

Look At Me:

Another Look at a Three Part Essay Written During the Kavanaugh Hearings

March 21, 2022, was the first day of the senate confirmation hearings for Judge Ketanji Brown Jackson to become the first African-American woman to sit as a justice on the United States Supreme Court. The day was a day for opening statements by the members of the committee and by Judge Jackson. When the Republicans on the committee spoke, more than one raised the spectre of the hearings for Justice Brett Kavanaugh, hearings they considered as an unjust attack on his character. Let us be clear. Judge Ketanji Brown Jackson is not Brett Kavanaugh.

I did not think that the Kavanaugh hearings were unfair to him or to Republican members of the Senate. I think that his elevation to the Court was a travesty of justice. I thought then and I think now that he was not truthful with the committee, and lying to Congress is a crime. When the Judiciary Committee questioned Kavanaugh about the allegations against him, they failed to make the connection between alcohol abuse and a culture of rape and sexual assault. This is why his use and abuse of alcohol was important to investigate. During the hearings, I wrote the following essay in three parts about women's history in the United States. This history shows us how far we have come as a society and how far we have yet to go.

October 1, 2018

Look at Me (Part One)

On Friday, September 28, when two young women –Ana Maria Archila, national committee member of the Working Families Party and executive director of the Center for Popular Democracy, and activist Maria Gallagher -- confronted Senator Jeff Flake in an elevator as he was on his way to a meeting of the Senate Judiciary Committee, Maria Gallagher demanded that Senator Flake look at her.

“Don't look away from me. Look at me and tell me that it doesn't matter what happened to me, that you will let people like that go into the highest court of the land and tell everyone what they can do to their bodies.”

In her demand to be seen and to be taken seriously, she was speaking not only for women during this #MeToo moment who are telling their stories of sexual assault, abuse, and harassment, but I heard in her demand the echoes of women who have made that demand ringing down through the history of the United States.

When I wrote about the Anita Hill portion of the Clarence Thomas Hearings in my PhD dissertation, I thought it was important to put that moment in historical context. Here is some of what I wrote:

“Once upon a time in America during the 17th century, during colonial times, women were ‘silent in church, subservient at home, and dependent on men,’ just as they were in England, according to historian Nancy Woloch. There was a shortage of women and so shiploads of women were imported. Woloch tells us that: ‘Between 1620 and 1622 about 150 ‘pure and spotless’ women disembarked and were auctioned off for eighty pounds of tobacco a piece and more to future husbands.’ In both North and South nearly all white women were married because families were necessary for settlement and for producing a labor force. Colonial mores established male authority and female submission. At the same time, the 17th century home was also the workplace and women were important workers in that environment. In North Carolina and Virginia women hunted deer, turkey, wild cattle, and hogs. Yet, despite their work, women had no control over family resources. At the same time, if a husband or father died, a woman often assumed control of his business. Women therefore were shopkeepers, booksellers, tavern keepers, even blacksmiths, butchers, and gunsmiths. A single woman, a feme sole, was a legal individual. She could buy and sell property, sue, and be sued, enter into contracts, administer estates, and hold power of attorney.

“Once upon a time in America, Puritans saw the family as a way to transmit religious values and they were expected to show personal virtues of submission, obedience, meekness, and humility. Outspoken women were called ‘meddlers.’ Woloch writes: ‘Conveying a sense of incompetence and illegitimacy it was frequently used to describe the sort of intrusive aggressive female behavior to which seventeenth century men objected.’ In the 1630s, Anne Hutchinson, wife of a landowner, merchant, and public official, mother of at least 14, midwife, and theologian, challenged the sanctity of ministers who opposed her and was expelled from Massachusetts in 1637. She argued that it was better for believers to depend on God rather than to depend on intermediaries. Hutchinson moved to New York and was killed by Indians in 1643. Mary Dyer, a Hutchinson follower, was accused of ‘error’ and called ‘ensorious’ and ‘troublesome.’ Mary Oliver criticized ministers and magistrates and ended up in the stocks. Ann Eaton of New Haven, Connecticut disavowed infant baptism and was excommunicated in 1644 for lying and stubbornness. Ann Hopkins, Easton’s daughter, was said to have been driven mad by reading, writing, and thinking of things that only men should think about. Ann Hibbens, wife of a prominent Boston merchant, was tried in 1641 for lying and slander, was excommunicated and denounced for usurping the authority of her husband. According to Woloch: ‘Female dissent or aggressiveness remained evils to be suppressed before they got out of hand’. If a woman dared to challenge a man, she dared to challenge patriarchy itself. Courage to challenge was interpreted as indicative of mental and moral weakness:

‘Women’s alleged defects – of wit, will and moral fiber – had dual ramifications in seventeenth century society. First, female interference in men’s affairs such as theology and government, was considered dangerous and subversive, as the Anne Hutchinson episode in Boston suggested. Second, due to their supposed moral weakness, women were seen as ready prey for seduction by friends and likely candidates for career in witchcraft, a low and malevolent form of assertiveness.’”

