence and/or the #metoo movement in Chapter Five.

## Chapter 2.

### Literature Review

This chapter highlights the gendered nature of sexual violence and details empirical studies on rape culture and rape myth, following a consideration of the use of language and labels concerning survivors and/or victims. Secondary victimization and attrition factors (e.g. survivors' self-perceptions of believability) that influence the reporting of sexual violence, including contact with police, sexual assault nurse examiners (SANEs), and lawyering techniques are also included. The increasingly widespread use of non-disclosure agreements (NDAs) and the resultant fostering of silence are also outlined. Given that this study's case selection focuses on hearings in which women have given a formal statement on record, a review of literature on victim impact statements (VISs) and testimony in cases of sexual violence is also presented. The movement from which “#metoo” was born is detailed, giving important acknowledgment and consideration for the work done before the hashtag.

#### 2.1. Sexual violence and gender

At the centre of sexual assault and rape is a lack of consent. The parameters set out to establish the presence (or absence) of consent are not uniform worldwide. For instance, Canada has established the affirmative model of consent, laid out in *R. v. Ewanchuk* (1999), and law reform in the 1983 saw amendments to the crime of “rape” changed to “sexual assault” (Roberts & Gebotys, 1992). The affirmative model replaces the previous standard of “no means no” for “yes means yes”, to ensure that consent is present; thereby requiring an “unequivocally clear articulation of assent” (DaLaet & Mills, 2018, p. 506). In the United States, however, the affirmative model of consent is established in some states, California, the District of Columbia, Minnesota, Montana, New Jersey, Vermont, Washington, and Wisconsin (Beitsch, 2018; DaLaet & Mills, 2018). Globally, England, Wales, and the state of Victoria in Australia have also adopted the affirmative model (Radačić, 2014). Not only is the affirmative standard not codified across the United States, rape remains a crime in some states while other states have amended laws to now include the act of “sexual assault.” Sexual violence is defined by the United Nations Women (2015) as “any sexual act, attempt to obtain a sexual act, unwelcome

sexual comments, advances or other acts of sexual harassment, including against a person's sexuality, by any person (mostly men) regardless of their relationship to the victim, in any setting".

According to UNICEF (2017), approximately 15 million girls worldwide, aged 15 to 19, have experienced forced sex. Every year, statistics from international organizations and national institutions show that women are more likely to be victims of sexual assault (including rape) than men. As Armstrong, Gleckman-Krut & Johnson (2018) state: "[s]exual violence is about domination – across race, nation, class, gender, and other dimensions of inequality" (p. 101). DaLaet & Mills (2018) discuss the influence that gender has – and continues to have – on sexual violence:

[g]ender norms that create stigma for survivors of sexual violence amplify the psychological and social factors that undergird an impulse to individual, familial, and collective silence in the face of trauma. Constructions of femininity that prioritise female sexual purity and modesty contribute to feelings of shame that make survivors reluctant to speak publicly about sexual violence that has been committed against them. Likewise, constructions of masculinity that emphasise male dominance and invulnerability make men resistant to publicly acknowledge when they have been victims of sexual violence. (p. 500)

du Toit (2012) echoes the notion that gender and sexual violence are inextricably linked, stating that the victim of sexual assault – male or female – experiences a feminization while the perpetrator – male or female – experiences a masculinization. Male victims of sexual violence are viewed as weak and gay men are portrayed as increasingly feminine and are constructed as though possessing "fickleness, untrustworthiness, excessive emotion, an affinity with corporeality and sex" (du Toit, 2012, p. 469).

Radical feminists in 1970s first began critiquing rape as a form of maintaining patriarchal superiority in society. Second-wave feminist voices effectively claimed that rape has been normalized within a culture that serves to keep women subordinate to men's desires and needs (Brownmiller, 1975; Jensen & Whisnant, 2017; Kaladelfos & Featherstone, 2014; MacKinnon, 1982). Jensen & Whisnant (2017) identify American culture as one that "endorse[s] a patriarchal conception of masculinity/feminist that invites men to be sexually aggressive" (p. 75). The gendered nature of sexual violence continues to emerge in the language surrounding and embedded within cases of sexual violence.

Those who have been victimized by or have perpetrated sexual violence are housed within the larger scaffolding of rape culture language and stereotyping.

## **2.2. Rape culture and myths**

Rape culture “is a set complex of beliefs that encourages male sexual aggression and supports violence against women” (Buchwald, Fletcher & Roth 2005, p. xi). It has also been defined “as a socio-cultural context in which an aggressive male sexuality is eroticized and seen as a ‘healthy,’ ‘normal’ and ‘desired’ part of sexual relations” (Keller, Mendes, Ringrose, 2018, p. 23). Constructed by traditional gender roles that posit women as chaste and passive to men’s sexual desires, rape culture creates an environment where expectations are formed around permitted roles of both men and women. Many scholars have outlined a “continuum” of behaviours that rape culture plays a role in (Buchwald, Fletcher & Roth, 2005; Phillips, 2017). When a sexual assault occurs, the victim is immediately faced with multiple myths and stereotypes about gender roles and sexuality operating simultaneously. If an individual does not fit within the slim margins of this “perfect ideal”, their role – whether victim or offender – is subsequently called into question (Justice L’Heureux-Dubé, dissenting in *Seaboyer & Gayme*; Radačić, 2014). These stereotypes help construct the notion of an “ideal victim” or “real victim,” setting expectations of certain characteristics against which victims of sexual violence are measured. Furthermore, the term ‘real rape,’ coined by Estrich (1987), detailed stereotypical assumptions about the actual event that made it real, an “armed man jumping from the bushes” (p. 8). Daly & Bouhours (2010) reiterate Estrich’s argument, stating that “[r]eal rape has one or more of these elements: stranger relations, multiple assailants, weapon use, and evidence of serious physical injury” (p. 570). Without these elements, the woman’s credibility and the event’s believability was likely to be questioned (Daly & Bouhours, 2010; Estrich, 1987).

Burt’s (1980) definition of rape myths as “prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists” (p. 217) is widely accepted across feminist scholars (see also Brownmiller, 1975; Estrich, 1987; Lonsway and Fitzgerald, 1994; Barnett, Sligar and Wang, 2016). Rape myths, at their core, suggest that women are responsible for the assault occurring, and are often constructed based on victim-blaming practices around “the types of clothing they wear, their demeanor, by being alone, drinking, and being out at night” (Deming, Covan, Swan & Billings, 2013, p. 467). These myths also serve to justify

sexual violence (Chapleau & Oswald, 2013; Weiser, 2017). Effectively, these myths have become powerful ideas that shift blame from the perpetrator to the victim. Gender stereotypes entrenched within rape culture affect both women and men. In a rape culture, women are seen to enjoy being aggressively pursued by men, leaving women to play the role as the desirable target and men as the pursuant aggressor. These rape myths ask victims to measure their experiences against what is expected and what is believed about rape, including:

‘only bad girls get raped’; ‘any healthy woman can resist a rapist if she really wants to’; ‘women ask for it’; ‘women cry rape only when they’ve been jilted or have something to cover up’; ‘rapists are sex-starved, insane, or both’. (Burt, 1980, p. 217)

The myth that “women routinely lie about rape” (Lonsway & Fitzgerald, 1994, p. 135) is built up by media in isolated or sensational cases, which can have devastating implications for other cases of sexual violence where women are confronted with a widespread belief that women are likely lying when they report.

Since their conception, studies have operationalized the willingness to accept rape myths – known as rape myth acceptance (RMA) – by including commonly held myths in a wide variety of attitude scales. The table below lists attitude scales that have been applied across cultural contexts, including the United States, Canada, China, Spain, Norway, Germany, and Korea.

**Table 2.1. List of attitudinal scales (by year)**

Name of Scale	Author(s)	Date
Chinese Rape Myth Acceptance (CRMA)	Xue, Fang, Hang, Cui, Rhodes & Gell	2019
Victim Credibility Scale (VCS)	Page	2010
Acceptance of Modern Myths about Sexual Aggression (AMMSA)	Gerger, Kley, Bohner & Siebler	2007
Illinois Sexual Harassment Myth Acceptance (SHMA)	Lonsway, Cortina & Magleyoh	2008
Stranger Rape Myth Scale (SRMS)	Lee, Pomeroy, Yoo & Rheinboldt	2005
Korean Rape Myth Acceptance Scale – Revised (KRMAS-R)	Oh & Neville	2004
Rape-Supportive Attributions Scale (RAPE-SUPPORT)	Monson, Langhinrichsen-Rholing & Binderup	2000
Updated Illinois Rape Myth Acceptance Scale (IRMA)	Payne, Lonsway & Fitzgerald	1999
Ambivalent Sexism Inventory (ASI)	Glick & Fiske	1996
Others as Shamers Scale (OAS)	Goss, Gilbert & Allan	1994
Vengeance Scale	Stuckless & Goranson	1992
Attitudes Toward Rape Victims Scale (ARVS)	Ward	1988



<b>Name of Scale</b>	<b>Author(s)</b>	<b>Date</b>
Likelihood to Sexually Harass (LSH)	Pyror	1987
Rape Empathy Scale (RES)	Dietz, Blackwell, Daley, Bentley	1982
Rape Myth Acceptance Scale (RMAS)	Burt	1980
Attitudes Toward Rape (ATR)	Field & Greenwald	1978
Attitudes Towards Women Scale (AWS)	Spence & Helmreich	1972

The influence of factors such as socioeconomic status, age, gender, education level (Nagel et al., 2005) and religiosity (Barnett et al., 2016) on an individual's propensity towards higher RMA continue to be investigated. Others have found that male victims are likely to shoulder more blame for their assaults than female victims (Deming et al. 2013). The existence of a victim-offender relationship was also investigated as a factor that contributes to higher RMA (Barnett et al., 2016; Deming et al., 2013; Monson et al., 2000). Quantitative studies continue to find gender is a predictor of RMA, as men are more likely to accept rape myths than women (Hayes, Abbott & Cook, 2016; Hayes, Lorenz & Bell, 2013; Basow & Minieri, 2011; Stahl, Eek & Kazemi, 2010, Suarez & Gadalla, 2010; Nagel, Matsuo, McIntyre & Morrison, 2005). RMA not only impacts how others place blame and responsibility, but it can also impact how women see their own sexual experiences. Stoll, Lilley, and Pinter (2017) claim that "RMA can prevent women from defining unwanted sexual encounters as rape" (p. 32), suggesting that the continuation of RMA leaves room for ambiguity surrounding sexual violence. The endorsement of rape myths throughout society leads to "victim blaming that... often leave victims with a lack of social support and may encourage victims to believe that they did something to precipitate their assault" (Hayes et al. 2013, p. 208). No doubt, these myths present "a genuine barrier to justice for sexual assault victims" (Weiser, 2017, p. 47).

### **2.2.1. Race**

Black victims and Black offenders face unique stereotyping within rape culture. The Black victim is often faced with the "jezebel" stereotype, which claims Black women are more promiscuous and sexually manipulative, pushing forth the idea that Black women should be held accountable for provoking the assault (Flood, 2012; Franklin & Garza, 2018; Miller, 2019). In this stereotype, "[t]he 'bad' black woman was... eager for sexual exploits: she was neither chaste nor likely mind if she was ravished" (Flood, 2012, p. 82). Another myth that Black women seemingly face more than white women is the idea that

“women lie about sexual violence in order to hide their shame over their own desires” (Flood, 2012, p. 89).

The myth of possessing hypersexuality works against both Black offenders and victims. The “myth of black rapist” (Davis, 1983), which portrays Black men who commit sexual violence as “hypersexual” has held form across studies (Benedict, 1992; Flood, 2012; Fredman, 2011; George & Martínez, 2002; Miller, 2019; Varelas & Foley, 1998). In this framing, Black men come to represent “the embodiment of sexual violence” (Pascoe & Hollander, 2015, p. 75). Yet, scholars are calling for more current empirical research into racialized stereotypes in sexual violence (see Miller, 2019). Recent studies have found that less blame is placed on the victim when the perpetrator is Black (George & Martínez, 2002; Miller, 2019; Veralas & Foley, 1998). Furthermore, higher culpability is placed on both victim and offender involved in interracial sexual violence (George & Martínez, 2002). In other words, when the victim is Black, she is thought to have invited the assault, or when the offender was Black, the victim shoulders more responsibility because she should have been aware of the danger he posed (Miller, 2019). These racialized stereotypes become even further pronounced when news media largely ignore Black victims and continuously portray Black men as dangerous and Black women as promiscuous (Fredman, 2011; Benedict, 1992).

### **2.2.2. Survivors/Victims?**

In recent years, activist groups have increasingly adopted the label “survivor” in place of “victim” (Williamson & Serna, 2018). Recent research shows that the connotations associated with either label differ greatly, which in turn may have an impact on not only others’ perceptions, but self-perceptions as well. For instance, the label “victim” has a strong association with “perceptions of weakness, powerlessness, [and] vulnerability” (Hockett & Saucier, 2015, p. 2), while “survivors” are seen as strong and resilient; the identity of survivors are those that have grown from their trauma (Williamson & Serna, 2018; Hockett & Saucier, 2015; Thompson 2000). In a review of past literature, Hockett & Saucier (2015) found rape victim literature to discuss negative outcomes of the trauma (i.e., medical harms, credibility issues in court) and emphasize the oppression done to victims (p. 4), while rape survivor literature sought and “emphasize[d] positive outcomes” (p. 10) and manages to focus on the resistance of oppression. The shift in language from

victim to survivor redistributes power by moving away from victims who have had something done *to* them, towards survivors who have *been through* something.

The 'Victim-Survivor Paradox', coined by Thompson (2000), speaks to the notion that manifesting either label into behaviour influences how that person is treated or viewed in relation to their trauma by others, however, the meaning of either identity differs for different women. The "important aspect of being a survivor is to be able to 'get over the rape'... [a] change [which] is positively connoted by society and one that the women aspire to" (Thompson, 2000, p. 329). At the core of the paradox is minimizing the impact of trauma, which underscores the multidimensional nature of identity post-trauma (Hockett & Saucier, 2015; Thompson, 2000). In other words, the assumption of either identity (i.e., to what extent individuals minimize their trauma) plays a role in the responses an individual is likely to receive. For their harm to be taken seriously and trauma to be seen as truly "awful", individual should identify as victims. For individuals to be seen as "recovered" or "recovering", they ought to identify as survivors. As Thompson (2000) states, "[e]ach woman either has to be seen as someone who should be pitied for what has happened to her or someone who should be respected for what she has done for herself" (p. 330).

The adoption of a survivor label, however, does not possess inherent positivity or guarantee the ability to move on from the trauma or for *all* women (or men). As Williamson & Serna (2018) note, forcing individuals to choose either label requires these individuals to "incorporate their experience with assault into their identity, which may not be something some individuals want" (p. 681). Experiencing sexual violence can be life-altering, and so, the adjustment to life after such trauma cannot be labelled within a dichotomy that sufficiently speaks to the complexity of all experiences. The adoption of identity is perhaps best seen as a process or journey (Thompson, 2000). Women may be more likely to initially identify as a victim in the time immediately following the trauma, but in "moving away" from the trauma, whether mentally, emotionally, in time and/or space, may be more willing to see themselves as a survivor (Thompson, 2000). Women have the right to choose which label they prescribe to. There is no research that suggests accepting a victim identity or survivor identity will have the same effect on every person. As such, in efforts to avoid a reductionist perspective that groups together *all* women's experiences and to stay true to the language expressed online, both "survivor" and "victim" will be used throughout the study.

## **2.3. “To report or not to report”**

Sexual violence, more specifically sexual assault and rape remain the most underreported crime(s) across North America (Johnson, 2017; Morabito, Pattavina & Williams, 2016; Patterson, 2011). Women do not decide to report in a vacuum. Women must also weigh the likelihood that they will be believed or be seen as credible on the same scale as the pervasiveness of rape myths, outlined in the previous section. Many studies show that RMA has impacted the legislature, police, courts, and peer-judgment (Burt, 1980; Burman, 2009; Chapleau & Oswald, 2013; Dinos, Burrowes, Hammond, Cunliffe, 2015; Johnson, 2017; Radačić, 2014; Temkin, Gray & Barrett, 2018). Sometimes operating subliminally, rape culture ideologies have crept into legal defence strategies, police determinations of extra-legal factors in cases of sexual violence, medical examiners' questions and treatment, and the discourse of third-party observers who shift blame and responsibility onto the victim(s)/survivor(s). In all three cases chosen for this study, survivors have made the decision to report, and therefore have progressed through the stages of reporting listed below.

### **2.3.1. Secondary victimization and attrition**

The experience of reporting sexual violence requires re-living the trauma which can be undoubtedly distressing, one which has been called the “second rape” (Madigan & Gamble, 1991), “secondary victimization” (Campbell & Raja, 1999; Manikis, 2015; Patterson, 2011), and “the second assault” (Sloan, 1995). DaLaet & Mills (2018) detail the uniqueness, yet predictability, of gender behaviours following allegations of sexual violence:

Gender biases that prevail in societies across the globe make it more likely that men accused of sexual violence will be willing to speak publicly about allegations. Indeed, men who are guilty may be especially likely to speak publicly, in an effort to discredit women against whom they have committed sexual violence to intimidate women who have reported them. Meanwhile, survivors may remain silent because they know they may not be believed. Survivors also understand that they might be shamed because of the stigma associated with sexual violence and might be publicly vilified for making allegations. Legal norms that provide procedural rights to accused persons are, no doubt, important to the rule of law. At the same time, these norms incentivise silence on the part of survivors who often calculate that the threshold of proof for sexual violence and misconduct is too high balanced against the costs of participating in adversarial legal processes

or even in restorative justice processes because of the gender biases that shape the public dimension of these settings. In such cases, critical truths are often in the silence. (p. 517)

When contemplating whether to report, some survivors face more barriers than others, as Taylor and Gassner (2010) claim that reporting sexual assault or rape may be more difficult depending on socioeconomic background. In other words, can those coming forward afford to absorb the financial shock that is involved with the legal process? Rape myths creep into survivors' own perceptions of themselves and the event, and sometimes act as justifications for not disclosing their victimization (McGuffey, 2013). The explicit operation of rape myths previously outlined may become internalized by some survivors, influencing whether they view themselves as credible and if the event actually occurred as they believe it did. This trail of thinking eventually falls within the larger picture of attrition rates of cases of sexual violence, as the survivor reaches a decision when to "drop" the case.

Gregory & Lees (1996) define attrition as: "the rate at which cases are lost or dropped" (p. 1). Attrition can occur at multiple stages, first whether the police will record that a crime actually *did* (or did not) occur and secondly in the courts whether a conviction *will* (or will not) occur (Gregory & Lees, 1996). Millstead & McDonald (2017) hold that "attrition contributes to diminished access to justice for victims and a decreased likelihood that perpetrators are held to account for their offending" (p. 2). The overall conviction rate of any sexual offence in Australia, Canada, England and Wales, Scotland, and the United States from 1970 to 2005 was 15% (Daly & Bouhours, 2010). In an extensive review of police, prosecutorial, and court handling of rape and sexual assault cases, Daly & Bouhours (2010) found that conviction rates significantly decreased from 1970 to 2005 in Australia, Canada, England and Wales (18% from 1970 to 1989 to 12.5% from 1990 to 2005). The United States and Scotland, however, held fairly consistent rates of 13-14% throughout 1970 to 2005 (Daly & Bouhours, 2010). Furthermore, Daly & Bouhours (2010) stipulate that:

[t]he largest source of attrition is a victim's decision to report the assault to the police or not, with 14 percent on average reporting offenses. For every 100 sexual offenses reported, there are over 600 instances of sexual victimizations not reported. Of 100 reported cases, 70 do not go further than the police stage. (p. 609)

The decision not to report is very likely to have been influenced by the victim's/survivor's self-perception regarding credibility or believability, a perception which is likely to be influenced by popular myths and stereotypes surrounding cases of sexual violence (as outlined in section 2.2). Hohl & Stanko (2015) identified specific stereotypes that affect police decisions to discontinue a case in England and Wales: "voluntary alcohol consumption prior to the rape, a history of consensual sex with the perpetrator, mental health problems and learning difficulties, and a woman's 'misunderstanding' of the meaning of consent" (p. 336). Studies have found that many survivors are afraid to report for fear of peer judgement (Clasen, Blauert & Madsen, 2018) or fear that the offender may go to jail (Jones, Alexander, Wynn, Rossman & Dunnuck, 2009).

While specific *causal* factors are difficult to establish in connection with rates of attrition due to the uniqueness of each case, geography and legal structuring, among other factors, Millsteed & McDonald (2017) found that the greatest number of case "drop-off" occurs at the police stage. This finding is supported by Hester & Lilley (2016) and Hohl & Stanko (2015), whose findings "suggest that one of the most influential factors is the perceived credibility of the allegation in light of the evidence as seen through the eyes of the investigating police officer and prosecutor" (p. 337). Drop-off at the police stage could be due to a multitude of factors, such as the survivor's and/or police's ability to identify a suspect, the withdrawal of charges by the survivor, or a finding of an unfounded case by police. Many researchers have detailed why a survivor may choose to not proceed with the charges which can include victim-blaming rhetoric directed at them from the police or the perceived likelihood of advancing to trial (Patterson, 2011; Shaw, Campbell, Cain, and Feeney, 2017). With this in mind, the following sections detail secondary victimization experiences within the specific context of police and health professionals' interaction with survivors.

### **2.3.2. Police and professionals**

Encountering the police when reporting an assault is inevitable. Extensive studies show that survivors' experiences with the police can impact further experiences within the legal system (Greenson, Campbell, Fehler-Cabral, 2014; Jordan, 2004; Patterson, 2011; Madigan & Gamble, 1991; Shaw et al., 2017; Tuerkheimer, 2017). Given that reliving the trauma is a requisite of reporting, the nature of police questioning can be upsetting. Details during the questioning, such as the pace at which police deliver their questions, play a

role in the extent of information a survivor is comfortable disclosing (Greeson et al., 2014, Patterson, 2011). However, when a survivor *does* come forward, thereby taking on the role of a complainant, “[a] dual role thus falls to the police: to investigate the complaint and, since in rape the victim is usually the key witness, to keep the victim engaged in the criminal justice process” (Hohl & Stanko, 2015, p. 327). Engaging with the victim/survivor and maintaining that engagement is critical to ensuring that cases are investigated thoroughly.

Patterson (2011) found that police efforts to build rapport positively affected the survivors’ comfort with disclosing information. When rapport was *not* built, survivors approached interviews “feeling guarded instead of safe” (Patterson, 2015, p. 1359). In receiving more information, police can more thoroughly investigate, should they choose to do so. If the police need to revisit information provided by the complainant, having already engaged in a positive exchange is likely to alleviate some negative pressures that may resurface for the victim/survivor. Overall, efforts to console the victim/survivor, be sensitive to their needs, and establish trust, made their contact with police more positive (Gleeson et al., 2015; Johnson, 2017). Still, police may erroneously classify cases as a false report rather than a baseless report due to “investigators’ own myth and misconceptions about sexual assault and rape” (Weiser, 2017, p. 49). Weiser (2017) distinguishes the two classifications,

[a] baseless case occurs when an individual makes a report believed to be true but there is no evidence a crime occurred, or the event does not meet the legal criteria. A false report [occurs]... only when there is compelled evidence that the victim deliberately fabricated an allegation and that no crime occurred. (p. 49)

In order to identify whether an individual’s allegations are unfounded because they are baseless or because they are being deceitful requires thorough investigative efforts, which not all investigators may be willing to expend due to perceived likelihood of obtaining a conviction (Weiser, 2017; Greeson et al., 2014; Patterson, 2011). As Johnson (2017) acknowledges, police have “enormous power... to disqualify women’s experiences of sexual assault in law by defining sexual violence as harmless” (p. 59). When coming forward to police, Johnson (2017) found the women, to their shock, “were met with inappropriate responses to trauma, other callous behaviour, or disbelief and threats of repercussions if they were found to be fabricating” (p. 59).

Furthermore, extra-legal factors, defined by Morabito et al. (2016) as “victim characteristics or incident details that may influence police outcomes” (p. 11) can leave room for rape myths and stereotypes to creep into the decision-making process of police. The extra-legal “factors represent considerations beyond evidentiary standards that come into play when the police make the decision to arrest or not” (Morabito et al. 2016, p. 11). Therefore, police perceptions of victim/survivor credibility can be crucial in finding that a crime did occur. Tuerkheimer (2017) pushes this point forward, stating that “[c]redibility discounting by police investigators curtails the collection of corroborative evidence that might otherwise mitigate the effects of downstream credibility discounts” (p. 33). This credibility has been shaken by “risky behaviours” of the victim/survivor – behaviours which essentially suggest the victim/survivor wanted the assault to happen or had consented or would have likely consented. The pervasiveness of rape culture becomes clear and whether police intend to hold these beliefs or not, these standards still come into play (Shaw et al., 2017; Tuerkheimer, 2017). For instance, false allegation literature suggests that women of racial minorities who are economically disadvantaged are more likely than other women to be discredited as *real* victims of sexual violence (Weiser, 2017; Belknap, 2010; Loya, 2014).

The World Health Organization (WHO) (2013) recommends that all health practitioners be trained in the appropriate initial responses to victims/survivors of sexual violence and intimate partner violence. The WHO suggests using a “LIVES” approach: Listen, Inquire about need, Validate patients’ experiences, Enhance safety, and offer ongoing Support (LIVES) (Hegarty & Tarzia, 2019; WHO, 2013). Updated training protocols for Sexual Assault Nurse Examiners (SANEs) have focused on ensuring sensitivity, yet the intrusive process of collecting medical evidence is still “unpleasant” (Armstrong, Gleckman-Krut & Johnson, 2018). Hegarty & Tarzia (2019) outline the role of SANEs as “primarily operat[ing] out of hospital emergency departments and provid[ing] first-line response and post-sexual assault crisis care, offering an alternate approach to the collection of forensic evidence that may be more woman-centred and trauma focused” (p. 12). It seems that recent amendments made to professional protocols are geared towards ensuring welcoming and positive exchanges with survivors. It is unlikely that feelings of re-victimization experienced during police investigations or health professionals’ collection of medical evidence will be eradicated, however, it is important to consider the areas in which support can be offered in a meaningful way.



### 2.3.3. Cross-examination and courtroom convention

When the police have arrested and charged an offender and the case proceeds to trial, the complainant is often then required to give evidence in the courtroom. The cross-examination of complainants in court is used to establish the credibility of the accusations made. Described by Zydervelt, Zajac, Kaladelfos & Westera (2017),

[t]he fundamental goal of cross-examination is to discredit both the evidence and the person providing it while eliciting information that is helpful to one's case. Because cross-examination by definition involves testing a witness's credibility and reliability, some of the difficulties that rape complainants experience may be inherent in the process...in an adversarial trial the defendant is presumed innocent, and defence lawyers have a duty to defend their clients by discrediting the evidence against them. (p. 553)

To effectively discredit complainants during cross-examination, defence lawyers often use rape myths about what victims/survivors of sexual violence *ought* to do in certain scenarios and speculate on the victims'/survivors' alcohol consumption or sexual history (Gregory & Lees, 1996; Smith, 2018; Tanovich, 2015; Temkin et al., 2018; Westera, Zydervelt, Kaladelfos & Zajac, 2017; Zydervelt et al., 2017). According to Zydervelt and colleagues (2017), "leveraging rape myths" to erode complainants' reliability based on stereotypical belief about what a 'real victim' would have done "with the benefit of hindsight" (p. 566) has been a common strategy used by defence lawyers since the 1950s. Lawyers especially used these tactics in their cross-examination of African-African victims/survivors (Flood, 2012). In Canada, these tactics of questioning has been called "whacking the complainant" (Johnson, 2017; Tanovich, 2015), when humiliating and relentless questions are repeatedly posed to complainants. Defence lawyers' use of rape myths has problematic implications for jurors who may already hold stereotypical views about sexual violence, as research shows that those who are more willing to accept rape myths are more likely to view the defendant as innocent or see the complainant as having consented (Dinos et al., 2015; Ryan & Westera, 2018; Temkin et al., 2018). Accordingly, testimony given by complainants can lead the judge and jurors to question their credibility, and consequently, the event itself, as having occurred as they recited it, rather than focus on the determining the absence or presence of consent.

The plethora of literature on the cross-examination of sexual violence complainants using rape myth indicates that defence lawyers' use of such beliefs is increasingly prohibited. In Canada, "rape shield laws" were created to shelter

complainants against pernicious questioning that used their sexual history and past romantic relationships as evidence in court that they may be lying or promiscuous. Though legal reform to limit the admissibility of a complainant's sexual history as evidence has come into effect, namely in Canada and the United Kingdom, Temkin et al. (2018) found some inconsistencies with application, where insinuations regarding character were still made by lawyers.

Testimony given by complainants in cases of sexual assault are often placed in the balance with rape culture ideas for jurors (Taylor, 2005). The operation of rape myths within the courtroom can deter some women from showing up to court. Having to recount the event in detail, in front of a public gallery in some cases, is traumatic and intimidating (Smith, 2018). As such, feelings of powerlessness, withstanding attacks on their character, and being met with disbelief are all likely the kinds of experiences that complainants will go through during cross-examination.

#### **2.3.3.1. Non-Disclosure Agreements (NDAs)**

Non-Disclosure agreements (NDAs), or “secrecy agreements” are settlements between the offender and the victim/survivor wherein the victim/survivor receives a payout bound by “strict confidentiality clauses that prohibited them from speaking about the deal and the events that led up to it” (Prasad, 2018, p. 2508). By agreeing to strict confidentiality, victims are able to keep their assault private, which may offer some comfort as they do not want to be viewed in association with the event (Heydemann & Tejani, 2019; Philp, 2003; Prasad, 2018). Colloquially known as “hush money”, these secrecy agreements have received heightened public scrutiny in light of the #metoo movement due to the nature of the contracts (Hébert, 2018; Prasad, 2018). NDAs are used by “individuals in positions of power to silence the victims they have sexually abused or sexually harassed” (Prasad, 2018, p. 2510). These “contracts of silence” further a “culture of silence” that has long enveloped sexual violence (Heydemann & Tejani, 2019; Prasad, 2018). NDAs protect perpetrators from apprehension, allow them to evade accountability and continue their abuse, as their victims have agreed to remain quiet. Harvey Weinstein's use of NDAs was “frequent” (Prasad, 2018), Cosby agreed to an NDA with one of his victims/survivors, one of Nassar's victim/survivors entered an NDA with USA Gymnastics (USAG) and faced a potential fine of \$100,000 for speaking out at his trial (Gajanan, 2018).

Even the Catholic Church had used NDAs to silence its abuse victim/survivors (Philp, 2003).

Breaking NDAs can carry significant financial penalties for the victim/survivor, which can include paying back the settlement amount, legal fees, and additional fees, (Philp, 2003; Prasad, 2018). In the case of McKayla Maroney, one of Nassar's victims/survivors facing a fine should she speak out at trial, celebrity Chrissy Teigen quickly offered to cover any penalties Maroney could accrue for speaking out (Gajanan, 2018). Celebrities stepping in to pay fines is not common, though, and the monetary risk of breaking a secrecy agreement is often too great for most. Thus, a culture of silence is perpetuated by the widespread use of NDAs, which can have long-lasting impacts for the victim/survivor who cannot speak out when they see the offender's abuse continuing.

## **2.4. Victim impact statements (VISs)**

The previous section outlined defence lawyering tactics commonly used to discredit complainants and put into question their believability as a witness; however, in a case where a “guilty” verdict is returned in a trial, the option of completing victim impact statement (VIS) may be offered to the victim/survivor and their family member(s). As defined by Nuñez, Myers, Wilkowski & Schweitzer (2017), “VIS[s] are statements, either written or oral, that detail the impact of the defendant's crime on the victim or the victim's surviving family” (p. 862). Victim/survivors discuss the financial, psychological, physical, and/or social harms that they experienced due to the crime in VISs (David & Smith, 1994; Lens et al., 2015; Nuñez et al., 2017). Initially, VISs were introduced to increase victim participation within the justice system and “bring to the legal forum an otherwise silenced narrative voice” (Bandes, 1996, p. 362). VISs are also used by the sentencing judge to take into account extra-legal factors when determining an appropriate sentence (Hill, 2005; Manikis, 2015). Some oppose VISs on the basis that they make room for arbitrariness during sentencing, while others, most notably victim rights advocates, support VISs due to the ability for victims to participate in the criminal justice system (see Hill, 2015).

In the context of sexual violence cases, Konradi & Burger (2000) identify the following motivations for survivors to participate in sentencing:

to influence what sentence their assailant received (to obtain substantive justice); to engage the criminal justice process, including expressing ownership of the dispute claimed by the state (to obtain procedural justice); to reduce the imbalance of power with the defendant established in the rape; and to resolve emotional aspects of the rape experience... (p. 38)

These motivations are all geared towards taking back or exerting power by the victim/survivor. If these motivations were reached earlier in the process or they seemed unattainable, survivors reported that they would “limit... their involvement with sentencing” (Konradi & Burger, 2000, p.38). The fear of having to face emotional distress at this stage also seems to hang over complainants, though some have argued that VISs promote victim satisfaction with the justice system (Chalmers, Duff & Leverick, 2007; Davis & Smith, 1994; Manikis, 2015). Yet, there is a lack of consensus on this outcome of VISs, as others are much more reluctant to make the link between VISs and satisfaction (Erez, Roeger & Morgan, 1997; Lens et al., 2015).

In Lens et al.’s (2015) study on VISs’ impact on emotional recovery, those who delivered a VIS were found to be associated with *higher* levels of anxiety and anger than those who did not. Also outlined by Lens et al. (2015) are issues with previous studies’ measuring victim satisfaction, specifically, inconsistencies with operationalizing the concept of satisfaction as a measurable construct has made it difficult to come to a consensus for scholars. The negative emotional effects of delivering a VIS are better understood in conjunction with previous literature on fear of peer-judgment and secondary victimization.

Though having the option to deliver a VIS means that a guilty verdict has already been reached, the VIS requires yet another revisiting of the trauma for the complainant. No doubt, VISs provide an opportunity for the victims/survivors and their families to share their side of events in court, however, Lens, Pemberton & Bogaerts’ (2013) discovery of a positive correlation between “the impact of the crime on the victim [and] ... the likelihood of delivering a VIS” (p. 491) suggests that the worse the harm experienced, the more likely a VIS is given. Coupling this with the driving motivation behind VISs geared towards taking back power, as per Konradi & Burger (2000), delivering a VIS clearly requires great strength.

The design of this study acknowledges this strength by investigating cases in which formal statements, including VISs, are given in court. In using this strength as a

condition of requirement for analysis, this study is uniquely positioned to examine discourse in response to emotionally demanding and challenging times for survivors.

## **2.5. *Me Too.***

In 2006, activist and survivor of sexual violence, Tarana Burke, created the *Me Too.* movement. The movement's mission on its website reads:

[o]ur vision from the beginning was to address both the dearth in resources for survivors of sexual violence and to build a community of advocates, driven by survivors, who will be at the forefront of creating solutions to interrupt sexual violence in their communities. (metoomvmt.org, n.d.)

The movement's focus on empowering survivors through empathy is achieved by providing support for survivors of sexual violence to ensure that they do not feel isolated in their experiences of victimization (metoomvmt.org, n.d.; Rodino-Colocino, 2018). The focused effort on combatting blame and isolation is notable when taking into consideration the reporting rates of sexual assault, as self-doubt and fear of revictimization are often identified as barriers to reporting (Doolittle, 2017; Johnson, 2017; Patterson, 2011).

Research shows that when mechanisms of support and resources are made available, survivors are better able to cope with post-trauma victimizations (Campbell, Wasco, Ahrens, Sefl & Barnes, 2001; Epstein and Goodman, 2018). Women of colour and of low socioeconomic status are disproportionately unable to access resources for survivors of sexual violence, such as Sexual Assault Centers (SACs) (Belknap, 2010; Crenshaw, 1991; Loya, 2014; metoomvmt.org, n.d.). By focusing on providing these women with support, the *Me Too.* movement attempts to help those who are the most marginalized in recovering and growing from their trauma.

About the movement's mantra, Serisier (2018) writes, "[t]he words are magical not because of their meaning but because of the number of people they inspired to participate in the construction of a collective story of gendered violence" (p.101). In this sense, the *Me Too.* aim of "galvanizing a broad base of survivors to disrupt the systems that allow for the global proliferation of sexual violence" (metoomvmv.org, n.d.) is certainly enabled by the reach and instant connectivity of the internet. *Me Too.*, at its core, attempts to center those who are within the margins, the most vulnerable groups, including women of colour, queer women, queer women of colour, transgender persons, Native American and

Indigenous women and girls, disabled persons, and those from communities of economic deprivation.

## **2.6. Online feminist activism**

Social media platforms have greatly influenced “the mechanics of every day like, affecting people’s informal interactions, as well as institutional structures and professional routine” (van Dijck & Poell, 2013, p.3). Twitter, a popular microblogging site consisting of user posts, or “tweets”, allows users to instantly connect with other users across the world; 22% of American adults use Twitter (Wojcik & Hughes, 2019). Interestingly, Wojcik & Hughes (2019) found that “Twitter users are younger, more likely to identify as Democrats, more highly educated and have higher incomes than U.S. adults overall”. Politicians, journalists, celebrities, and activists have used Twitter’s hashtag feature, any text following the “#” symbol, to promote original content (Enli & Simonsen, 2018). Among these groups are feminists that use tweets to connect women globally and discuss current, everyday issues. As Mendes, Ringrose & Keller (2019) state: “Twitter affords unprecedented participatory access for feminists to engage in politics in their everyday lives” (pp. 100-101). Twitter’s use of hashtags has enabled activist groups to organize and link conversation online under a particular theme. Similar to a forum, these hashtags are used in connection with a specific topic (e.g., “#Superbowl”) where tweets posted using that hashtag are all filtered within that same forum. The term “hashtivism” (Martin & Valenti, 2013) or hashtag activism, is used by some scholars when discussing hashtags that are created and used by activist groups for political purposes. Importantly, Twitter also has a “Trending Topics” feature, where topics and hashtags that are popular online or are increasingly popular are highlighted for its users to click on and view tweets connected to that topic. Many feminist hashtags have been among the top trending topics on Twitter nationally in Canada and worldwide, including #WeBelieveSurvivors and #metoo.

The nature of Twitter’s platform encourages people to share and exchange their opinions and perspectives online and feminist activist groups have taken advantage by formulating and sustaining hashtags on Twitter. Many argue (Clark, 2016; Keller et al., 2018; Margetts, John, Hale & Yasseri, 2016; Martin & Valenti, 2013; Mendes, Ringrose & Keller, 2019; Lokot, 2018; Rapp, Button, Fleury-Steiner & Fleury-Steiner, 2010; Rentschler, 2015; Thrift, 2014) that this online activism can effect real political change, whether seen through law reform, the creation of assistance funds, or other possible

outcomes. Young feminists, in particular, use Twitter to educate and express themselves as they navigate their feminist identity (Frederick & Stewart, 2018; Jouët, 2018; Keller et al., 2018; Mendes et al. 2019; Rentschler, 2015; Sills et al., 2016).

In one of the first studies investigating online Black feminist protest, Rapp et al. (2010) found that the internet not only helped to create “safe spaces for Black women to have their subjugated beliefs and perspectives heard by dominant groups” (p. 256), but it also led to offline change by way of the creation of a fund to help with victims’/survivors’ medical expenses. Rapp et al. (2010) also note that to participate in internet protest or activism, a person must first have internet access. Members of impoverished communities are the most unlikely to have this access, but these members in particular are likely to have lived experiences and information that would be critical to inducing change. Sills et al. (2016) and Rentschler (2014, 2015), alongside Rapp and colleagues’ 2010 study, emphasize the significance that collective constructed safe spaces carry for young women online. According to a participant in Sills et al.’s study (2016), these spaces “provided a ‘whole new world’ that resourced them with the support, knowledge, and tools to critically respond to rape culture” (p. 948). Rentschler (2014) identifies these spaces as a key means of sharing advice and offering support, which Frederick & Stewart (2018) state are helping to foster social relationships for young women.