Dr. Christine Blasey Ford did not display any mental or moral weakness. Instead, she demonstrated courage. It was the kind of courage that is not a reckless fearlessness, rather it is the courage that sees clearly the risks and moves forward none-the-less.

Look at me.

Maria Gallagher's demand is still necessary as the Republicans on the Senate Judiciary Committee wanted to ignore Dr. Ford and focus instead on process. Why did Senator Feinstein wait to tell anyone about Dr. Ford's letter? Who leaked the letter to the press? Why did Dr. Ford not know that the committee was willing to take her testimony in California? They yelled about the process in an effort to look away from Dr. Ford.

The GOP senators ranted about how there was no corroborating evidence, not paying attention to facts such as her sharing the story of this attempted assault with her husband, her therapist, and her friends long before Brett Kavanaugh was nominated to ascend to the Supreme Court. They refused to see Dr. Ford in context because they refused to call her therapist or the man who administered a polygraph test to her.

Look at me.

And worse, they tried to make her a victim yet again, this time not of a drunken teenage Brett Kavanaugh, but they wanted to make her a victim of Democratic operatives. The idea that Dr. Ford was a pawn in the Supreme Court confirmation game insults her intelligence and her integrity, and it evades the reality of her trauma.

Look at me is the demand of every woman who has suffered sexual abuse. It is the demand of our historical female ancestors.

See: Nancy Woloch, *Women and the American Experience 2nd edition*.

October 2, 2018

Look At Me (Part Two)

When Ana Maria Archila, national committee member of the Working Families Party and executive director of the Center for Popular Democracy, and activist Maria Gallagher confronted Senator Jeff Flake in an elevator, they demanded that he look at them. Their imperative is one that demands that we see women today and see women within the context of the history of women in the United States. When I wrote about Anita Hill, I read her testimony within this context. Here is some of what I wrote

“Once upon a time in America, during the Revolutionary War, women became boycotters, refusing to buy British goods, were camp followers, petitioners, fund raisers, loyalists and patriots. Still, at the writing of the Constitution, women were not citizens. In the 1800s, women were seen as the keepers of values while they had no control over property, children, or the number of children she bore. Many women were illiterate, so a lack of education and a lack of birth control kept women in traditional household roles. According to historian Nancy Woloch, reason was considered a masculine quality, even by women themselves, and an effeminate mind was thought to be ‘vain, capricious, fickle, foolish, frivolous, or extravagant.’ In the 1800s women were expected to display personal virtues: ‘modest, cheerful, timid, delicate, tender, affectionate, graceful, sympathetic.’ While women were expected to

display these qualities, a man's approval, husband, judge, legislator, was necessary for a woman to exercise any legal rights.

"Once upon a time in America, in the early 19th century women organized for charity work and social reforms. Middle-class women in the North, kept from official authority, made a public place for themselves between the house and government. Still women found themselves confined to a 'woman's proper sphere.' They were allowed to stay home and to visit the unfortunate. Dorothea Dix visited prisoners and worked on prison reform, trying to get insane people put in different facilities from common criminals. Women worked for peace, temperance, and against slavery. They worked for moral purity of male and female. The 19th century saw more young women leaving home, working as seamstresses, factory workers and clerks in cities. Moral reformers, watching out for the welfare of single women working in the cities, became advocates for women's rights and they became abolitionists. Women now became concerned with politics and with the public limitations imposed on women. During this time in America, it was scandalous for a woman to address a mixed audience of both men and women. Margaret Fuller wrote in 1845 that women ought to end their psychological dependence upon men.