While the internet is an avenue for women and activists to form a collective that calls for change and for society as a whole to debate and discuss their opinions and beliefs, the internet is not free from rape culture. As such, the circulation of rape myths and stereotypes occurs on social media platforms. However, the spread of attitudes that combat and critique these myths are also prominent on the same platforms. Both “feminism and misogyny are increasingly visible” (Keller et al., 2018, p. 23) on social media. The social media sites are increasingly being used as “the primary forum where the perpetrators publicized their actions. It also serve[s] as a forum for victim blaming and support for the perpetrators, even if pro-victim sentiment ultimately became the dominant mainstream narrative” (Phillips, 2017, p. 48). Hashtags that emerge on Twitter are “particularly visible examples of how social media can be used to re-direct attention in feminist responses to sexual violence from campaigns rooted in the behaviour of the survivor to those that target the actions of those who might rape” (Rentschler, 2015, p. 354).

Studies that have investigated specific hashtags emphasize the narrative power that a hashtag can allow a user to share. #BeenRapedNeverReported, #WhyIStayed, #safetytipsforladies, #YesAllWomen, #NotOkay, amongst many others, demonstrate the role that Twitter plays in mobilizing and publicizing online feminism and its activism. Each hashtag mentioned above represents a discussion or campaign aimed at correcting and criticizing commonly held rape culture beliefs. For example, the hashtag “#BeenRapedNeverReported” sheds light on the amount of unreported sexual assault cases and ways in which the courts determine witness credibility in sexual assault cases (Keller et al., 2018; Mendes et al., 2019). #WhyIStayed challenges misconceptions about domestic violence (Clark, 2016) and #safetytipsforladies satirically repeats tips that women receive to avoid becoming a victim of sexual violence while exposing victim-blaming rhetoric (Rentschler, 2015). #YesAllWomen seeks to question and counter dominant misogynistic narratives towards women in a rape culture (Thrift, 2014) and #NotOkay investigates users’ posts calling out Trump for his lewd comments caught on audio recording about grabbing women without their consent (Mass, McCauley, Bonomi & Gisela, 2018). Kuo (2018) investigates both #NotYourAsianSideKick and #SolidarityIsForWhiteWomen as discourse that calls out racialized feminist activism. The creation of hashtags by feminist groups not only capitalizes on the reactivity of Twitter, but it also ensures the relevancy of the current and ongoing feminist conversation(s).

### **2.6.1. Political bots**

Bots can be defined as “social media accounts that automate interaction with other users” (Howard & Kollanyi, 2016, p. 1). As social media sites continue to act as popular avenues of political discussion, the prevalence of bots continues to grow (Al-Rawi, Groshek & Zhang, 2019; Howard & Kollanyi, 2016). Bots are usually identifiable by the rapid pace of automation, (that is the number of tweets they post is relatively high compared to the average Twitter user) and the lack of personal detail on their page (Howard & Kollanyi, 2016). Some estimates have bots tweeting upwards of 50 times a day (Al-Rawi et al., 2019; Kollanyi, Howard & Woolley, 2016). Bots also tweet using multiple hashtags, presumably to increase the visibility of its message across as many forums as possible. Some bots act as “mirrors” for verified Twitter users (i.e., an account verified by Twitter to be an “authentic account of public interest” (Twitter, 2019)) in an effort to amplify their political rhetoric online (Al-Rawi et al., 2019). Al-Rawi and colleagues (2019) found



18 pro-Trump bots had been suspended by Twitter due to the high rate of posting in relation to the fake news phenomenon. Many Twitter users and researchers choose to simply view these tweets as “spam” (Park, Jang, Lee, & Yang, 2018), however, the virality of some content posted by bots has been found to pull “online debates toward certain directions” (Al-Rawi et al., 2019, p. 66). Therefore, it is worth noting the presence of bots on Twitter, particularly in political contexts, as social media continue to foster political participation and discussion.

## **2.7. The emergence of #metoo**

As discussed briefly, the #metoo movement began in response to allegations of sexual assault against then Hollywood mogul, Harvey Weinstein. Encouraging others to join in the message helped “convey a simple, yet loud, message to victims of sexual abuse around the world: you are not alone” (Prasad, 2018, p. 2511). Despite deviating from its offline origin story, the greater discussion on sexual violence linked within the hashtag has maintained its online relevance, as allegations against other prominent men surface such as Kevin Spacey, Matt Lauer, and Louis C.K.

Despite its relatively new origins, #metoo has also garnered academics’ attention. In an opinion piece published in *The New York Times*, Catharine MacKinnon (2018) speculates on the impact that #metoo has already achieved:

[t]his mass mobilization against sexual abuse, through an unprecedented wave of speaking out in conventional and social media, is eroding the two biggest barriers to ending sexual harassment in law and in life: the disbelief and trivializing dehumanization of its victims.

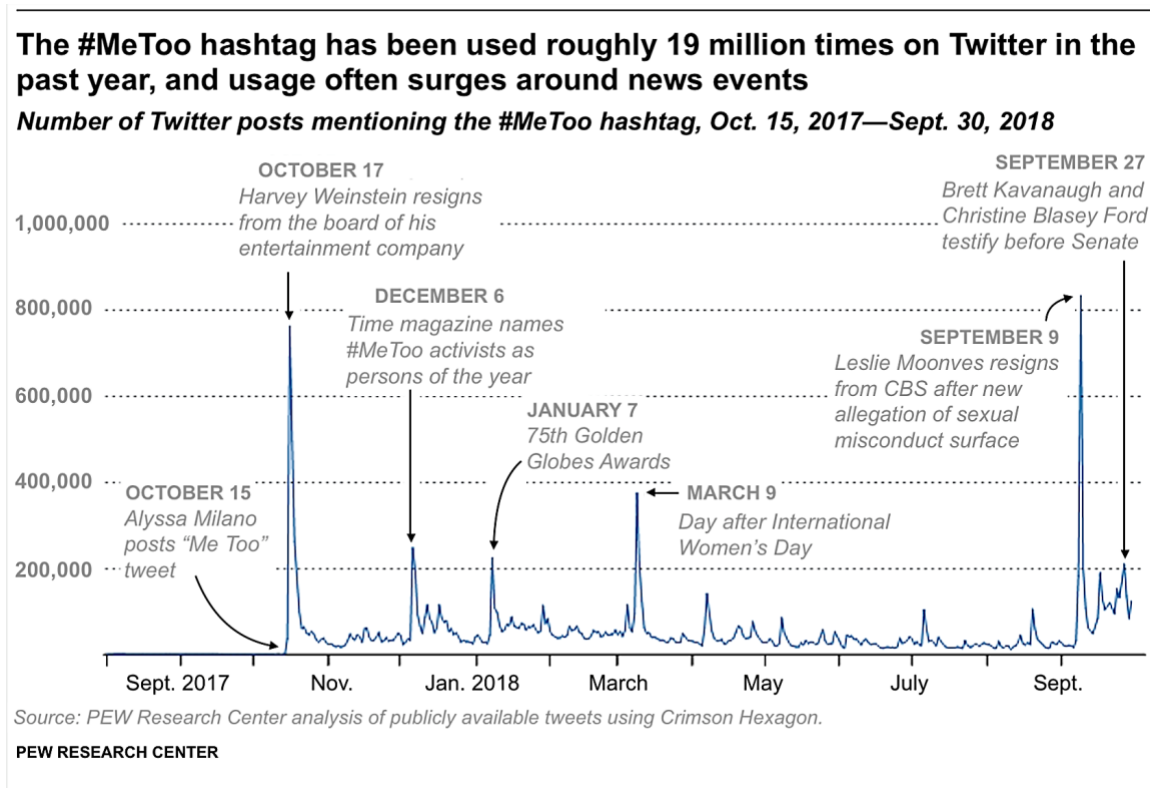
This offline impact has also been emphasized by Wexler, Robbennault & Murphy (2019), claiming that #metoo has “opened the floodgates to a modern-day reckoning with sexist behavior” (p. 47). The hashtag itself has created and encouraged a chorus of voices that make it “possible for whispers to shatter the blanket silence” (Pipyrrou, 2018, p. 418).

What has made #metoo salient, according to Hasunuma & Shin (2019) is “[t]he power of speaking up and the belief in other women’s experiences... It [#metoo] made women confident to speak in their own words from their own perspectives” (p. 107). In one year, #metoo has been posted “more than 19 million times on Twitter” (Anderson & Toor, 2018) globally, including India, Britain, Australia, Israel, Sweden, South Korea, France to

name a few (Hasunuma & Shin, 2018; Johansson & Johansson, 2018; Jouët, 2018; TED, 2019; Zarkov & Davis, 2018). There is no inhabited continent where the #metoo movement has not been searched on the internet. Hasunuma & Shin (2018) claim that #metoo has “impacted virtually all fields, including law, politics, academia, entertainment, and the arts” (p. 107) in Korea. Statistics Canada reported that #metoo had a significant impact on the number of police-reported sexual assaults, as all the provinces and Nunavut saw an increase in the rate of reporting (Rotenburg & Cotter, 2018).

#metoo has also resulted in a number of hashtags that branch off of its original name. For example, #MosqueMeToo was created by Egyptian American activist, Mona Eltahawy, to create a specific forum to Muslim women to share their experiences (Tong, 2018). “#NotYourHabibi” (which roughly translates to “not your sweetheart or darling”) was spearheaded by Palestinian American activist Yasmeen Mjalli, hoping to empower women to stand up against sexual harassment (Miller, 2018). In Senegal, “#Nopiwouma” (translates to “I will not shut up”) was started to encourage women to speak out about their experiences (Mackintosh, 2018). These new hashtags consider native languages and play into specific cultural contexts that #metoo does not. These discussions and sub-forums are certainly the result of increased awareness and discussion attributed to #metoo. The astounding popularity of #metoo can be seen in Figure 2.1. This graph shows the use of #metoo on Twitter for approximately its first year, highlighting when a surge in #metoo posts occurred in response to an event relevant to the movement.

**Figure 2.1. 2017-2018 use of #metoo on Twitter**



Note: Figure taken from Anderson & Toor (2018).

### 2.7.1. Backlash

Historically, feminism has faced many critiques for excluding women of colour and vulnerable groups. Although the message behind #metoo is simple (to speak up), Mack & McCann (2018) write that this call does not reach across to survivors who live in “fear of further violence from individuals or ... [of] violent state sanctioned responses towards their already marginalized communities. Sexual violence cannot be described or cured through a universalizing narrative” (p. 330–331). Despite the *Me Too* movement having been started by a woman of colour, the marginalization of women of colour within #metoo is still seen (Onwuachi-Willig, 2018). Though *Me Too*’s original goals were geared toward providing more women of colour and/or lower socioeconomic status with resources of support, the emphasis on race and vulnerable groups has largely been lost in the midst of the hashtag’s virality. Discussions surrounding consent are still seen to include a particular *type* of female voices, “heterosexual, white, cis women” (Wexler et al., 2019, p. 105). Sex

workers, in particular, have felt excluded from talks about workplace harassment and consent in #metoo discussions (Cooney, 2018a).

Kingston (2018) claims that media focus and fascination with “high end—actresses wearing black at award ceremonies” pushes forward a “disconnect” from Tamara Burke’s motivations for first starting *Me Too*: “to empower women in the margins” (metoomvmt.org, n.d.). It seems that celebrity culture may be obscuring the aims of *Me Too*, a sentiment echoed by Zarkov & Davis (2018) who remind many that focusing on “powerful men as perpetrators and young, beautiful women celebrities [as victims], carries a danger of forgetting that sexual harassment, assault and violence are very much part of everyday life of many different women and men” (p. 6).

#metoo has also been criticized as “dismantling due process or ... creat[ing] a gender war” (TED, 2019). A recent PEW Research Centre survey found that 51% of men believe #metoo has made it harder to interact with women in the workplace (Graf, 2018) and others view #metoo as “little more than mob rule premised on vigilantism that foregoes judicial procedure in favor of public shaming” (Pipyrou, 2018, p. 416). Research conducted by PettyJohn, Muzzey, Maas & McCauley (2018) found some men and boys remain “indignant to social change” (p. 9) and promote others’ hostile resistance to change on the hashtag “#HowIWillChange”, a hashtag created in response to #metoo to engage men and boys to consider their role in rape culture.

These critiques lodged against #metoo have created a movement that *Me Too* founder, Tarana Burke, now calls “unrecognizable” (TED, 2019). The hashtag version of Burke’s movement seems to be spiraling away from its focus on survivors with the help of media framing the #metoo movement “as a vindictive plot against men” (TED, 2019). With this fervent backlash, investigations into how Twitter users are posting with “#metoo” may provide much needed insight into current understandings of both survivors’ needs and societal attitudes regarding sexual violence and provide more context to the backlash that #metoo faces. The increased use of the hashtag over the course of high-profile cases of alleged sexual violence demonstrate that #metoo has remained relevant and pertinent in the public perception of such cases. *Me Too*’s vision of empowering and empathizing with survivors presents a stark contrast to emerging critiques of the #metoo movement which view its court of public opinion as highly problematic. This study presents an in-depth case-by-case-by-case look at what role #metoo plays in these cases for Twitter users.

This review of literature has detailed past research on common myths and misconceptions surrounding survivors and perpetrators of sexual violence. The emotional perseverance required in the delivery of a VIS and current and ongoing backlash directed at #metoo were highlighted to provide crucial foundation on which to build this study. The next chapter will provide detailed background on each of the three cases selected for analysis, the Larry Nassar sentencing hearing, the Bill Cosby sentencing hearing, and the Brett Kavanaugh U.S. Supreme Court confirmation hearing. To detail how data were collected for this study, the sampling technique is also outlined in this chapter. Explanations of the analytical approach and coding techniques used are then given to illustrate how the data were analyzed.

## Chapter 3.

### Research Methods

This study's qualitative approach is outlined in the following sections. First, the background of each case is discussed to provide each case with its own context to consider (section 3.1). The criteria used to sample and collect data is outlined (section 3.2), and examples of each coding technique are provided (section 3.3). Finally, this chapter ends with a consideration for conceptual baggage brought into this project (section 3.3.2).

#### 3.1. Case selection

According to Yin (2009), multiple case study designs are often stronger than single-case designs, due to the analytical ability to contrast or identify replication across cases. All three cases selected for this study occurred in 2018. In each case, formal statements from women were heard. This condition of inclusion carries significant weight, since the overarching research question of the present study asks: *“In prominent cases in which complainants deliver a formal testimony or a victim impact statement, what is the focus of the Twitter discussion among the #metoo movement?”* These three cases are the *only* cases following the emergence of #metoo in late 2017, in which women have sworn a formal statement on the record (i.e. testimony or VIS). Furthermore, examining multiple cases can provide a deeper understanding of the phenomena occurring within the cases (Miles, Huberman & Saldaña, 2014). These cases were also selected because of the uptake in Twitter traffic during each hearing. Google Trends data show an increase in the number of web searches for “me too” during all three cases. This study's use of multiple cases allows for investigation into how Twitter users link #metoo across differing case contexts. While each case presents its own context, all cases are tied together through #metoo.

##### 3.1.1. Larry Nassar sentencing hearing

Larry Nassar was the former head medical therapist of the USA Gymnastics (USAG) Olympic team and athletic therapist at Michigan State University (MSU). His work

had been regarded as leading in the field (Shamus, 2018). Despite a documented history of abuse dating back to the 1990s, the nature and knowledge of Nassar's abuse managed to remain behind closed doors (Hauser & Astor, 2018; Kwiatkowski, Alesia & Evans, 2016). In 2016, *The Indianapolis Star* published an investigative report detailing USAG's systemic covering up of abuse by more than 50 coaches (Kwiatkowski, Alesia & Evans, 2016; Hauser & Astor, 2018; Shamus, 2018). On the same day that the exposé was published, *The Indianapolis Star* received an email from former gymnast Rachel Denhollander in which she "described having been abused by Nassar more than 10 years earlier" (Alesia, Evans & Kwiatkowski, 2017). Denhollander effectively opened the floodgates, as more gymnasts came forward describing their own victimizations, all naming Nassar as the principle abuser. The focus on Nassar, spearheaded by Denhollander, began to increase as more women shared similar experiences of victimization – mostly gymnasts, adolescent at the time of abuse, and abuse under the guise of medical treatment. Since 2016, Nassar's medical license was revoked, he entered a guilty plea to 10 charges of molestation, and received a 60-year sentence for possession of child pornography in December of 2017 (Hauser & Astor, 2018). Described as "one of the most monumental scandals in the history of sports and also of the medical profession" (Cote, 2018), the Nassar case displayed a systemic failure to address sexual assault within USAG and MSU. This secrecy was apparent when both organizations were found to be enforcing a non-disclosure agreement (NDA) with gymnast McKayla Maroney, the terms of which stated she would be required to pay more than \$100,000 if she broke the agreement (Hauser, 2018). Under mounting pressure, including celebrity offers to pay the fine and the sentencing hearing looming, USAG reneged on its threat of fining Ms. Maroney, who was then able to speak freely without fear of reprisal (Hauser, 2018).

From January 16th to January 24th, 2018, over 140 women read victim impact statements in court that detailed the abuse and ensuing hardships they have been forced to endure. The judge handed Nassar a 40-to-175-year sentence. According to Epstein & Goodman (2018), Nassar's sentencing hearing represented a "ground-breaking opportunity for women to share both their experience of sexual assault and ... their experiences of credibility discounting" (p. 58). Nassar's sentencing hearing is the first to take place in the year following #metoo's Twitter start, thus making this case a suitable starting point for this study's content analysis.

### 3.1.2. Bill Cosby sentencing hearing

Bill Cosby was a well-known comic and actor in Hollywood. His rise to prominence in 1980's television earned him the title of "America's Dad" and he became known worldwide. Allegations of sexual assault against Cosby had surfaced in the 1960s, but never progressed to formal charges. Andrea Constand came forward with allegations that Cosby had drugged and sexually assaulted her in 2004 (Shugerman, 2018). After being informed that charges would not be pursued due to a lack of evidence, Constand began a civil suit against Cosby in March 2005 (Bowley, 2018). During the suit, Cosby admitted to procuring sedatives to use on young women to have sex and both parties signed an NDA and Ms. Constand received monetary settlement (Bowley, 2018). The admissions made by Cosby during the 2005 suit with Ms. Constand left some confused as to why charges were not pursued.

During a stand-up performance in 2014, comedian Hannibal Buress called out Cosby for his smugness in talking down to Black America because of his sitcom's, *The Cosby Show*, success. Buress' joke continued saying, "yeah, but you rape women, Bill Cosby," and he encouraged the audience to "Google 'Bill Cosby rape'" after his show (Dalton, 2018; Graves, 2018; Mindock, 2018). At the show, someone had secretly recorded the Buress' bit on Cosby and the video quickly went viral, effectively putting the largely forgotten accusations against Cosby back into the spotlight (Izadi, 2018; Mindock, 2018). Having a reignited focus on Cosby, Pennsylvania prosecutors arrested Cosby on charges of aggravated indecent assault in December 2015 in connection with Ms. Constand's case. Despite over 50 women having alleged sexual assault or misconduct against Cosby, Constand's case had approximately one year left before reaching the 12-year statute of limitations (Bowley, 2018).

Cosby faced trial in June 2017, but the judge ruled a mistrial due to the jury's inability to reach a unanimous verdict (Shugerman, 2018). His re-trial in April of 2018 marked Cosby as "the first celebrity to stand trial for sexual assault since the start of #metoo" (Shugerman, 2018). During this second trial, the amount Constand received in the 2005 settlement was made public, a total of \$3.38 million (Bowley, 2018). The judge also allowed five other women to provide testimony during the re-trial, as prosecutors cited the "doctrines of chances" to successfully lobby for the inclusion of additional testimony (Roig-Franzia, 2018). The doctrine, which holds "the more often the same person is



accused of the same crime with the same set of circumstances, the less likely that the accused was innocently involved in those situations” (Roig-Franzia, 2018) spoke to the pattern of predatory behaviour by Cosby, by first using sedative drugs on women to subdue them before sexually assaulting them. On April 26, 2018, Cosby was found guilty on all three counts of aggravated assault against Ms. Constand. Though the judge had allowed five other women to testify during trial, Ms. Constand was the only woman permitted to give a VIS at the sentencing hearing (Cooney, 2018b). Presumably, Constand’s VIS was the only admissible VIS due to the fact she was the only complainant in the case against Cosby. The judge sentenced Cosby a three-to-10-year sentence on September 25, 2018.

Although Nassar was sentenced before Cosby, the media attention that the Cosby case received exceeded coverage of Nassar’s sentencing. The VIS read by Andrea Constand also meant that Cosby’s sentencing hearing was the second case of 2018 to involve a sexual violence, heightened media attention, and survivors speaking out during sentencing. With Cosby’s celebrity status and mistrial occurring before the #metoo trial, his re-trial in 2018 marked him as the first celebrity to stand trial after the #metoo came into existence on Twitter, making the Cosby sentencing hearing a necessary case to include in analysis.

### **3.1.3. Brett Kavanaugh U.S. Supreme Court confirmation hearing**

Unlike the previous two cases in which a guilty conviction was handed down, there was no trial in the Kavanaugh case. When Kavanaugh’s name was put forth as a Supreme Court judge nominee, clinical psychology professor Christine Blasey Ford contacted *The Washington Post’s* tip line and submitted a letter detailing the sexual assault involving Kavanaugh in 1982 in confidence to her local California Democrat representative, Anna Eshoo, and the ranking Democrat on the Senate Judiciary Committee, Sen. Dianne Feinstein (California) (Brown, 2018; Desjardins, 2018). Blasey Ford requested that her identity remain confidential and was reluctant to come forward, asking “[w]hy suffer through the annihilation if it’s not going to matter?” (Brown, 2018). When Kavanaugh was selected as the nominee from a shortlist of candidates, Sen. Feinstein forwarded the letter the Federal Bureau of Investigation (FBI) for investigative purposes and Blasey Ford’s name was then redacted by the FBI to further preserve her identity. This redacted version was made available to all Senators in the White House, yet, despite the redactions made,

reporters began showing up at Blasey Ford's place of work and home. As her name started to leak, Blasey Ford eventually decided to come forward, saying, "[n]ow I feel like my civic responsibility is outweighing my anguish and terror about retaliation" (Brown, 2018). Blasey Ford even took a polygraph test in August "to bolster her credibility" (Baker & Hulse, 2018).

Other accusations against Kavanaugh began to surface along with Blasey Ford's. Two other women came forward with allegations, Deborah Ramirez, who claimed Kavanaugh had exposed himself at a college party, and Julie Swetnick, who alleged that Kavanaugh and his friend Mark Judge gang raped her at a party (Desjardins, 2018; Tatum, n.d.). As the first public accuser, Blasey Ford was the only accuser to testify in front of the judiciary committee.

The Senate Judiciary Committee, consisting of 11 Republican men and 10 Democrats (4 women), heard both Christine Blasey Ford's and Brett Kavanaugh's testimony on September 27, 2018 as part of Congressional hearings to confirm Kavanaugh's appointment to the Supreme Court of the United States. In her letter and testimony, Blasey Ford describes attending a small teenage party in the summer of 1982 when she was 15 that Kavanaugh (then, age 17) was also at (Brown, 2018; Krieg, 2018). Though everyone was drinking alcohol at the party, "just one or two beers," (Brown, 2018), Blasey Ford stated that Kavanaugh and his friend, Mark Judge, were heavily intoxicated. Blasey Ford does not remember all details of the night, including how she got home afterwards, but she was able to recall the event below:

Kavanaugh and his friend, Mark Judge ... had locked her [Blasey Ford] in a bedroom before Kavanaugh "got on top" of her. He began running his hands over my [Blasey Ford's] body and grinding his hips into me. I yelled, hoping someone downstairs might hear me, and tried to get away from him, but his weight was heavy... Brett groped me and tried to take off my clothes. He had a hard time because he was so drunk, and because I was wearing a one-piece bathing suit under my clothes. (Krieg, 2018)

Republican senators hired sex crimes prosecutor, Rachel Mitchell, to question Blasey Ford on their behalf during the hearing, whose questioning intended to uncover inconsistencies in Ford's account of events (Reston, 2018). Blasey Ford stated that, "[i]ndelible in the hippocampus is the laughter, the uproarious laughter between the two and having fun at my expense" (Krieg, 2018; Reston, 2018).

Kavanaugh also testified on September 27, 2018, when he fielded questions about drinking to point of blackout, stating that he had “never passed out from drinking” (Reston, 2018). Republicans spent the majority of their time during questioning defending Kavanaugh and criticizing the Democrats for trying to run a smear campaign. After the hearing, under pressure from members of the Senate Judiciary Committee, President Trump ordered an FBI investigation into the allegations, under the condition that it be “limited in scope and completed in less than one week” (Tatum, n.d.). While the FBI was conducting the investigation, Trump mocked Christine Blasey Ford at a rally in Mississippi for not having answers to all questions, implying that her memory was conveniently selective (Malloy, Sullivan & Zeleny, 2018). His antics were met with laughter. Trump continued to tell rallygoers to think of their sons and husbands, noting the “‘many false allegations’ against him” (Malloy, Sullivan & Zeleny, 2018). On October 6, 2018, Kavanaugh’s appointment to the US Supreme Court was confirmed by a 50-48 Senate vote.

Kavanaugh’s case varies significantly from the sentencing hearings of Cosby and Nassar. Although heavily embroiled in American politics, #metoo quickly became a trending topic on social media when Christie Blasey Ford and Brett Kavanaugh gave their testimonies. The Kavanaugh confirmation hearing was chosen as the final case in the study because of the spike in Twitter use of #metoo and, importantly, the woman alleging the assault, Christine Blasey Ford, gave formal testimony in a congressional hearing. Essential in the design of this multiple case study is the common thread of women speaking in court. When coupled with an increase in Twitter traffic, the Kavanaugh case presents one last opportunity in 2018 to further analyze how Twitter users react when women speak in court against their abuser in the year following #metoo.

### **3.2. Sampling and data collection**

Though a random sample of all Twitter data may provide an interesting sample to investigate #metoo, this method of data collection is not feasible due to the cost for open access to Twitter data. Therefore, a criterion-based sampling approach was used to collect data for the study to ensure that data collected were related to each specific event. Data were collected using Twitter’s Advanced Search function in three separate searches. In each search, a buffer of one day before the event began and one day after the event ended was used to capture reactive conversation pertaining to the event of interest.

Anderson & Toor (2018) state that the number of tweets posted tends to surge around news events (recall figure 2.1), and this buffer was used as a way of ensuring that reactive tweets posted during this “surge” were collected. All tweets were gathered using Twitter Advanced Search feature using the following specific criteria: the accused’s or guilty person’s full name and #metoo. For the Nassar case, all tweets that contained “Larry Nassar” AND “#metoo” and posted between January 15, 2018 and January 25, 2018 were collected. For the Cosby case, all tweets that contained “Bill Cosby” AND “#metoo” and were posted between September 23, 2018 and September 25, 2018 were sampled. For the Kavanaugh case, all tweets that contained: “Brett Kavanaugh” AND “#metoo” posted between September 26, 2018 and September 28, 2018 were included. The full name inclusion criterion limits the sample of the study but was used to maintain a manageable dataset, as way of ensuring, firstly, that the tweets collected were contextually relevant to the event and, secondly, that collection would remain feasible within time constraints of this project. A total of 2419 tweets were gathered using this criterion sampling, 851 for the Nassar sentencing, 612 for the Cosby sentencing, and 956 for the Kavanaugh hearing, respectively. All tweets for each case were kept in a Microsoft Excel spreadsheet, for a total of three spreadsheets. Tweets were initially combed through to confirm that all tweets were English. Further detail about coding techniques can be found in section 3.3.1.

### **3.3. Analytic approach**

Grounded theory was first developed by Glaser & Strauss (1967) as a way of addressing the gap between empirical data and theory. Central to this study are the opinions and perspectives of those tweeting in response to particular cases, as such, employing coding techniques that allow for meaning to emerge from data was essential. A grounded theory approach was best suited for the aims of this study as it allowed for the open coding of all tweets. Inductive coding approaches developed by grounded theory allows researchers to “stick closely to the data” (Charmaz, 2008, p. 163). While maintaining closeness to the data, Corbin & Strauss (1990) stress the importance of investigating “the first bits of data for cues” (p. 6), thereby making collection and analysis “interrelated processes” (p. 6). Charmaz (2008) also emphasizes the “inductive, iterative process of going back and forth between data collection and analysis [that] makes emergent grounded theory analyses focused and incisive” (p. 168). The clear and focused codes were created through two coding techniques outlined in section 3.3.1.

Interpreting these codes requires what Charmaz (2008) describes as “abductive reasoning” which “account[s] for emergent findings [and] raises the level of abstraction of the analysis” (p. 168). In any study that adopts a grounded theory approach, analyses begin concretely and proximate to the data and, as the analyses continue, the researcher must “make sense” of the empirical findings which are grounded in the data. In many if not all cases, this process requires consulting relevant theory to help make sense of categories or themes within the data. Visiting theoretical perspective post-analysis is important to note as this study does not use theory *for* the analysis, but rather, uses intersectional perspectives to help move the analysis into a larger arena of literature to discuss the analysis as a grounded theory approach calls for. As a result, this approach to analysis “can take the research into unanticipated theoretical realms” (Charmaz, 2008, p. 157).

Formulated by Crenshaw (1989, 1991), an intersectional approach to data in this context of this research emphasizes the multi-dimensional nature of gender, race, class, and sexuality. Intersectional perspectives then help to consider the sociopolitical context of each case while also acknowledging the overarching context of the #metoo movement as one created by, and for, marginalized communities. As a result of *Me Too*. being created in Black communities, it felt important to use an approach that prioritizes race and considers larger power relations in society. Caratathis (2016) describes intersectionality

as a critical project [which] reveals politicized identity categories to be held together variously by tacit, unspoken, deliberate, and explicit acts of alignment, solidarity, and exclusion, about which we must become more reflective and critical if mass organizing for social justice is to be more effectively pursued. (p. 165)

The use of an intersectional approach for investigating #metoo allows this study to illuminate the details of solidarity, alignment, and exclusion in all three cases. Through this orientation to analysis, this study is well-equipped to provide insight into changing contexts in relation to power structures in society.

It is worth mentioning the concept of data saturation, as it was anticipated that tweets would become repetitive in content, and therefore, so too would the codes that emerged from these tweets. Data saturation is defined as the “point at which observing more data will not lead to [the] discovery of more information related to the research questions” (Lowe, Norris, Farris & Babbage, 2018, p. 191). The concept of saturation is

most commonly discussed in qualitative studies involving interview and focus groups as a barometer for obtaining an adequate sample. In other words, when researchers reach saturation, additional sampling or new analysis is stopped (Francis et al., 2010; O'Reilly & Parker, 2012). Methods of determining how and when saturation is reached, however, remain contested (Francis et al., 2010; Lowe et al., 2018; O'Reilly & Parker, 2012). For this study, saturation among codes was not considered a viable marker at which to stop coding. In stopping the analysis, a portion of users' opinions would be excluded. As the conversation surrounding #metoo is ongoing, this project's emergent analysis of reactive discourse includes coding *all* data that were collected. In the design of the multiple case analysis, the repetitive codes demonstrate dominant narratives within the discourse.

### 3.3.1. Coding techniques

First, tweets about the Nassar case were collected and coded. Tweets posted in response to the Cosby case were coded second, followed by the Kavanaugh case. This cyclical process of collection and coding allowed for recalibration of codes and interrogation of the data. All tweets were kept and coded in a master Excel sheet, where two columns were created specific to each coding technique. Each row of the sheet contains the tweet, the two codes generated for that tweet, the author's name or Twitter account name (preceded by "@"), the date of posting, and the number of retweets and favourites at the time of collection. Recalling the circulatory nature of collection and analysis of grounded theory approaches, collection did not occur at the same time for all cases, leaving some tweets more time to gather retweets and favourites than other tweets. As such, retweets and favourites were not considered. Additionally, this project is not principally concerned with the most popular tweets online, rather what tweets individually and as a collective are expressing.

All tweets (excluding those flagged as bots<sup>1</sup>) were openly coded using two techniques, *topic* and *process* coding. Together, these coding techniques identify the topic of the tweet and the accompanying process or agency expressed. According to Charmaz

<sup>1</sup> Any tweets that were clearly posted by a bot account or were irrelevant to the event or people of interest were flagged in the spreadsheet (coded as "bot?") and removed from the thematic coding. These tweets were identifiable spam and typically included numerous trending hashtags and little-to-no original text. The number of spam tweets excluded from the full coding process is noted under each case study's theme breakdown table in Chapter Four.

(2008), “[m]ost qualitative researchers code for themes and topics rather than actions” (p.163), as such this combination constructs an analysis that is arguably unique. Topic and process codes make up the “first cycle” or first stages of coding (Miles et al., 2014; Saldaña, 2013). Topic codes were formulated by asking, “what is the tweet about?” while process codes were formulated by asking “what is this tweet doing?” or “what is the agency expressed in the tweet?” Miles and colleagues (2014) describe the method of process coding as one that “uses gerunds (“-ing” words) exclusively to connote observable and conceptual action” (p. 75). The adoption of a process coding approach is highly beneficial within the context of this study, as the #metoo movement is about agency and taking action. Supported by Charmaz (2008), using gerunds as codes enables the researcher “to see implicit processes, to make connections between codes, and to keep their analyses active and emergent” (164). Pictures and links included in tweets were visited when coding for agency required additional context to ensure accuracy. To illustrate the coding technique, an example of the coding template used is displayed in Table 3.3.1. The tweets shown are taken from the sample used in this study. Tweets are kept verbatim as they appear on Twitter, therefore, some offensive language and spelling and punctuation errors are found in the tweets.

**Table 3.1 Coding techniques**

Tweet	Topic Code	Process Code
If Bill Cosby can be held liable for a sexual assault from 35 years ago, Brett Kavanaugh is also liable for his sexual assault. #DrChristineBlaseyFord #DearProfessorFord #KavanaughHearings #DrFordHearing #ChristineBlaseyFordHearing #TimesUp #Metoo Sloppy #Trump	Cosby and Kavanaugh	Equating, wanting conviction
Looking forward to the @BillCosby sentencing hearing today, the rest of his natural life would be good but we still need the #CosbyBill to remove the statute of limitations for all sex crimes in the US #girlpower #MeToo #TimesUp	Cosby/Law Reform	Supporting sentence, reform
If you want to see victim blaming at its finest, read the comments on ANY post about Larry Nassar and his victims. And you wonder why the #metoo movement is necessary?	Movement	Justifying, needing
Thank you to all of the beautiful, brave women that stood up & spoke against Larry Nassar. Change is needed & your bravery moved us forward as a society. A step closer to true freedom. No one should endure what you had to. May not mean much, but we're proud of you all. #MeToo	Women/Survivors	Thanking, praising

Once the first round of coding was completed, all process and topic codes were colour coded for thematic organization. Collapsing process codes and categories that were similar helped construct overarching themes to structure a discussion of findings. The abductive reasoning discussed in the previous section was heavily focused on the process codes in order to build themes that centered around agency and action as it was expressed on Twitter. The topic codes were used throughout to ensure context and subject, providing an overview of which topics were receiving online attention. Colour coding was done by identifying process codes that expressed similar sentiment, for example, condemning the accused or convicted. When colour coding, topic codes were also revisited to ensure that the process codes were directed at the same person, group, or event. For instance, two process codes could be *critiquing*, however, the topic codes show that one code is directed at the #metoo movement and the other code is aimed at the criminal justice system. Accordingly, these process codes would be designated different colours. For instance, in Table 3.1, the last process code, *thanking; praising*, would be highlighted in pink, including it in a larger theme with other tweets that also offered support and praise to survivors. In Microsoft Excel, highlighting each cell that contains a process code allowed tweets to be filtered by colour or by text. This dual-filter capability became helpful in identifying inconsistencies with initial process codes, piecing together similar categories, and finding tweets to include in the paper. Importantly, the use of colour coding made room for yet another round of re-coding, offering another interrogation and check of the codes generated in the first round of coding. Continuous checks of the codes generated also helped maintain the rigour of this research through reflexivity, defined as: “an active process that requires scrutiny, reflection, and interrogation of the data” (Guillemin & Gillam, 2004, p. 274). Once colour coding was completed, mind maps were created to help visualize the coding in another way. First done for the Nassar case, all categories (identified via colour coding) were written down. In viewing the variation of all categories in more tactile way, similar and distinct categories became evident, allowing themes which group together corresponding categories. Through the comparison of categories, themes arose. This process was repeated for the Cosby case until all themes had fully developed and once more for the Kavanaugh case.

Searching for patterns of similarities and incongruences across cases helps build the study’s credibility and rigor (Corbin & Strauss, 1990; Hesse-Biber, 2017; Thomas & Magilvy, 2011; Tracy, 2010; Yin, 2009). Comparative approaches to data also helps in



“guarding against bias [by] ... challenging concepts with fresh data” (Corbin & Strauss, 1990, p. 9). Throughout the analysis, codes were constantly compared to previously coded tweets and, in a broader view, codes and categories were compared across case studies. Additionally, the use of thick descriptions and details in analysis and discussion is “[o]ne of the most important means for achieving credibility in qualitative research” (Tracy, 2010, p. 843). This project’s discussion includes many tweets to show thorough connection to broader themes in each case study, illuminate the varying opinions expressed in the Twitter landscape, and connect data and themes to overarching theoretical and empirical studies.

### **3.3.2. Positionality**

This project came into view through an evolution of interest in feminist hashtag movements on Twitter. I have often viewed online feminist movements in a positive light for their ability to garner attention online, spark debate, remain in touch with unfolding events and critique, and reach across geographic boundaries. The conceptual baggage I bring into this project views #metoo in a similar light, as I believe the hashtag has prioritized public attention towards sexual violence. The prioritization of sexual violence survivors is largely why I chose to focus on #metoo for this study, as #metoo has experienced immense popularity online and succeeded insofar as it has sparked conversations about sexual violence globally. However, my support for #metoo is tempered by the distance between the hashtag movement and Burke’s *Me Too* movement started in 2006. The timely hashtag presents a strong contrast from the humble grassroots beginning of the movement in 2006, which puts survivors’ experience in the milieu of discussion. The contrast from the hashtag Hollywood celebrity and its birthplace in marginalized communities also presented an interesting phenomenon to further explore.

The coding techniques chosen for this project emphasize expressed agency and were borne out of my understanding of social media as a tool of empowerment. Furthermore, the multiple case design not only provides a way of investigating an evolving conversation across different contexts, but the design also allows me to comparatively look at cases and codes generated and, in doing so, guard against my own bias. The qualitative approach to data positions this project as one that closely examines each tweet. I also selected this approach to understand the tweets collected as users’ voices expressed online and therefore, I felt it important to use a qualitative approach which

allows for rich, descriptive analysis through an inductive design which includes process coding to capture Twitter users' agency through reactive tweets.

It is important to acknowledge this project as one that is inherently feminist and my own positionality as a feminist researcher. Kilty (2014) identifies positionality, politics, and praxis as core principles of feminist research;

positionality (recognizing the differences among women and the situatedness of their oppressions), politics (politicizing social, economic, and legal issues through deliberate action), and praxis (working to enact social change regarding the politicized social, economic, scientific, and legal issues). (Kilty, 2014, p.127)

Concerned with placing women's experiences at the center of conversations, this study's focus on ongoing discussions and perspectives about sexual violence not only acknowledges the gendered nature of sexual violence but situates these perspectives within larger socio-political contexts. It should be stressed that, in feminist research, "notions of voice, politics, and praxis remain central premises... as women strive to "be heard" and, also, to have their voices reflected in equitable laws and policies" (Kilty, 2014, p.127). In reflection of these premises, this project investigates tweets as voices and the action expressed behind them. Well-versed with Twitter's platform and having followed the development of #metoo<sup>2</sup>, I understood the paramount need to select an analytical approach that explores each tweet as its own perspective and expressed agency. Accordingly, this section discloses the feminist standpoint from which the results are discussed and emphasizes the inductive nature of coding and multiple rounds of coding interrogation.