"Once upon a time in America, between the Civil War and World War I, women in America continued to work as unpaid labor in their households and thereby, during western expansion, helped to establish European-American communities. Meanwhile, because of increased urbanization and industrialization, women became wage laborers, in larger numbers. Young women worked in factories producing cloth, clothing, food, and tobacco. They worked as teachers, nurses, office workers and salesclerks. But, once married, women were expected to leave wage labor and work inside the home. After the Civil War some two million blackwomen* entered the labor market. Most blackwomen of necessity did not conform to the white domestic ideal of the mother who only works at home. Yet, despite blackwomen's role as wage earners, black men still wanted to assume a male dominant role. The notion of male supremacy was therefore not incompatible with female labor.

"Once upon a time in America, both men and women often worked 60-hour, five and a half-day weeks that required 'standing, stooping, lifting, and hauling, as well as heat, dust, dampness, noise, monotony, and exhaustion.' Children worked in factories. Women reformers who wanted to change the working conditions of women and children often saw women's own passivity as part of the problem. According to one reformer, women had not learned to 'work' only 'to be worked.' Wages were low and women rarely organized into unions. Male dominated unions while not welcoming women as members, called for equal pay for equal work because they did not want to see women create a cheap labor force that would reduce men's salaries. Union men therefore supported the domestic ideal. Later, protective laws restricted working hours, imposed a minimum wage, but also kept women from working at night, carrying heavy loads, working in dangerous places, including mines and bars, and these laws were largely supported by women's rights activists.

"Certain occupations became feminized, especially domestic work, office jobs, such as typing and switchboard operators and the like, along with teaching in primary and secondary schools.

"Once upon a time in America, in the late 19th and early 20th century women began to enter colleges and universities in higher numbers. It became common knowledge that women possessed the same intellectual capacities as men. College education provided women with a means of self-improvement

and socialization outside the private realm of family. Women's self-esteem grew. All this happened, however, at the price of male backlash and many colleges now took steps to keep male students.

"Educated women started to enter the professions and certain female dominated occupations such as teaching, nursing, and social work became professionalized. Male dominated professions such as the ministry and law proved more difficult for women to enter in large numbers.

"Once upon a time in America, women lawyers were prohibited from practicing in the courtroom and were limited to office work, or work in other organizations. Women had an easier time becoming physicians since medicine was less organized. Women doctors and dentists could practice at home and many female physicians treated primarily women and children. Women never dominated any aspect of medicine and the institutions that women established were often taken over by men."

Look at me.

Look at the restrictions that society placed on women often with the cooperation of women. Much has changed since this early history of women. Now there are women in the United States Senate who have the power to stop the nomination of a man who has been accused of sexual assault. It is true that an accusation is not proof. There may not be enough evidence to deprive Brett Kavanaugh of his liberty. However, the question for the women in the Senate is do they believe the women who have accused Brett Kavanaugh to the extent to prevent him from ascending to the highest court in the land for a lifetime appointment.

Look at the women past and present. And, as Archila and Gallagher said to Senator Flake in the elevator, think about the women of the future who will be affected by the decisions that Kavanaugh will make if he ascends to the Supreme Court.

*On blackwoman: womanist scholar and Pastor Joan Martin elides the space between black and woman because the existential reality of blackwomen means that we cannot not be one or the other. We are both.

See: Nancy Woloch, *Women and the American Experience 2nd edition*.

October 4, 2018

Look At Me (Part Three)

When we think about the meaning of events in the world around us, we interpret them through a fusion of past, present and future horizons. Philosopher Hans-Georg-Gadamer wrote about the fusion of past and present horizons in the interpretation of texts, but I say that the future we want to bring into existence is also part of the eternal now that forms the context of our thinking.

We live in a country that writer Gore Vidal called the USA, the United States of Amnesia. It often seems as if we cannot remember from one day to the next, much less the last century. However, if we are to understand the current moment, it is important to understand the past. When I wrote about the Anita

Hill portion of the Clarence Thomas Hearings, I put that moment in a historical context. Here is some more of what I wrote:

“Once upon a time in America a discussion about birth control was considered obscene, and to tell even married people about ways to control child birth became a free speech issue. In 1912, Margaret Sanger, a nurse and birth control activist, started speaking to left-wing audiences about health issues, including sex education and venereal disease. . . . Sanger published *Woman Rebel*, a paper aimed at working-class women, and one of her goals was to advocate for “birth control.” She argued that a woman’s body was hers alone and to force a woman into motherhood was to deny a woman her right to life and liberty. She did not print birth control information, but she printed letters from working-class people requesting the information. The post office refused to mail the publication and indicted Sanger. She used the arrest to call attention to her cause. . . . Sanger did not stand trial for the charge but left the country instead.