This Chapter has also provided detail into how the data were maintained and analyzed alongside rigorous qualitative researcher standpoint. This methods chapter provided key description and justification for the selected analytical approach for this study. Inductive coding techniques importantly leave meaning and interpretation to originate from the data. Codebook maintenance and step-by-step coding processes were

<sup>2</sup> According to Tracy (2010), my own understanding and familiarity with Twitter platform can also lend this study further credibility through tacit knowledge. Altheide & Johnson (1994) define "tacit knowledge" as: "largely unarticulated, contextual understanding that is often manifested in nods, silences, humor, and naught nuances" (p. 492). Tracy (2010) goes on to qualify tacit knowledges as a marker of immersion with the data, which helps to "delve... beneath the surface to explore issues that are assumed, implicit and have become part of participants' common sense" (p. 843).

also outlined to demonstrate credibility and design of the study. The following chapter will present and discuss the findings each case study chronologically. Results will be discussed for the Nassar sentencing hearing first, followed by the Cosby sentencing hearing, and the Kavanaugh U.S. Supreme Court confirmation hearing. A cumulative discussion that joins all three case studies together will highlight similarities and differences. The Chapter is rounded out by a speculative note on the popularity of **News Summaries** category in the data.

## Chapter 4.

### Findings and Discussion

The number of tweets collected for each case is detailed in Table 4.1, which displays the search criteria used for each case study and the number of tweets that were sampled. A total of 2419 tweets were collected and coded for qualitative analysis<sup>3</sup>. The findings for each case are discussed chronologically and a cumulative discussion informed by aggregate findings is presented in section 4.4 of this chapter.

**Table 4.1. Case-by-case data collection results**

Search criteria	Number of tweets collected
"Larry Nassar" AND "#metoo" from: January 15, 2018 – January 25, 2018	851
"Bill Cosby" AND "#metoo" from: September 23, 2018 – September 25, 2018	612
"Brett Kavanaugh" AND "#metoo" from: September 26, 2018 – September 28, 2018	956
Aggregate total:	2419

In all three cases, a descriptive table detailing the breakdown of each theme is included. In each case, **News Summaries** was a prominent category that emerged. To remain transparent about the distribution of tweets in each theme, this category is included in each thematic table. Tweets in this category are not included in any further analyses as the focus of this paper is to examine how Twitter users react online using #metoo and the tweets in this category were highly summative in nature, provided links to repetitive articles, and/or consisted of media outlets promoting their own coverage. On face value, the cases' traction with traditional media signifies that #metoo has become a part of traditional news outlet's focus; however, the summative and purely informational nature of these tweets do not require analytic discussion as this paper is focused on user's opinions. With that in mind, section of 4.4.1. briefly speculates as to why this category contains a notable number of tweets. Due to the distribution of tweets across themes, it felt important

<sup>3</sup> Some tweets included in the ensuing discussion appear in a list. The direct quotes are formatted as such for two reasons, the first being that each tweet is limited to 280 characters, and therefore, some tweets are quite short in length. The second reason is due to the nature of Twitter's platform and user interface. Tweets are listed in a scroll down fashion on Twitter's feed, therefore tweets are presented similarly in this paper as they would appear on Twitter itself.

to leave room to briefly offer suggestion as to why **News Summaries** was a pronounced category in each case study as a way of speaking to all data collected.

## 4.1. Nassar sentencing hearing

The following sections identify and detail the themes found during the Nassar sentencing. The first theme, **Survivor Validation**, encompasses 33% of the total sample for the Nassar case and includes positive and supportive dialogue. In contrast, the second theme, **The Monster, MSU, and USAG**, houses much of the retributive narrative that condemns Nassar and his employers and contains just under a quarter of the discussion. **Triumph and transition** is the third theme, comprising of 126 total tweets, which includes the users that see the sentencing hearing as an opportunity to springboard ahead towards more similar results in the future. Finally, **Judge gone rogue?** is the final theme (and smallest at 10% of the sample) that emerged from analysis, which discussed the controversial figure of the case and much of the critique – and praise – directed toward the Judge Aquilina. A breakdown of the number of tweets in each theme is shown in Table 4.2 below.

**Table 4.2 Nassar theme breakdown**

Categorization and Theme Breakdown	
Theme / (examples of process codes included)	Tweets % (n)
<b>Survivor Validation</b> (supporting; praising; promoting; believing)	33% (281)
<b>The Monster, MSU, and USAG</b> (condemning; calling out; resenting; questioning)	23% (197)
<b>News summaries*</b> (summarizing, advertising, restating)	18% (155)
<b>Triumph and Transition</b> (needing; justifying; crediting; prioritizing)	15% (126)
<b>Judge gone rogue?</b> (defending; praising; critiquing; thanking)	10% (87)
<b>Total</b>	99% (846)

Note: 99% of tweets were included in categorization. Five tweets were excluded from themes due to irrelevancy (i.e., discussing the Superbowl or baseball).

\*Category included to show proportion of tweets for the entire case sample.

### 4.1.1. Survivor validation

Prominent throughout the Nassar case on Twitter was an emphasis on naming and praising the survivors. The tweets present in this theme focused on the survivors often

highlighting the strength shown during their victim impact statements. A tweet posted by one user read:

Vigilantly watching Larry Nassar's sentencing & the victim impact statements. It's been hard. Brings up so much of my own history. I'm just in awe of their courage. They have shown that we all have power, we all have a voice, and that BEING. HEARD. MATTERS. #metoo #TimesUp. (@theaterangel7, posted: Jan. 16)

The value of hearing the survivors in this case is underscored by many users in this theme. Tweets expressed feeling proud in reaction to these women coming forward and confronting their abuser. The confrontation aspect, however, seems to be crucial in the sense that tweets often emphasize victims who “took on” Nassar, which resulted in praise and/or respect. As seen in the following tweets, users acknowledge the difficulty embroiled within this confrontation:

Thank you to all of the beautiful, brave women that stood up & spoke against Larry Nassar. Change is needed & your bravery moved us forward as a society. A step closer to true freedom. No one should endure what you had to. May not mean much, but we're proud of you all. #MeToo. (@LemonadeMag, posted: Jan. 24)

To the gymnasts speaking up regarding the Larry Nassar case: YOU ARE POWERFUL, BEAUTIFUL, STRONG and creating an army full of people willing to share their trauma - A MOVEMENT SO MUCH LARGER than life itself - historic #MeToo. (@ alexandra\_maac, posted: Jan. 17)

To the young woman making impact statements against abuser Larry Nassar, Thank you for speaking up and speaking out. Im glad to know that other woman are able to put a man so deserving of punishment away. Sincerely, a woman whos abuser runs free. #MeToo. (@JacquelynSF\_, posted: Jan. 17)

The task for survivors to face their abuser is not as simple as it may seem, particularly in cases of sexual violence. Research has well-documented the barriers that sexual assault survivors uniquely experience when reporting victimization (Belknap, 2010; Loya, 2014; Johnson, 2017; Shaw et al., 2017; Temkin et al., 2018; Weiser, 2017). Women in cases of sexual assault are forced to negotiate the maintenance of their credibility throughout the police process (Epstein & Goodman, 2018; Jordan, 2004); courtroom dynamics and lawyering tactics (Tanovich, 2015; Zydervelt et al., 2017); all against a cultural backdrop largely informed by patriarchal power structures (Waterhouse-Watson, 2016). As such, the decision to confront their offender or attacker in court is not arrived at lightly and, importantly, the discussion within this theme acknowledges the difficulty in doing so.

Earlier research suggests this confrontation, for some survivors, is seen as a way of taking back power from their abuser (Konradi & Burger, 2000; Thompson, 2000); however, this confrontation requires immense emotional strength and may not result in absolute positivity for *all* survivors (Chalmers et al., 2007; Davis & Smith, 1994; Lens et al., 2015; Manikis, 2015). The popularity discourse in this theme that includes support and empathy for the survivors suggests that Twitter users are largely aware that this battle is present for victims of sexual assault.

One only has to look at the Larry Nassar case to see why women dont come forward. #MeToo. We need to start believing the women" (@bjvanden, posted: Jan. 21).

Also common in this theme is the promotion of survivors' personal stories of overcoming adversity. This user states that the Nassar case is indicative of the trauma that women must face again when they report, suggesting that the threat of experiencing something traumatic often deters women from reporting. As such, the women coming forward to report and confront Nassar are discussed online as taking on a "brave" and "courageous" endeavour worthy of attention,

If you consider yourself a part of the #MeToo movement, but you're not keeping up with the Larry Nassar sentencing, shame on you. The movement was never meant to denounce all men, so stop making it about that. Put the light on the 100+ courageous, strong survivors. (@mslaurafacciolo, posted: Jan. 18)

We were ultimately strong enough to take you down Kaylee Lorincz said on Wednesday. Not one by one but by an army of survivors. We are Jane Does no more." Larry Nassar will get what he deserves. #MeToo #TimesUp #StrongWomen. (@shewarriorsusa, posted: Jan. 24)

The discourse present in this theme is coherent with the initial objectives of *Me Too*., which strongly emphasize the importance of providing support and understanding for survivors. If taken as a standalone finding, this theme suggests that the original movement's goals are being met on Twitter. Accordingly, empathetic and respectful posts were largely represented in this theme of **Survivor Validation**, and survivors confronting Nassar were highly praised online. The Nassar sentencing hearing certainly demonstrated that women in this case were not silenced, and instead, came together and collaborated with one another. The existence of this theme online should not go unnoticed as victims of sexual violence often feel marginalized by the judicial system. The social environment embedded

in these hashtags, then, provides survivors with alternative avenues of receiving support and acceptance.

#### **4.1.2. The Monster, MSU, and USAG**

Discourse that attacked Nassar and condemned his actions represented just under a quarter of the overall discussion on #metoo during the sentencing hearing. Tweets prominently acknowledged the role that USAG and MSU played in allowing Nassar's abuse continue. While the systematic scaffolding behind Nassar was highlighted in news media leading up to the trial, there was a notable focus on the organizational structure that enabled Nassar in the data and a clear condemnation of Nassar himself, as seen in the following tweets:

If you need a clearer picture of how much damage silence can do even in a setting with far less power and prestige than Weinstein, take a look at MSU and their handling of Larry Nassar. #metoo. (@ggbrokensilence, posted: Jan. 17)

Larry Nassar, your apology was insincere and you are an abomination. There is no apology that encompasses your satanic actions against your victims. You have scared numerous women and girls physically and psychologically. You deserve more than the 99 years sentenced. #MeToo. (@BlairSmith02, posted Jan. 25)

Similarly, these two tweets point out the larger organizational blame and call for change:

@NCAA why are @michiganstateu trainers Lianna Hadden and Destiny Teachnor-Hauk still employed after covering up for Larry Nassar. They need to be fired immediately to help restore trust in the training staff. #metoo @WOODTV @CNN @FoxNews @1million. (@PennyStockWatch, posted: Jan. 25)

The BEST that can be said about. @USAGym is ENABLERS! You are no better than Larry Nassar in that your pathetic attempts to protect yourselves allowed a predator to thrive! Hope charges are brought against your entire board! #MeToo #TimesUp. (@kemu808, posted: Jan 24)

Calls for resignation and increased accountability for the organizations Nassar was involved with suggest that Twitter users did not view guilt in this case as a singularity in the sense that Nassar was not the only culpable party. Users also urged others to see the underlying institutional coverup that was involved:



If you care about the #metoo & #TimesUp movements, please follow the abuse case against Larry Nassar. The survivors are strong, fearless women & girls. Demand justice be brought down on @USAGym #MSU and #TwistarsGym NOW! (@imkatethegreat, posted, Jan. 24)

I implore everyone to watch the women survivors of Larry Nassar testify. Their testimonies are gut wrenching and I can only hope that @USAGym @TeamUSA and @MSUgymnastics will be held accountable for letting this abuse endure for so many years. #metoo. (@AnneliseKost, posted Jan. 24)

Institutions horribly failed the girls that Larry Nassar abused, thereby committing a secondary abuse. Absolute travesty! #MeToo. (@DrJulieAncis, posted Jan. 24)

An important distinction to be made in this theme is that the users focused on the role that organizational neglect played specific to the Nassar case. Reaction in this theme might fall within the realm of “mob mentality” as outlined by Replogle (2011) when a group of individuals constructs a narrative *in pursuit* of an individual. While the discourse within this theme is in touch with the larger systemic structure that protected Nassar, users implore other to join their condemnation and call for resignations directed at organizations such as USAG and MSU Athletics. Crucial in this context is the consideration that the formation of this discourse “tell[s] us something about underlying social, political, or cultural beliefs in a society” (Replogle 2011, p. 801). ***The Monsters*** in this sense were forcefully condemned by Twitter users using #metoo that sought to illuminate the larger sociopolitical structure behind Nassar’s abuse.

#### 4.1.3. A time of triumph and transition

The third theme consists of users who are concerned with extending the discussion beyond Nassar. Users in this theme view the Nassar sentence as a positive contribution to the movement, but the discussion extends beyond this one-case perspective. The tweets speak to #metoo on a larger scale, attempting to connect and link Nassar to other offenders by focusing on growing the movement and continuing the conversations, as seen in the following tweets:

#MeToo is bigger than Harvey Weinstein, Aziz Ansari, Larry Nassar, Louis C. K.: it is about the patriarchy that has enabled them and other men. It is not about individual men but about the systems & institutions that enable their misogyny & abuse. (@monaeltahawy, posted: Jan. 24)

Beyond glad that Larry Nassar will no longer be able to abuse women.  
Beyond glad that Aly Raisman and the army of survivors spoke out.  
Beyond glad that, for once, justice was served in a sexual assault case.  
But remember, there is still work to do. #MeToo. (@MeghanShoppe, posted: Jan. 19)

This discourse also justifies the need for #metoo, some go further and credit #metoo for helping deliver justice in the Nassar case. Also present in this theme were users prioritizing the #metoo movement by calling for more online support and media attention. General satisfaction with the outcome of the trial was alluded to, yet the focus here was aimed at what was over the horizon,

If you want to see victim blaming at its finest, read the comments on ANY post about Larry Nassar and his victims. And you wonder why the #metoo movement is necessary? (@kinstoppable13 posted: Jan. 24)

That more men are negatively discussing Judge Aquilinas sentencing, than they are taking about how Larry Nassar sexually abused 100+ girls & heads havent F\*\*\*ING ROLLED at the US Gymanstics organization, is everything that is wrong with us right now, & why #MeToo is necessary. (@MDO\_wx, posted: Jan. 25)

Larry Nassar molested girls for decades, hundreds, & THEY WERE SILENCED by the officials" they reported the abuse too. Stop muting the victims & protecting the offenders. #MeToo is not frivolous. Just because it makes you uncomfortable doesn't mean it doesn't need to be said. (@vickinedgar, posted: Jan. 25)

Discussion about the Nassar sentencing is not static on #metoo – users continuously link this case and its characteristics to other narratives on other cases, such as Weinstein and Cosby. In this sense, the power of #metoo truly emerges, when it is clear that this hearing acts as both a moment of clarity for its members, when the goals of support and empathy are reassured and strengthened, and as an opportunity to springboard ahead, as the gaze of these hashtags continues onward to the next fight. The majority of these users are already looking ahead to further trials and warning offenders, leading to a transitional conversation where the need for these movements to continually grow, include more women, and be prepared for the next case is underscored. It is important to note that the ability for #metoo to constantly be present in any discussion or case relating to sexual violence is enabled by the medium on which it thrives. In other words, the organization of Twitter as a microblogging site which highlights trending topics actually allows #metoo to step into the spotlight when high profile cases of sexual violence are in court.

#### 4.1.4. Judge gone rogue?

Judge Aquilina was, in many ways, a polarizing figure in Nassar case. The notion of a “rogue” judge, or a judge who strayed from conventional ways of conducting a courtroom, emerged from the data. Regardless of whether the user supported Aquilina or critiqued Aquilina, what was made clear is that Aquilina’s conduct deviated from conventional judicial conduct residing over sentencing hearings. The Nassar case saw an unprecedented opportunity for survivors to confront their abuser. The number of VISs delivered (over 160), the amount of online attention, and the comments made by the judge contribute to the notion that this case deviated from previous sexual assault cases. While outspoken supporters of the hashtag movements were quick to praise Aquilina as a hero, other Twitter users felt Aquilina problematically extended her role beyond a judicial figure into the role of an advocate. Comments made by Aquilina, such as: “I’ve just signed your death warrant”, “it is my honor and privilege to sentence you”, and “[o]ur Constitution does not allow for cruel and unusual punishment. If it did, I would allow some or many people to do to him what he did to others” were met with disapproval in *The antagonist* subtheme.

##### ***Subtheme: The hero.***

Praise and support for the ways in which Aquilina conducted the courtroom and delivered the sentence were focused on in this subtheme. She was labelled as “hero” for her role in the case, and while there were many users who were in favour of the sentence given to Nassar, many users credited Aquilina for giving a voice to the survivors. As seen in the following tweets, this support for Aquilina became more detailed, when users emphasized women’s capacity to be heard:

Larry Nassar & criminals like him should get life behind bars! THANK YOU JUDGE ROSEMARIE AQUILINA GD BLESS YOU & YOUR FAMILY GD BLESS & Keep safe YOUR VICTIMS & THEIR FAMILIES I will publicly let people know, for the 1st time EVER, I HAD been abused, it started at age 10 #MeToo. (@StaceyCircle, posted: Jan. 22)

Judge Rosemarie Aquilina and her words are vindication for all of us that have screamed #MeToo. It is proof we are stronger together and OUR VOICE matters. One of the best sentencing statements I've seen. Larry Nassar deserved the 175 yrs. She is a shining light. #Hero. (@Kokomothegreat, posted: Jan. 24)

Utmost respect to Judge Aquilina presiding over Larry Nassar case for allowing over 150 victims of sex abuse to tell their truth & be heard. Doctor abuse of patients is most egregious & he must be punished to

full extent of the law. #metoo #timesup. (@AnahitaSeda, posted: Jan 18)

Aquilina's decision to open her courtroom for all survivors was not lost in this discourse and resulted in clear support. Additionally, this user, along with others, expressed hope that future judges in sexual assault cases would be similar to Aquilina:

The #MeToo hero of the week is Judge Rosemarie Aquilina, who has allowed 140 women to give statements against Larry Nassar. Here's hoping Bill Cosby gets the same treatment in April. (@laurenduca, posted: Jan. 24)

The hope that this case sets the scene for how future judges ought to approach sentencing points out where proponents of #metoo see feasible areas of improvement. Surely, holding all future trials of sexual violence to the standard set forth in the Nassar case by Judge Aquilina is unlikely for obvious reasons, namely, the magnitude of the Nassar case, clear culpability on numerous parties and level of publicity contribute to the case's "sensationalistic" nature. However, a larger lens overlooking this support for Aquilina might reveal that what garnered a large portion of praise and satisfaction was the fact that Aquilina played a pivotal role in allowing these women to be heard and to confront the abuser. Although these assurances cannot be made *carte blanche* for future cases, the discourse on #metoo in this theme suggests that public support for judicial handling of sexual assault cases is likely if the woman/women coming forward are able to do openly confront their abuser in court.

### ***Subtheme: The antagonist.***

The opinion surrounding Aquilina's role was not one-sided. Users acknowledged that while victim impact statements are not an uncommon occurrence in sentencing hearings, Aquilina seemed to cross the proverbial "line" from judiciary member to advocator. While judges are required to consider delivering a sentence that takes into consideration the impact the offence (and offender) had on the victim, some Twitter users argue that Aquilina goes beyond mere consideration. Critics argue that Aquilina extended beyond her role as judge, succinctly stated by the following tweets:

Many celebrating the Michigan Judge and her treatment of Larry Nassar. The sentence was appropriate, but was Judges conduct? Lady Liberty doesnt wear a #metoo pin. She is blindfolded. Judges dont take sides. Judge Aquilinas conduct is beneath her position as a judge. (@UTCrimDefROX, posted: Jan. 16)

Being an complainant in #metoo has only reinforced my long belief in the need for due & impartial process - including fairness to those accused of sexual offences. Larry Nassar is vile. But the theatricality of Judge Aquilinas hostility to him seems... injudicious... (@KateMaltby, posted: Jan. 24)

This discourse is pointed at only Judge Aquilina. For these users, then, the sentence, Nassar, or the survivors are not the source of discontent. In fact, these tweets exemplify a portion of the online debate that clearly denounces Nassar, yet does not support how the court reached this sentence. The dialogue present here suggests that Aquilina's comments and conduct have no place in future cases of sexual violence.

Some of the critique directed at Aquilina centers around her gender, as exemplified in the following tweet:

Makes me wonder if a Man would have been the judge would he gave this man 175 years? Something fishy about this judge. #Nobody can live 175 years. What kind of drugs is this woman on. Oh I get it. #MeToo Larry Nassar #smh [shake my head] ... (@WeDontHateYou, posted: Jan. 21)

Suggesting that the judge's verdict is linked to the her gender speaks to a much larger arena of women's "permitted" roles in the workplace, and perhaps in cases of sexual violence. In this particular case, the fact that the Aquilina is a woman seems to warrant critique of the sentence's legitimacy. In asking "what role are women expected to play in sexual assault cases", a much larger consideration for stereotypical attitudes held about sexual violence are brought into the fold. This question lies at the heart of de-legitimization tactics used in Twitter posts about Judge Aquilina. In a similar vein, Jian Ghomeshi's lawyer, Marie Henein, was viewed by some as "an enemy to the gender" by defending Ghomeshi against charges of sexual assault in 2017<sup>4</sup>. This gender-centric remark, coupled with critique levelled against Aquilina on Twitter, illuminates the unique critique that women working in the criminal justice system may face when cases of sexual violence are before the court.

<sup>4</sup> In 2017, well-known CBC Radio host Jian Ghomeshi stood trial for sexual assault. His lawyer, Marie Henein, revered by some as one of the country's top defence lawyers, faced critique for defending a man accused of sexual assault. Henein was vilified by some for her cross-examination of complainants and successful defence, as Ghomeshi was later acquitted of all criminal charges.

## 4.2. Cosby sentencing hearing

Through coding the tweets over the course of the Cosby sentencing hearing, four themes emerged. **The Cosby comparative: Placing race and privilege on the scale** includes just under a third of all tweets. In this theme, tweets that compare Cosby's conviction and sentence with other high-profile men who have not, or have yet to, face trial on charges related to sexual violence are included. Sentiment expressed in this theme positions Cosby's treatment by the criminal justice system beside the treatment that white men receive. **Race as a defence** is a subtheme within the larger discussion on privilege (28% of the discussion on privilege), as these tweets discuss race as a way of coming to Cosby's defence and/or critiquing the movement. The second theme, **The villain** represents a fragment of the online discussion (about 13%) that vilified and condemned Cosby for his actions and supported sentencing. **A domino effect?** encompasses fewer tweets than the previous theme at 76 total tweets and includes the implications for future celebrities facing allegations in light of Cosby's sentence. The final theme, **Navigation through #metoo** holds the dichotomous conversation surrounding #metoo, users who align themselves with the movement's goals by supporting the women are represented in the **Support** subtheme, while **"the #metoo inquisition"** subtheme includes those who criticize the movement and is notably smaller than the **Support** camp. Table 4.3 details the number of tweets in each theme. The majority of news articles promoted and circulated in this sample were articles that depicted Cosby as the first casualty of the movement and constructed his sentence as a "milestone for the #metoo movement".

**Table 4.3**      **Cosby theme breakdown**

Categorization and Theme Breakdown		
Theme / (examples of process codes included)	Tweets % (n)	
<b>News summaries*</b> (promoting; summarizing; advertising; restating)	<b>36%</b> (220)	
<b>The Cosby comparative</b>	<b>27%</b> (163)	
<b>Subtheme: White male privilege</b> (comparing; linking; mocking)		<b>72%</b> (117)
<b>Subtheme: Race as a defence</b> (defending; dismissing; critiquing)		<b>28%</b> (46)
<b>The villain</b> (condemning; threatening; rejecting; supporting sentence)	<b>13%</b> (82)	
<b>A domino effect?</b> (needing; hoping; encouraging; continuing)	<b>12%</b> (76)	
<b>Navigating through #metoo</b>	<b>9%</b> (53)	
<b>Subtheme: Support</b> (joining; supporting; praising; thanking)		<b>66%</b> (35)

<b>Subtheme: “The #metoo inquisition”</b> (critiquing; mocking; withdrawing support)	<b>34% (18)</b>
<b>Total</b>	<b>97% (594)</b>

Note: Three percent of tweets were excluded from categorization. These 18 tweets consisted of spam, multiple hashtags that had no relevance to the Cosby sentencing.

\* Category included to show proportion of tweets for the entire case sample.

#### 4.2.1. The Cosby comparative: Placing race and privilege on the scale

The delivery of Cosby’s verdict and subsequent sentence led many Twitter users to draw comparisons to how other high-profile men accused of sexual violence have been treated. Over a quarter of all tweets during the Cosby sentencing compared him to other men who are facing, or have faced, similar allegations. As a result of Cosby’s sentencing hearing taking place so close to Kavanaugh’s confirmation hearing, many tweets compared both men. Cosby was sentenced on September 25, 2018 while Kavanaugh and Blasey Ford gave their testimonies on September 27, 2018.

This theme is indicative of the inextricable nature of race and privilege in society. The subthemes provide further detail on *how* users use race and privilege as a means of comparison. At a glance, tweets compared the conviction and sentence Cosby received to other white men in the **White male privilege** subtheme, while tweets that employ race *in defence of* Cosby’s conviction and sentence are included in **Race as a defence** subtheme. The **White male privilege** holds that Cosby could not avoid sentencing because he is not white, while **Race as a defence** holds that Cosby was guilty because he is Black. Both themes are fuelled by larger discussions on race and privilege but vary in ways of viewing how race and privilege affected Cosby’s sentencing.

##### **Subtheme: White male privilege**

Tweets in this theme use white privilege and race as a way of positioning Cosby as a figure of comparison to other high-profile men. Most commonly, users compare Trump’s derogatory comments about women made in 2005 and his lack of punishment against Cosby’s treatment by the criminal justice system. The tweets below provide an insight into the numerous comparisons made on Twitter:

I don't defend Bill Cosby. He should pay for his crimes. But let's not forget the President admittedly grabs women by the p\$ssy & Supreme Court nominee shoves his genitals in women's faces w/o consent. How is one a predator & not the others? #Kavanaugh #Trump #BillCosby #MeToo. (@DrFaniel, posted: Sept. 25)

When we allow a vulgar sexist and admitted sexual predator like Trump [to] run free while convicting and sentencing Bill Cosby, we insulate white male privilege and make a mockery of women's rights. #resist #trump #metoo #billcosby #cosby. (@DaShanneStokes, posted: Sept. 25)

So Bill Cosby goes to jail, but we allow Trump to hold the highest office of our Executive Branch as a repeated and KNOWN sex offender. Who then, attempts to employ a sex offender, Brett Kavanaugh into a non-citizen elected position #SoundsAboutWhite #MeToo #MasculineFeminist pic.twitter.com/JLCa9hBAXn. (@TheDimondRose; posted: Sept. 25)

In a 2005 tape, Trump was heard bragging about groping women whenever he wanted without any consent. Trump, in the midst of a presidential campaign, later dismissed his comments as “locker room banter”. No charges were laid, and Trump faced no repercussions, but in activist forums online, many called for action against Trump. Mass et al. (2018) analyzed tweets that used “#NotOkay” in response to the degrading comments made by Trump and found that users viewed the acceptance of certain behaviours “from a White presidential candidate but not Bill Cosby as an indicator of White supremacy in misogyny” (p. 1744). Furthermore, Trump’s ability to successfully deflect criticism is also indicative of white privilege giving white men the ability to excuse behaviour and dodge stigmatization (Pepin, 2016). First defined by McIntosh (1988), white privilege refers to the assurances and comforts afforded to those who remain oblivious to them. One of the many results of possessing this privilege on the basis of skin-colour is the ability to “escape penalty or danger which others suffer” (McIntosh, 1988, p. 11). An intersectional perspective, however, can illuminate how privilege and discrimination can co-operate within the same context of oppression. Cosby, a man who enjoyed economic privilege as the first Black man in America to “make it” on television, could be parallel to “[t]he phenomenon of driving while black” (Chan & Chunn, 2014, p.9). In this phenomenon, a “black man may experience class privilege... while simultaneously experiencing discrimination and disadvantage based on being black and male (being racially profiled)” (Chan & Chunn, 2014, p. 9). An intersectional lens reveals that, despite Cosby’s privilege and similarity to other prominent men in the entertainment industry, his race still positions him at a disadvantage within the criminal justice system. Cosby’s disadvantage is not to excuse Cosby or claim his innocence, rather to speculate that Cosby’s inability to evade conviction and jail time is in larger part due to his race. Put another way, in other cases involving white men (i.e., Trump, Kavanaugh, Weinstein), their privileges do not jockey discriminations. This theme speaks to the idea the privileges possessed by Cosby



ultimately do not – and cannot – triumph against his race. Cosby's privilege and status had placed him on similar footing with other celebrities, however, Cosby was in the unique position of having his race work against him. Overt mentions of white privilege continue in the following tweets:

We attack the victims, conspire to silence them, endorse sexual assault, reward predators with our nation's highest offices, excuse white perpetrators, fail to hold them accountable, and then we wonder why sexual violence continues. #resist #trump #Kavanaugh #billcosby #metoo. (@DaShanneStokes, posted: Sept. 25)

Bill Cosby did do some wrong things.... but what about those other producer or actors or whatever they do that was called out from the #metoo movement? Why are they not being punished? What about the swimmer that rape that girl? [Brock Turner] He didn't see this much time. This is sad. (@anon; posted Sept. 25)

I'm so conflicted over the Cosby case because I believe his accusers 100%, but I have a feeling other powerful men exposed by #metoo won't face similar punishments. It was over for Bill when he tried buying NBC. (@UptownMoses, posted: Sept. 27)

I have a question 1) Where are the #metoo & the #EnoughIsEnough movements concerning Kavanaugh & Weinstein? You guys were non stop when Bill Cosby was in the spotlight. Even had Oprah chanting 'enough is enough.' Mighty funny how quiet you all are when it's white men. (@D.Johnson; posted: Sept. 23)

These users are not claiming Cosby's innocence, rather their reactions immediately ask others to consider that the first celebrity sentenced during #metoo is Black. The underlying assertion, fuelled by white privilege, is that Cosby should not be the only celebrity to be sentenced. Powerful, white men's ability to evade charges during the #metoo movement is underscored in this discourse, furthering the McIntosh's (1988) notion that privilege, in certain contexts, "confers dominance [and] gives permission to control, because of one's race or sex" (p. 12).

### ***Subtheme: Race as a defence***

This subtheme holds much of the discourse that is critical of the movement, sympathizes with Cosby and defends him on the basis of race by equating his treatment to lynching. The following tweets explicitly mention lynching and witch hunts in relation to the sentencing of Cosby:

#metoo is a feminist & white supremacist witch hunt. #BillCosby is the signature catch & ni99a to lynch. They sought to destroy his legacy! (Onyx Paradigm, posted Sept. 25)

The Bill Cosby case proved the #Metoo movement is being used to lynch black men all over again. If this wasn't true Stephen Collins would be in jail also. Trump wouldn't be president. [pic.twitter.com/TN4sCFqn6w](https://pic.twitter.com/TN4sCFqn6w). (@AdviseShowMedia, posted Sept. 25)

@BillCosby is #innocent and the #MeToo movement is the modern equivalent of the Salem witch trials. #NoProof means #NotGuilty. (Josh Reigner, posted Sept. 25)

Portraying Cosby as victim of #metoo on the basis of his race could be equating to “playing the race card,”<sup>5</sup> however, scholars have critiqued the phrase for downplaying the significance of racial divides (see Carbado, 1999, Gilbert & Rossing, 2013). In similar sentiment, O.J. Simpson’s double murder trial caused many within the Black community to view him as “another man being put down by the system” (Carbado, 1999, p. 166). Just over 22 years after Simpson’s criminal acquittal, Cosby is described, not as a victim of the system, but as a victim of the #metoo movement. Tweets on race continue:

Bill Cosby goes to jail and Brett Kavanaugh becomes a Supreme Court Justice? Who says that the man is not alive and well? I guess the \$3.4 million payment to #Constand from #Cosby wasn't enough. This isn't about the rule of law, it's about Black Vs. White (Period) #MeToo. (@DNAConfession, posted: Sept. 25)

Sept 2018: I turned 36, a bl[a]ck man was killed in his house by a cop, the 49ers lost their QB [quarterback] for the year and brought in Tom Savage over Kaep [former QB Colin Kaepernick], Bill Cosby became the example for #metoo, while Judge K[avanaugh] is headed to the supreme court. American society is shooting Par for the month. (@ethanbrimsby, posted: Sept. 25)

Casting Cosby’s sentencing as unfair and a matter of “Black vs. White” not only distracts away from the #metoo goals of offering support and perpetuates the idea that #metoo focusing on ‘going after’ convictions and lengthy sentences, but it also speaks to the larger racial bias in the criminal justice system. Racial bias and prejudice “continues to influence... the reporting and response of sexual violence” (Phillips, 2017, p. 66). Yet, the standing that users in this theme adopt views Cosby as a victim of a movement and

<sup>5</sup> Williams (2001) defines explains the metaphor further, stating: “[l]iability is transformed to an asset and reformed again as liability. Thus the metaphor of the race card attempts to discredit any racialized suffering that can be turned to advantage now that colorblindness is supposedly effect” (p. 4).

employs race in his defence. Bucolo & Cohn (2010) found that when defence attorneys make explicit references to the defendant's race in the opening and closing remarks of trial, jurors' ratings of the defendant's guilt were lower than when attorneys did not make race a salient topic. In other words, "making race a focal point of a trial can have benefits for Black defendants that may result in acquittal" (Bucolo & Cohn, 2010, p. 301). O.J. Simpson becomes the example of such a defence succeeding. However, making race a salient issue did *not* result in Cosby's acquittal, and the unsuccessful defence tactic is seen, in these tweets, as an attack on another Black man in America.

#### 4.2.2. The Villain

The second theme quickly emerged from the number of tweets that vilified and condemned Cosby for his actions. Clearly, in the ***Villain***, Cosby faced a number of tweets that supported harsh sentencing and offered him little sympathy. The tweets below demonstrate the majority of sentiment expressed and opinion on Cosby:

I don't honestly know how to articulate how much vindication comes from seeing Bill Cosby get led out of his sentencing hearing in handcuffs. 3 to 10 years, beginning at age 81 = he will probably die in prison. He deserves that. #MeToo #JusticeForSurvivors. (@GwydiionZ, posted: Sept. 25)

Dear Bill Cosby On behalf of a woman A mother and A victim of sexual assault I wish #Karma on U, n may U spend the rest of UR life in jail, for all the pain U caused so many women n their loved ones #MeToo #BelieveSurvivors #WeRise #MondayMood #MondayMotivation #Rape. (@madg\_lulu, posted: Sept. 24)

Bill Cosby is about to be sentenced for drugging and sexually assaulting Andrea Constand in 2004. This doesn't count all of his indecent acts in the decades prior. I just want you to remember all of the people who supported him because he was their TV Dad. #MeToo #TimesUp. (@eugenejohnson\_, posted: Sept. 24)

Why are there so many supporting #BillCosby? Are they not aware of #BelieveSurvivors or #MeToo? Rape is no joke and we survivors are in prison until our life is over knowing that our bodies were violated by scum like Cosby. He's a violent sexual predator who drugged women! (@Glass1incision, posted: Sept. 25)

This retributive narrative differs slightly from the narrative in the Nassar case in which users also critiqued organizations that enabled Nassar. There is only one villain in Cosby's case as Twitter users only attack him and not the larger environment or industry of which

he was a part. Burke, the founder of *Me Too*, highlights this type of sentiment as misaligning the movement's main goal of offering support for women in favour of an offender-centric, celebrity-driven focus.

Yet, as #metoo receives criticism for creating a court of public opinion focused on widespread shaming and character attacks before trial (Pipyrou, 2018; TED, 2019), the discourse in this theme is in response to a sentencing, therefore, the critique of “dismantling due process” (TED, 2019) does not apply to these tweets. However, these tweets may indicate that the conviction and sentence were of extreme importance to the movement, to survivors, or to the public in general. The implications of putting the majority of weight behind a guilty verdict support the idea that users and proponents of #metoo on Twitter are focused on celebrity men being convicted. Positioning #metoo's achievements as “real” only when men are convicted has little to do with offering support and empathy to survivors of sexual violence.

#### **4.2.3. A domino effect?**

Many reactions to Cosby's three-to-10-year sentence on Twitter looked toward the implications for other celebrities accused of sexual violence. Users expressed satisfaction in the conviction and sentence, hoping that other high-profile men will face a similar fate to Cosby's. The following users position the Cosby sentencing as a momentum-building case for future celebrities:

Bill Cosby going down is a very good first step at eroding the bulletproof nature of celebrity. Hopefully it will lead to more relevant celebrities facing consequences for their actions. #MeToo. (@GOcastZack, posted: Sept. 25)

Bill Cosby got what he deserved & Andrea Constrand got justice. Now Weinstein, O'Reilly, Moore, Kavanaugh and trump must be held to the same standard as Cosby and their many victims must finally get the justice they deserve. NO means NO. And NO ONE is above the law. #MeToo. (@NanciAma, posted:: Sept. 25)

I feared that Bill Cosby was too famous to sink. Today has given me hope that Harvey Weinstein (and the many others) will also be put behind bars and their victims will take one more step towards healing and survival. #BelieveSurvivors #MeToo. (@jessica\_m\_thompson, posted: Sept. 25)

Most users support the precedent set by Cosby's case for other celebrities facing allegations. The following tweet fires back at news headlines that describe Cosby as a "casualty of the #metoo movement",

Exactly. It [the headline] turns #MeToo into a firing squad, not an important movement of legitimizing voices previously too scared or too quiet to come forward. Bill Cosby got way less than he deserved, and I hope plenty more celebrities are rightfully convicted and sentenced. (@sj\_stock, posted: Sept. 25)

The issue of media framing of #metoo has been cited by Burke as one of the ways that limit the movement's ability to grow and "move forward" activists' work (TED, 2019). By calling out media that frame Cosby as a casualty of #metoo, this tweet helps combat an inaccurate portrayal of the movement and re-centers and emphasizes the movement's ability to amplify survivors' voices.

The rhetoric expressed in this theme prioritizes this case as a matter of ensuring that Cosby is not the *only* celebrity to be jailed. Juxtaposed to Nassar's discussion on transitioning attention to other cases, the support for Cosby's sentence and eagerness for other celebrities seems to require that they also be found guilty and sentenced to time in prison. Simply put, if Cosby can be convicted, so too should other celebrities that have been accused in the emergence of #metoo. These three tweets share this "first of many that must fall" sentiment below:

Bill Cosby recs 3yrs & life long judgment of sex violent predator. Ok, but what about the SEA of other #MeToo celebs & politicians? When will Lady Justice really go blind? All wrong or none wrong! (@DrYashima, posted: Sept. 25)

Bill Cosby better not be the only one they damn sure made him the first now for the rest line they nasty asses up #MeToo. (@DBitchy1; posted: Sept. 25)

#BillCosby was sentenced today. Predatory men everywhere, especially you who are charming, & portray yourselves as nice guys should turn yourselves over to police &/or publicly confess, &/or come forward to victims & their loved ones now before they gather their courage. #MeToo.@ghostitch, posted: Sept. 25)

The assumption central to this theme is that the Cosby sentence will have, or should have, implications for future celebrities. Some users, such as in the last tweet above, warn men. This theme represents discourse online that sees the Cosby sentence as the first of many dominoes to fall in the wake of #metoo.