“Before leaving, Sanger published a pamphlet that gave information on contraception: *Family Limitation: A Nurses Advice to Women* which was distributed by her friends with the Industrial Workers of the World, a socialist organization working to end capitalism. Her pamphlet was intended for poor people who could least afford a large family and who did not have access to information that middle-class women had. Some working poor women were eager for the information, but many were embarrassed to speak of such things openly and others did not have the capabilities or the energy to put birth control information into practice. Sanger found it difficult to enlist both poor and middle-class women in her struggle until she opened a birth control clinic in the fall of 1916. Making sure that the district attorney was notified, she was arrested, tried and convicted. The publicity surrounding her arrest and trial brought wide support from middle-class women. As a result of her work, the New York Court of Appeals broadened the law so that physicians could give advice to married people about how to prevent or cure disease. Birth control information was given by doctors under this provision.

“Once upon a time in America, women were excluded from political convention platform committee meetings. In 1924, a list of women’s concerns had to be taken into the platform committee meeting by a man. Those concerns included conservation, an 8-hour work day, collective bargaining, a federal employment agency, equal pay for equal work, federal aid for maternal and child health and welfare, and education to prevent venereal disease. Many of these concerns became federal policy during the New Deal. During the depression and during World War II, women found themselves caught between the domestic ideal and the realities of national emergencies.

“Abortion had been legal in the United States until around the end of the 1800s. In contrast to their daughters’ daughters’ and their daughters, women’s rights advocates of the nineteenth century did not favor either contraception or abortion. According to historian Nancy Woloch ‘. . . throughout the nineteenth century, contraception and abortion were condemned by a wide range of women, from feminists to free love advocates to pious churchgoers, since both encouraged the sexual exploitation of women.’ But in the early twentieth century, women began to celebrate their own sexuality and to reject Victorian notions of female purity and restraint. At the same time, economic realities set in and both men and women wanted to find ways to control childbirth. Illegal abortions became common and many women sacrificed their health and in some cases their lives. So, in the 1970s with the rise of a new wave of feminism, the repeal of anti-abortion statutes became an important component of the feminist agenda.”

After *Roe v Wade* gave women across the country the right to an abortion, anti-abortion forces have been working to undo the decision. States have passed a number of restrictions that have nibbled away a woman's right to choose. When Clarence Thomas was nominated to replace Justice Thurgood Marshall, his anti-abortion stance was an issue just as Brett Kavanaugh's anti-abortion position is an issue today.

However, the issue before the nation in the case of Thomas 27 years ago and in the case of Brett Kavanaugh today has to do with their personal conduct and whether or not the alleged conduct is enough to keep them off the Court. I say again that I believed Anita Hill then, and I believe the women now.

However, there is a portion of women's history that demands our attention now that was not an issue then. In the #MeToo moment when women are coming forward with their stories not only of sexual harassment, but of sexual assault and of rape, the question becomes how will the United States Senate and the society as a whole respond to survivors of sexual assault.

The president of the United States has fallen into a familiar pattern. Deny. Deny. Deny. Then, attack the accuser. He did this at a campaign rally in Mississippi where he mocked Dr. Ford's testimony before the Senate. Thus, making her a victim a second time. Then he relied on the tendency of women to side with their men rather than to stand in solidarity with other women. Think of your husbands and your sons, Trump told the women in the audience. This is a historical fact that Simone de Beauvoir identified in her seminal work – *The Second Sex*.

At the same time, this is another way to refuse to see the women. Look at the men. Do not see the trauma that the women who have accused Kavanaugh have lived with their entire adult lives. Look at the men. Do not see the millions of women who have experienced sexual assault and still carry the trauma of the assaults with them throughout their lives.

In a fusion of past present and future, people who refuse to see the women are making a future of continued sexual assault and physical and psychological violence toward women inevitable. They seem to want a future that looks like the past, not one that will hold powerful men accountable for their actions. On the other hand, this is a moment to say to women and to girls, to men and to boys. You cannot use people as instruments of your personal pleasure without consequences.

Look at me. This is an imperative from women resounding in the fusion of past, present, and future horizons. This is not the moment to refuse to look, to see, and to act accordingly.

See: Simone de Beauvoir, *The Second Sex* and Nancy Woloch, *Women and the American Experience 2nd edition*.

The three parts of this essay were originally published at the website Tikkun Daily.