#### 4.2.4. Navigating through #metoo

The users who support survivors and credit #metoo for helping achieve justice is contrasted with users who discredit and critique the movement as an injudicious attack on Cosby and, in general, men. Although support for survivors was very prominent in the Nassar sentencing hearing, it was not widely popular in the Cosby sample. The reduced support may be due to race differences between Cosby and Nassar, as the majority of tweets focused on comparing Cosby to other accused men. This dichotomous conversation is framed under one larger theme to present both reactions to the movement's role in the Cosby case.

##### ***Subtheme: Support***

Twitter users who posted tweets in support and defence of survivors are included in this theme. As was the case over the course of the Nassar sentencing, a number of users were active in offering women support and praise online for speaking out. While the support is not as prominent in the tweets during Cosby's sentencing as it was during Nassar's sentencing (it is also important to consider the number of VISs read at Nassar's sentencing), empathy and understanding was certainly offered throughout Cosby's sentencing on Twitter. Users offered support and praise online to the women who came forward with allegations against Cosby, as shown in the following two tweets:

Proud of these incredibly strong women who endured years of questioning, humiliation, guilt and shame to bring #BillCosby to justice. They are truly #heros. #MeToo. (@Noreenj, posted: Sept. 25)

Today I hope the women brave enough to come forward and seek justice are honored. Bill Cosby may not have years to suffer the effects of his actions in the way his victims have, but we can honor their sacrifice by sending a clear message today. Nobody is above the law. #MeToo ... (@kazweida, posted: Sept. 24)

Additionally, users expressed satisfaction with the jail time given to Cosby, as these two users are clearly delighted by Cosby's sentence:

FINALLY - Justice has been served in the case of Bill Cosby. Bill Cosby another example of a POWERFUL MAN - being lead out of the courtroom in HANDCUFFS. Women EVERYWHERE don't tuck your assault/ rape experience away. Its 2018 U have a HUGE #MeToo MOVEMENT BEHIND U. (@Bornabrit1, posted: Sept. 25)

So glad that Bill Cosby will be in the News today, for those who say it was 35 years ago and She shouldn't be believed #Metoo. (@ladddy\_leo, posted: Sept.24)

Andrea Constand was also supported online, as exemplified in the following tweet:

Saying a prayer for the #shero @ConstandAndrea for it's finally the day to render judgement for the predator who hurt her. Because of Andrea's courage and resolve it has paved a path that has given voice to those suffering in silence. #metoo #BillCosby #AndreaConstand. (@michaeldean0116, posted Sept. 24)

Some users implore others to acknowledge the pattern of abusive men in positions of power. These tweets are not included within ***The Villain*** theme as they are not demonising other men but asking supporters (and critics) to see similarities across cases of celebrity men.

There is absolutely no difference between her (now them) and any other victim. The victims of Bill Cosby for instance. Or the Catholic church. Or the Olympic dr. Or the Penn State coach. Why do you folks insist on the blinders and not believing the facts? #sadbuttrue #MeToo. (@Vickiaod, posted: Sept. 24)

Are your opinions the same regarding Bill Cosby and Harvey Weinstein's accusers? It appears folks didn't listen to women or take them seriously before the #MeToo or is it that you don't care as long as your preferred party wins? If this was your loved one wld [would] you dismiss it?" (Victoria Owens, posted: Sept. 24)

Women wait years to come forward about sexual assault because they fear retribution, that they won't be believed. Especially in cases of men w/power, like Bill Cosby, Harvey Weinstein, Donald Trump, and now #BrettKavanaugh But #TimesUp And we need to #BelieveSurvivors #MeToo ... (@CeeLeeMusic, posted: Sept. 24)

By invoking the names of Harvey Weinstein and Donald Trump, these tweets demonstrate the volume of allegations, the breadth of the movement, and uncover more systemic abuse. Encouraging others to believe and support women who have reported is in direct conflict of rape culture practices, such as victim-blaming. As discussed in the Nassar case, the support raised online helps to create an environment that places survivors' experiences at the center of the conversation on sexual violence. Notably, this support in Cosby's case represents about 6% of the overall reaction to his sentencing hearing.

### ***Subtheme: “The #metoo inquisition”***

Not all critique of #metoo comes from those who view the Cosby sentencing as a lynching. That is, some users critique the nature of allegations and evidence used to convict Cosby in relation to the movement.

Doesnt matter that Bill Cosby is black. The #Metoo movement has the 'boys will be boys' narrative changing, props for that. But this coming out of woodwork 30 years later stuff is crap. Someone took my pencil in 3rd grade 30 years ago, can I convict them now? still a crime right? (Trevor, posted: Sept. 25)

While this user credits #metoo for changing the narrative, the tweet critiques allegations that surface many years later. Not only does this tweet downplay and equate the allegations of sexual violence to playground behaviour, but it also disregards and delegitimizes the reasons for not reporting immediately following an assault. This tweet also states that race “doesn’t matter,” and therefore, glazes over the complexity of oppression and privilege discussed in the first theme, ***The Cosby Comparative***. Effectively, this tweet denies Cosby’s race any meaning in the case. Reducing survivors’ experiences and pain, like this tweet does, can hinder the ability to grow and move away on from the trauma (TED, 2019).

Other tweets in this theme withdraw support for the #metoo movement and speculate on the detrimental impacts that it has had for Cosby and other men,

See, Bill Cosby was CONVICTED of sexual assault in a court of law. There was a bunch of EVIDENCE. Now he's going to go to JAIL. #MeToo don't need no stinking EVIDENCE. #MeToo doesn't even care about jail. #Metoo is about the POWER to destroy men. (@isle\_o\_selkirk, posted: Sept. 24)

Bill Cosby becomes the first celebrity of the #MeToo era to go to prison. Thanks to social media, judges have lost their monopoly on matters of guilt and innocence. Testimonial evidence in sexual assault cases has become unquestionable. The Me Too Inquisition is now in session. (@alfredosj95, posted: Sept. 25)

#BillCosby had admitted giving Constand the anti-allergic and that their sexual encounter was consensual. Prosecutors declined to press charges in 2005, citing insufficient evidence, but changed their mind and indicted the actor in 2015. F\*ck #metoo to be hell with a liar women. (@JohnnyRomerro, posted: Sept. 25)

The #metoo inquisition, then, speaks to the assertions that #metoo has impeded the process of justice by impacting judicial decision-making (i.e., the assumption of innocence



and determining testimonial credibility). The idea that #metoo is “a vindictive plot against men” (TED, 2019) is certainly present in this theme and counter to the aims of the movement.

### 4.3. Kavanaugh U.S. Supreme Court confirmation hearing

The Kavanaugh case had the largest sample of tweets out of all three cases. Both Blasey Ford and Supreme Court nominee Kavanaugh gave their testimonies on September 27, 2018. A sample breakdown of the themes in this case is found in Table 4.4 below. The first and most prominent theme, **Crocodile tears**, is of similar sentiment present in both the Cosby and Nassar cases when users attack, ridicule, and offer no sympathy to Kavanaugh. *Unlike* the previous case studies, however, this theme consists of the majority of tweets in the sample (29%). The subtheme **If you have nothing to hide...** consists of users calling for the FBI to open an investigation into the allegations against Kavanaugh. **“I still believe”** comprises of just under a fifth of the total reaction to the Kavanaugh confirmation hearing, where Christine Blasey Ford and other survivors are offered empathy and gratitude. The third theme, **A weaponized witch hunt** houses rhetoric that condemns the movement and the survivors, ridicules and mocks the allegations made against Kavanaugh, and sympathizes with Kavanaugh for the treatment he received by the #metoo movement. A total of 173 tweets fit within this theme. The final theme, **Political ramifications** encompasses 5% of the total tweets that speculate on the impact that Kavanaugh’s confirmation to the Supreme Court will have for the Republican party in the Midterm elections. Tweets in this final theme also encourage other users to contact their Representatives and ask them to vote against Kavanaugh.

**Table 4.4**      **Kavanaugh theme breakdown**

Categorization and Theme Breakdown	
Theme / (examples of process codes included)	Tweets % (n)
<b>Crocodile tears</b>	<b>29% (276)</b>
Mocking; indicting; expressing disgust; questioning	
<b>Subtheme: If there is nothing to hide...</b>	<b>20% (54)</b>
Calling for investigations; encouraging; wanting	
<b>News summaries*</b>	<b>23% (221)</b>
Restating, advertising, sharing, reporting	
<b>“I still believe”</b>	<b>19% (173)</b>
Believing; defending; crediting; thanking	
<b>A weaponized witch hunt</b>	<b>14% (135)</b>
Sympathizing (with Kavanaugh); critiquing; discrediting; mocking	
<b>Political ramifications</b>	<b>5% (51)</b>

*Encouraging; voting; threatening*

**Total:**

**95% (910)**

Note: A total of 46 tweets were excluded from categorization as they often included multiple hashtags with no text and were nonsensical.

\* Category included to show proportion of tweets for the entire case sample.

### **4.3.1. Crocodile tears**

This theme demonstrates the largely unsympathetic attitude towards Kavanaugh. These tweets often focused on his testimony, critiquing his responses and behaviour throughout. The following four tweets clearly exemplify the sentiment in this theme that attacks Kavanaugh:

Brett Kavanaugh is a broken record, his continuous response is 4 witnesses say it didn't happen. Answer a question. Saying the same bullshit over and over again does not rectify or vindicate you being an asshole. #metoo #BelieveSurvivors. (@R\_Sparling, posted: Sept. 27)

On temperment and forthrightness alone, Brett Kavanaugh does not rise to the level of Supreme Court Justice. #BrettKavaNOT #realDonaldTrump #KavanaughHearings #MeToo. (@mark\_in\_bucks, posted: Sept. 27)

@BrettKavanaugh So, instead of being calm and collected, you insulted the American people and the confirmation process. You proved yourself a pretty human being unworthy of not only SCOTUS, but also your own judgeship. You perjured yourself and will be removed from office. #metoo. (@FSpeech101, posted: Sept. 27)

#BrettKavanaugh can't contain his rage, screaming at Sen. Feinstein, just goes to show he has no respect for women. His tears did not move me, he cries bc [because] he has been caught. #KavanaughConfirmation #MeToo. (@Auxi13Sheila, posted: Sept. 27)

The explicit implication of sentiment expressed above is that Kavanaugh is not fit for appointment due to the character he showed during the hearing (i.e., interrupting and raising his voice at Senators). Instead of considering Blasey Ford's allegations, users placed his reactions to the allegations under the microscope.

In an attempt to cast doubt about whether he was present at the party where the alleged assault occurred, Kavanaugh brought a calendar from the year in question, 1982, that detailed his plans and activities. The introduction of Kavanaugh's calendar presented a motivated effort to discredit Blasey Ford. However, as seen in the following post, the calendar seems to work against Kavanaugh:

Those 'Calenders' could always be changed to your liking because you don't want to remember something happening or You want to hide shit

And keeping 'Proof' this long. You're fucking guilty of something  
@BrettKavanaugh #MeToo #BelieveSurvivors #BelieveWomen  
#DrChristineBlaseyFord. (@breyana\_allyse, posted: Sept. 27)

In line with earlier discussion on secondary victimization and fear of revictimization, DaLaet & Mills (2018) note that offenders and accused men will often work to discredit the complainants account of events. In Kavanaugh's case, the attempt to do so through the inclusion of a 36-year-old calendar caused many to question his behaviour further.

The impact of Kavanaugh's hearing is also discussed by users, both personal impacts and larger implications for those watching:

Brett Kavanaugh's crocodile tears remind me of when my abusive ex would cry as he apologized for hurting me and promised he'd never do it again. Spoiler: he did it again. #IBelieveChristineBlaseyFord #IStandWithChristineBlaseyFord #WhyIDidntReport #metoo. (@AchinglyPolite, posted: Sept. 27)

So many citizens who have suffered sexual assault are watching these proceedings, many of whom are finding Kavanaugh's credibility to be lacking. Victims of sexual assault will find it hard to comprehend his successful appointment to the highest court. #MeToo. (@MattWNY, posted: Sept. 27)

Nothing about Brett Kavanaugh's nomination to SCOTUS has been fair or just. If he's confirmed as a Supreme Court Justice, he will dishonor our American values of freedom, fairness, and equal justice under the law. #KavaNo #JulieSwetnick #TimesUp #MeToo. (@chrysta10, posted: Sept. 26)

The opinions shared in this theme condemn Kavanaugh for curtailing questions posed to him during the hearing and demonstrating character not suitable for a Supreme Court Justice. Kavanaugh is no exception to tweets of a condemning nature as shown in the previous two case studies. The sweeping indictment of Kavanaugh, however, is a result of his behaviour during his testimony, not on the conviction of any crime like Nassar and Cosby.

### ***Subtheme: If there is nothing to hide...***

About five percent of all tweets during the hearing called for a federal investigation into the allegations of sexual violence against Kavanaugh or speculated on why Kavanaugh would be reluctant to agree to an investigation. This is the only subtheme because the discourse here specifically critiques Kavanaugh in relation to the possibility of an FBI investigation. Some users believe that Kavanaugh's hesitation to participate in an investigation is problematic and implies some level of guilt:

Have some respect for yourself Brett Kavanaugh face the FBI. If you've got nothing to hide, ask for the FBI investigation. You want a fair process? Participate in the process. If you're going to be a part of this government, participate in the process. #StopKavanaugh #metoo. (@craftysappho, posted: Sept. 27)

If you are innocent Brett Kavanaugh, you would demand a FBI investigation to expose the truth. #KavanaughHearings @LindseyGrahamSC @senatemajldr @OrrinHatch @ChuckGrassley #MeToo... (@rjoseph7777, posted: Sept. 27)

Similarly, users call to investigate signals to Blasey Ford that some believe her accusations, or at least, see the allegations as meritorious enough to warrant FBI involvement:

I've heard interviews from Republican women saying that what Brett Kavanaugh is accused of doing at 17 is just what boys do. APPALLING... Let the women be heard and investigate properly. #metoo #NoVote #entitlement #judgejudyforsupremecourt. (@craftysappho, posted: Sept. 27)

Ford took a polygraph and passed, if @BrettKavanaugh is telling the truth was isn't he taking one? Why aren't @SenateGOP asking for a former independent investigation of these allegations? @metoo #metoo. (@MichaelHJack, posted: Sept. 27)

It is interesting how, for this user, Blasey Ford's polygraph from early August seems to lend her more credibility against Kavanaugh's credibility. In this case, the polygraph afforded Blasey Ford's words with more armour than Kavanaugh. Research on cross-examination techniques (Tanovich, 2015; Zydervelt et al., 2017) detail the common repetitive and confrontational questioning of complainants, and it seems that Blasey Ford's polygraph lent her more credibility in the eyes of some users.

Research on polygraph examinations in cases of sexual violence focus on the examination required and administered by police to establish a complainant's credibility from the onset. Earlier research conducted by Sloan (1995) emphasizes the revictimization associated with administering a polygraph; however, the study focused on polygraph examinations that law enforcement required and not one that survivors opted into freely like Blasey Ford. Sloan (1995) stipulates that "[t]he use of polygraph exams in sexual assault cases further perpetuates the myth that women frequently lie and falsely accuse innocent men" (p. 263). Similarly, Lisak et al. (2012) highlight the use of polygraphs as "a procedure that is now widely viewed as an intimidation tactic that frequently persuades already hesitant victims to drop out of the criminal justice process" (p. 1323).

Furthermore, International Association of Chiefs of Police (IACP)'s strongly criticizes the use of polygraphs to determine the falseness of a sexual assault report (Lisak et al., 2012). In anticipation of facing the myth of being a liar, then Blasey Ford used a polygraph to bolster her claim. **A weaponized witch hunt**, another theme in this case study, reveals that users still critique Blasey Ford as a liar, so there is little footing on which to claim that a polygraph can remove *all* misconceptions that a complainant is *still* lying.

#### 4.3.2. "I still believe"

Blasey Ford's testimony was met with gratitude and support on Twitter. Many users acknowledge the courage and strength required to come forward with allegations against Kavanaugh under the circumstances of an impending Supreme Court nomination:

I haven't ever posted on Twitter, but in light of the vote for Brett Kavanaugh and the vicious treatment the three women who have come forward... #WhyIDidntReport #MeToo It happens all of the time, people don't listen or pretend that they haven't heard you! I will never forget! (@fosterharvey9, posted: Sept. 26)

I don't have Dr. Ford's courage to tell my story, but let me say this- if my rapist ran for any level of public office, I would absolutely do everything I could to keep him from being in power. Not now, not ever. Fuck Brett Kavanaugh. Die mad about it. #MeToo #StopKavanaugh. (@RebekahMaye1, posted: Sept. 27)

christine blasey ford is such an inspiration the #metoo movement and to girls and women everywhere. today showed me that Brett Kavanaugh and tons of men in power do awful things and expect no repercussions, but it also showed me how empowering women are. thank you christine. (@abby\_leasure, posted: Sept. 27)

Mitchell and colleagues (2013) discuss how the anti-harassment movement, *Hollaback!*, was initially created in 2005, stating that "it's [Hollaback!] built on acknowledging that when people come forward bravely and boldly to tell their stories, so often they're raked over the coals" (p. 104). There seems to be a strong link for #metoo, in this context, to help illuminate the harmony between *Me Too*. and *Hollaback!* In other words, in acknowledging the inevitable hardships associated with reporting for Blasey Ford and supporting her throughout her experience, this theme shows where and why *Me Too*. is focusing its efforts on providing survivors with supports centered around empathy. Understanding the personal cost in reporting and testifying for Blasey Ford is not forgotten for users,

Brett Kavanaugh is triggering my friends, my family, people I care about. I hear and see you all. Your words \*matter\*. Your stories \*matter\*. I will use my voice to turn up the volume on stories. Time to deal. #amwriting #metoo. (@mlthomas\_pens, posted: Sept. 28)

They keep saying what a great man Brett Kavanaugh is. My rapist was best friends with our town's sheriff and well respected in the community. Your supposed great reputation does not always show the world who you really are. I am a survivor. #MeToo #IBelieveChristineBlaseyFord. (@TellyKimbrough, posted: Sept. 27)

All I can say about this situation with Brett Kavanaugh is since #MeToo has been out many women have come forward and that's a good thing for them and I believe Brett Kavanaugh did do the things these women have said he done. (@SidneyLRaphael, posted: Sept. 26)

These tweets may offer Blasey Ford some comfort in knowing that she is supported online and met with empathy by some users. Others have joined her, commended her, and believed in her. It is in this way that #metoo aligns with *Me Too*'s goals that have been set out since 2006.

#### **4.3.3. A weaponized witch hunt**

Given that Kavanaugh was Republican President Trump's nominee to the Supreme Court, some viewed Blasey Ford's speaking out as "a democratic ploy" aimed at impeding Kavanaugh's confirmation. Viewing the movement as a witch hunt or a "tool" as a means to an end also implies that the women coming forward are perniciously lying or holding ulterior motives. Evidenced in the tweets below are users who defend Kavanaugh and sympathize with him for the forceful comments made about him both in the hearing and online:

The #MeToo movement is a cancer. Brett Kavanaugh is a good a decent man has been thrown under the bus and had his name disgraced. This is another ploy by Dems to keep Republicans out of positions of power. (@chaliesincharge, posted: Sept. 27)

The blatant smearing of Brett Kavanaugh is absolutely disgusting. Those culpable for it should be ashamed. What happened to innocent until proven guilty? #MeToo has flipped that principle on its head and now the accused have to prove their innocence or they are guilty as charged. (@jmvukelic, posted: Sept. 27)

If there was ever any evidence needed to show that the #MeToo movement is a political power tool rather than a sexual assault/harassment helpline movement, it's the treatment of Brett

Kavanaugh over the 2 weeks. #KavanaughHearings. (@PressJamie, posted: Sept. 27)

You have weaponized the #metoo movement in an attempt to commit political assassination of Brett Kavanaugh. Your actions hurt the #metoo movement and you should be ashamed. (@Arrowsmith\_A, posted: Sept. 26)

The last tweet above was directed at Senator Diane Feinstein, who was first sent a letter by Blasey Ford in August 2018 (Desjardins, 2018). In contrast to tweets in the first theme that critique Kavanaugh's behaviour, these tweets attack those across the aisle, supporters of the movement, and Blasey Ford herself. For example, the following tweet, directed at Blasey Ford, suggests that she acted as a pawn for the Democratic Party:

All these People praising you for how you're standing up for yourself are apart of the pack who you paid to Hide you, right? @BrettKavanaugh #MeToo #BelieveSurvivors #BelieveWomen #DrChristineBlaseyFord. (@breyana\_allyse, posted: Sept. 27)

Furthermore, the view that #metoo is a movement that has been "weaponized", opens the door for many myths around false allegations as this sentiment positions the movement as one that is being taken over for malicious motives. Scholars have continued to stress that the prevalence of false allegations remain conflated by official statistics and media reporting, leading to false perceptions that women are likely lying when they report (Kelly, 2010; Lisak et al., 2010; Lonsway & Fitzgerald, 1994; Saunders, 2012). The view that the Kavanaugh case is emblematic of sexual violence cases is problematic when considering discourse present in this theme for no other reason than the sensationalization of false allegations. Continuing to propose that false allegations are "a common occurrence ... has very direct and concrete consequences" (Lisak et al., 2012, p. 1331) that contributes to the rates of underreporting for crimes of sexual violence. Similar to some sentiment expressed in the Cosby sentencing, this user ridicules the nature of allegations in the Kavanaugh case:

Brett Kavanaugh molested me when I was in preschool. He was in DC, I was in Ohio but nevermind any of that--it happened. You must believe me or I will scream at you in an elevator. Believe women. #Metoo. (@musicmouse17, posted: Sept. 28)

Finally, users in this theme are also placing blame on the movement for diminishing the importance of sexual violence and its role in Kavanaugh's hearing:

Congratulations #MeToo movement. You've trivialized sexual assault allegations to the point that you now get #BrettKavanaugh

#KavanaughHearings #KavanaughFord. (@DrewPeterson, posted: Sept. 27)

The first tweet above posted by user “@musicmouse17” suggests that #metoo’s call for women to join the movement has seemingly allowed more falsity into its cause against sexual violence. Despite *Me Too*. focusing on survivors’ recovery and growth post-trauma and the objectives of #metoo to show connectedness and extent of sexual violence, this user holds that the spectacle of the Kavanaugh hearing has harmed future allegations of sexual violence more generally.

#### 4.3.4. Political ramifications

The fourth and final theme includes tweets that consist of users who call on others to vote out Republicans in positions of power. Although this theme is considerably smaller than the other themes discussed, **Political ramifications** demonstrates the offline action being taken in response to the Kavanaugh hearing. The three tweets below succinctly show the measured political response being taken up by some,

Let's be clear .. a committee made up of all men all white men needed to have a sex crimes prosecutor question #ChristineBlaseyFord but a few questions in for #BrettKavanaugh & the men resume questions. Y? One word #Midterms #MeToo” (@LeslieMarshall, posted: Sept. 27)

Just contacted my two GOP senators John Cornyn and Ted Cruz telling them they should vote against the confirmation of Brett Kavanaugh. I know they will ignore me, but I have voiced my opinion as I feel is my civic duty. #BetoForTexas #KamalaHarris2020 #MeToo #WhyDidntIReport. (@ElizabethGalen, Sept. 27)

This SCOTUS fiasco has brought out millions of womens PTSD from our own past experiences. I am one of them. I am outraged. I am disgusted. I am VOTING. @GOP you are DONE in November. #BrettKavanaugh #KavanaughWithdrawNow #KavaNOPE #MeToo. (@WalkerMishelle, posted: Sept. 26)

For a variety of reasons that converge at the same point – confirming Kavanaugh to the Supreme Court of the United States – these users’ actions suggest that there may be larger political consequences for the Republican party. One user highlights the unbalanced number of questions posed to Blasey Ford and Kavanaugh, another claiming as Blasey Ford did, that they were propelled by “civic duty”, and the final user expressed feeling of disgust, and all three suggest that repercussions would be felt by the Republican party. The Twitter response to Kavanaugh’s appointment is not the first time that social



media users have rallied and affected offline political change. According to Margetts and colleagues (2015), Twitter played a pivotal role in “protests against allegedly rigged elections in Iran in 2009 and the Tunisian revolution in 2011” (p. 45)<sup>6</sup>. The use of social media during political elections is increasing and Twitter in particular “has proved itself an important avenue for political activity in recent years” (Margetts et al., 2015, p. 45). Within this context, this theme clearly shows how #metoo is being used to coordinate political action with respect to elections. The tweets included in ***Political ramifications*** are perhaps emblematic of Margetts et al. (2015)’s caution to “take what plays out on social media seriously, rather than viewing it as peripheral to the political system” (p. 220). Put another way, social media are continuing to mobilize and make room for its users to communicate and organize offline political change<sup>7</sup>.

#### 4.4. Joining cases: The larger consideration

In each case study, identifiable camps either support survivors or attack the convicted or accused. Among these camps are also users who are eager to tie in and link to other cases – past or present. Weinstein, who is allegedly working out a settlement worth reportedly \$44 million in connection to civil lawsuits, is also set to stand trial in New York in September 2019 for criminal charges (Joseph & Karimi, 2019), is mentioned in connection to all three cases. It is through the connection of accused or convicted men that this study found users were able to speak to larger conversations of privilege. For example, the Twitter discussion tackles larger conversations on privilege and race in the Cosby case and systemic wilful blindness to sexual violence in the Nassar case. The links to other men may overlook complexities embedded within changing contexts, yet these

<sup>6</sup> In addition to Iran and Tunisia, Margetts et al. (2015) also illuminate Facebook’s role in political protest in Egypt, Turkey, Brazil and Hong Kong (p. 220).

<sup>7</sup> The 2019 conflict in Sudan is a grave example of the political power that social media have. Authoritarian governments have attempted to keep the rallying power of social media at bay. In December 2018, uprisings in Sudan began with civilians protesting the rule of authoritarian President, Omar al-Bashir. His removal in April 2019 by virtue of a military coup has left Sudan in a militant state. According to Garcia-Navarro (2019) at *National Public Radio*, “[t]he [Sudanese] government has shut down all mobile Internet and most of the hard-wired connection in the country in an effort to smother pro-democracy protests.” Activists in Sudan say that, as a result of no internet access, “organizing a revolution is a little more challenging.” (see: <https://www.npr.org/2019/06/16/733158506/sudans-internet-outage>). The restriction of use indicates that the Sudanese government is aware of the role that social media play in political protest.

links allow users to identify the role that power plays in all cases. Cosby's case involved patterned historical abuse and the use of sedative drugs, Nassar's case was the result of abuse and assault under the guise of medical treatment, and Kavanaugh's case emerged as he was nominated for a lifetime appointment to the United States' highest court. Acknowledging power is important when placing this movement alongside previous feminist work, such as Anita Hill's notion of "speaking truth to power" when she testified against then Supreme Court nominee Clarence Thomas in 1991. In fact, the absence of any mention of Anita Hill in Twitter users' reaction to Blasey Ford's testimony is surprising given the similarities. This absence may reflect the demographic makeup of the users in this sample, as stated earlier, Twitter is a relatively "younger" platform than other social media sites like Facebook (Wojcik & Hughes, 2019), but this is purely speculative, as there is no demographic information available for these users. Hill, a professor of law, testified that U.S. Supreme Court nominee Clarence Thomas had sexually harassed her multiple times in the workplace. Despite Hill's testimony, Thomas was appointed to the Supreme Court. In revisiting her testimony leading up to the Kavanaugh case, Hill emphasizes that #metoo is bigger than any one case and is about raising awareness (Noveck, 2018).

Including Trump and Weinstein in condemnations of convicted accusers (Nassar and Cosby) and warning other men does little to keep the narrative survivor-centric. As a result of some users looking to the future for convictions or allegations to surface, the critique of the movement as a whole begins to creep in. Whether it is "an inquisition" or a "weaponized witch hunt", the #metoo movement faces backlash and critique for its role in attacking men. Offender-centric discourse has been singled out by Burke as one the most detrimental framings to *Me Too*'s goals (TED, 2019). In each case, users attacked the men being accused or convicted. These attacks then result in backlash from other users that painted #metoo as a movement against men. The court of public opinion created by #metoo is clearly debated in both the Cosby and Kavanaugh cases and this "trial by hashtag" standpoint continues to pull the discussion away from survivors. "Trial by media" is defined by Greer & McLaughlin (2010) "as a dynamic, impact-driven, news media-led process by which individuals... are tried and sentenced in the 'court of the public opinion'" (p.27). The court of public opinion includes "relentless pursuit of high-profile celebrity personalities and public figures deemed to have offended in some way against an assumed common morality" (Greer & McLaughlin, 2010, p. 27). In this study, the common morality is established and threaded through #metoo and the goal of stopping sexual

violence, however, the focus becomes offender-centric and as more tweets are posted, more attacks occur. The increase in combative sentiment towards offenders is in line with previous findings that the heavier the online traffic, the more space there is for a 'trial by media' to occur or increase in volatility (Greer & McLaughlin, 2010). Adding more voices and creating more space to attack is also supported by Replogle's (2011) discussion on mob mentality that emphasizes groupthink behaviours, suggesting that the more users see the attacking, the more those attacks become normalized within that narrative and, therefore, likely that they may join in expressing that rhetoric. In this sense, #metoo can lose traction and be pulled awry by a portion of Twitter users that misconstrue the movement's focus. Still, the notion that #metoo is a movement that brings down men is misaligned with the movement's goals of empathizing with survivors. Discourse that detracts from the focus on survivors furthers the divide between the movement's message and men that feel victimized.

In the Nassar case, tweets called for a more tangible presence of #metoo while critical discussions of the movement's role in the cases of Cosby and Kavanaugh emerge clearly in the *Navigation through #metoo* (Cosby) and *A weaponized witch hunt* (Kavanaugh) themes. This notable discussion missing from Nassar may indicate #metoo's focus on celebrity accused and accusers. From a movement that first began in 2006 in low-privilege communities of Black women with lower socio-economic status to one that was reborn in the highest privilege communities of white Hollywood, the gap in who is mobilized is clear. For #metoo to remain useful and meaningful for *all* survivors, the need to continue collaborative work is essential. To ensure that the overarching conversation on sexual violence includes all who are affected by it, the inclusion of voices that are often marginalized should be of paramount importance. Zarkov & Davis (2018) note that the most visible women in #metoo are white women in the entertainment business. It should be that #metoo is able to support all survivors of sexual violence, regardless of the status of their abuser.

In each case, users join the movement by sharing their similar experiences of trauma. The practice of bringing those experiences into awareness within the larger societal context is in line with 1980s feminist practice of consciousness raising. The discourse tied into #metoo in each case has showcased that users are enabled by #metoo to join the conversation and see how society discusses and treats survivors of sexual violence. First defined by MacKinnon (1982), consciousness raising groups were

collectives formed by women to discuss women's experiences; these groups were the source of the early feminist mantra, "the personal is political". In fact, the very nature of #metoo emulates consciousness raising (Gash & Harding, 2018; Mendes et al., 2018) – to create a collective that heightens awareness surrounding sexual violence – and in each case, there are spaces where consciousness groups formed on Twitter.

In all three cases, survivors were praised and offered support on Twitter, a consideration that should not be taken lightly against the backdrop of attrition and secondary victimization literature. Complainants who withdraw charges or decide not to report do so for a variety of reasons, which often include self-doubt and fear of revictimization (Patterson et al., 2015; Shaw et al., 2016; Zinzow & Thompson, 2011). While there is discourse present in the Cosby and Kavanaugh cases that attacks women coming forward in court, it may offer survivors comfort to know that there is also an arena of users who support them and acknowledge the awful experiences they have had – or are still – going through. This support may also play a meaningful role for other survivors of sexual violence who are contemplating reporting and who may feel encouraged to do so in light of the loud support online. This encouragement for future reporting to continue is palpable in each case and for survivors who decide not to report or who lack the resources to actually complete the reporting process, these spaces of solidarity are likely to provide solace. In the face of barriers to report and secondary victimization, is it undeniable that #metoo is emboldening Twitter users to rally alongside other users in an effort to change the narrative of sexual violence from one shrouded in silence to one that is bravely in the open.

#### **4.4.1. A note on news summaries**

The **News Summaries** category included 18% of the Nassar discussion, 36% of the Cosby discussion, and 23% of the Kavanaugh discussion. As mentioned at the beginning of this Chapter, this study is not concerned with analyzing traditional news media that are summative and informational; however, it may be worth speculating why there is such a large proportion of tweets that fall into the **News Summaries** category. The higher proportion of informational tweets in the Cosby and Kavanaugh cases could be the result of the respective hearings taking place on one day. Accordingly, traditional media outlets may be more likely to quickly publish stories that cover the hearing outcomes as they evolve. Increases in reporting certainly indicative "newsworthiness," but also

demonstrate the “speed of journalism” (Lee, Lindsey & Kim, 2017) that underpins traditional news today. Referred to as a “‘high-choice’ media environment” (Masip, Suaui-Martinez & Ruiz-Caballero, 2018, p. 302), social media users are now faced with a multitude of media consumption options.

One interesting detail to note is that tweets in this category during the Kavanaugh hearing discussed Anita Hill. Mentioned in the previous section, the absence of Anita Hill in tweets was noted because her case against Clarence Thomas shared similarities to Blasey Ford and Kavanaugh. These news articles promoted an interview with Hill in which she discusses the Kavanaugh case. The presence of Hill’s name and perspective in traditional media and not in Twitter users’ own posts could, as speculated above, be the result of a younger audience, yet this is difficult to truly establish with Twitter data. The inclusion of Hill in traditional media also crucially shows media’s still present role in framing #metoo.

The findings in each case study have been discussed in this chapter. Emergent themes in each case study have been outlined and situated within larger empirical studies from a range of disciplines. Chapter Five will answer the research question posed at the beginning of the research project as well as highlight limitations of this study. Implications of this study’s findings will be discussed in conjunction with suggestions for future research that investigates hashtag feminist movements and/or survivors of sexual violence.

## Chapter 5.

### Conclusion

This project posed the question: “In prominent cases in which complainants deliver a formal testimony or a victim impact statement, what is the focus of the Twitter discussion among the #metoo movement?” The only three cases in which men in positions of power have been accused or convicted of sexual violence *and* complainants have delivered a VIS or testimony following the appearance of #metoo are: the Larry Nassar sentencing hearing (January 16<sup>th</sup> – 24<sup>th</sup>, 2018) the Bill Cosby sentencing hearing (September 24<sup>th</sup>, 2018), and the Brett Kavanaugh U.S. Supreme Court confirmation (September 27<sup>th</sup>, 2018). Using Twitter’s Advanced Search feature, tweets reacting to each case were collected via criterion-based sampling. Through this multiple case study design and inductive coding techniques, patterns across cases reveal that approximately 50% of Twitter discussion in all three cases includes: support for survivors, condemnation of the accused/convicted, and critique of the #metoo movement.

This study’s investigation into what Twitter discourse using #metoo says about sexual violence when survivors speak up reveals only one piece of a much larger puzzle. This conversation is ongoing. In each case, distinctive, context-specific themes emerged, in the Nassar case with the controversy surrounding the judge and disgust with organizational neglect, in the Cosby case with the acknowledgement of privilege and use of race as a defence, and in the Kavanaugh case with threats of political ramifications for the Republican party. Also present across cases are messages of support, empathy, and praise to the survivors alongside attacks on the men convicted or accused. When survivors of sexual violence speak out, studies have found that they are met with disbelief by the police (Johnson, 2017) and their peers (Clasen et al., 2018). These findings suggest that the goals of Burke’s *Me Too.*, to focus and support survivors of sexual violence, are met by some users, but the very discourse that is detrimental to this focus (i.e., offender-focused attacks) is also present.

The outburst of #metoo in October 2017 sparked worldwide attention and conversations about sexual violence globally. In October 2018, one year since its inception, the women at the forefront of the movement were recognized as *TIME*

*Magazine's* People of the Year. Research generated within the past year on amendments to workplace environments to stop sexual harassment (Wexler et al., 2019), lessening the use of NDAs (Prasad, 2018), healthcare practitioners and compassionate protocols (Hegarty & Tarzia, 2019), police interrogation approaches (Johnson, 2017; Gleeson et al., 2015), and mentorship across fields of specialities in a variety of job marketplaces (Graf, 2018) signals #metoo's very real impact on public prioritization of sexual violence.

### **5.1.1. Limitations**

This study is not without its limitations. As mentioned in Chapter Three, the search criteria used to collect tweets placed limits on which tweets would be considered in the analyses. As such, tweets posted in reply were not included, as well as tweets posted with “#metoo” and only the accused's or offenders' last name (i.e., Nassar, Cosby, or Kavanaugh). Though the full name criterion was used in order to maintain a manageable dataset, the sample was limited, and a large portion of discussion was therefore excluded from this study.

All codes were created and subject to one interpretation of the tweets collected. With more than one coder, interrater reliability measures would offer more concrete indications of reliability across coding techniques; however, the emergent nature of process coding makes the inclusion of additional coders unrealistic. The inductive nature of both topic and process coding was used to mitigate any biases from interjecting in the coding process. The multiple stages of coding and cyclical nature of data collection and analysis in a grounded theory approach allowed each code to be interrogated. A breakdown of themes was presented at the beginning of each case study to detail sample distribution across themes to further promote transparency.

Though this study is not triangulated through multiple researchers, numerous theoretical perspectives, or data sources, the multiple-case study design enabled patterns to emerge and internal triangulation of findings across cases. Despite this, triangulating this study with another method would provide fruitful insight into societal perceptions and discussion, thereby strengthening this study's findings. This content analysis investigated the online discussion around #metoo, however, supplementing this analysis with focus groups or interviews would not only help bring the #metoo movement and perhaps other

online movements offline, but would also provide deeper insight into the lived experiences, understandings, and implications of #metoo.

### **5.1.2. Future directions**

Future studies that investigate hashtag movements should investigate these activist hashtags in relation to particular cases as they occur. As this study's findings show, the presence of a hashtag and ensuing discussion may vary case-to-case, though the cases may be linking together through the hashtag, there are nuances and complexities within in each case. Expanding analyses to include in-person data collection (i.e., interviews, focus groups, ethnographies) would add crucial dimension to this much larger conversation on sexual violence. As a movement that originated with communities of Black women at the center, the inclusion of marginal voices in this discussion is critical to ensuring that #metoo and *Me Too*. does not only work for *some* women. Collecting demographic information from Big Data on Twitter would allow future studies to potentially investigate the type of voices that are on Twitter, but this remains a difficult task. As a result of the lack of demographic information, in-person collection seems even more valuable to ensure that marginal voices are amplified.

Tangential studies could be informed by this study's findings, such as the notion of "trial by hashtag" evidenced in all three cases, or the judicial role of women in cases of sexual violence as seen in unique critique faced by Judge Aquilina in Nassar's case. The desire for Cosby's sentence to be the first of many and the constant linking of accused men suggests that the Cosby case will likely reappear in future high-profile cases of sexual violence in Twitter discussion. A segment of users' acknowledgment of Blasey Ford's polygraph as a measure of her credibility also suggests that there may be practical implications for future survivors to use polygraphs in anticipation of credibility attacks. Future content analyses conducted on #metoo and other activist hashtags may benefit from the multiple case study approach used in this study. This approach enables projects to remain context-specific within each case and to speak to the overarching context through the hashtag revealed common and distinct points of discussion.

The perception that the #metoo movement does away with the presumption of innocence and due process is furthered and justified by only a portion of the discussion that attacks those who are alleged of wrongdoing. The decision to report is not one that is



arrived at alone in a vacuum, void of outside influence. Robust findings in attrition and secondary victimization literature hold that underreporting rates remain high because survivors fear they will not be believed. The findings discovered in this multiple case study upset some of this logic and way of thinking for survivors by providing a community that supports them. By gaining global attention, #metoo has not only broken the silence in the room for survivors, but it has also challenged others to consider the way they approach survivors of sexual violence.

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