

**Reframing the conversation on gender-based violence: A thematic analysis of Anita Hill's New York Times opinion editorial "Let's talk about how to end sexual violence"**

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## Abstract

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When the issue of gender-based violence shifted from a “personal” to a “public” matter in the early ‘90s, the U.S. invested heavily in criminal justice-based interventions through the Violence Against Women Act. Despite strong evidence of successful prevention approaches that consider the complex interplay between individual, relationship, community and societal factors, studies suggest mainstream society is still hesitant, unwilling, and unsure, of how to talk about sexual violence, or its connection to racial oppression. Further studies on media and the public’s perception of sexual violence show an increased use of violence as a political tool. This study utilized thematic analysis of comments submitted on a New York Times op-ed written by Prof. Anita Hill, a unique historical figure, attempting to shift a conversation on gender-based violence (GBV) from individual actions and present-day politics to ending GBV systemically. Three overarching themes emerged from the data: disbelief (discrediting accusers, focusing on due process), affirmation (praise for Anita Hill and support for self-identified survivors) and a persistent focus on politics and partisan debates.

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## Chapter I: Purpose of the Research

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### *1.1 Introduction*

Violence is normalized at a young age in the U.S. Of women who die by homicide, nearly half are killed by a current or former intimate partner. Over half of all Alaska Native/American Indian women report having been sexually assaulted and 45% of Black women report having experienced physical and/or sexual violence (Smith et. al., 2018). Studies have shown on average, one in two transgender people are sexually abused or assaulted at some point in their lives and intimate partner violence among immigrants has been reported as high as 50% of all women (Mindlin et al, 2011). Across the spectrum of gender-based violence for all populations, most experience victimization before the age of 25, and many before age 18 (NISVS, 2015).

In a 2010 study on the cost of crime to society, economists calculated the average cost of a single sexual assault in the U.S. at \$240,776. Costs can include medical bills, lost productivity from the victim and from the offender (assuming they are incarcerated), plus pain, suffering, and an increased risk of homicide. Based on this figure economists estimate the total cost of domestic violence cases in the U.S. per year (based on 2010 statistics) is around \$460 billion (McCollister et al, 2010).

While the scope of the problem is clear to many, the solutions remain heavily debated, entangled in partisan politics, and often disparately experienced by marginalized communities.

Furthermore, the structural causes of gender-based violence are overlooked, avoided and often not part of the policy discussion.

After extensive grassroots efforts by anti-violence advocacy groups in the late 1980's, the issue of violence against women began to reach mainstream consciousness. Prior to this time, gender-based violence issues were seen as personal, private or family matters. Women who spoke about their experience were said to be "airing dirty laundry." Before Congress took substantive action on violence against women, Prof. Anita Hill famously sat before an all-white, all-male Senate Judiciary Committee chaired by then-Senator Joe Biden. During the hearings that would later become a salient moment in U.S. history, Prof. Hill brought forward allegations of sexual misconduct against Supreme Court nominee (now Justice) Clarence Thomas and started a conversation on GBV that had only just begun surfacing in the mainstream. Twenty-seven years later, the nation watched a strikingly similar set of events when Dr. Christine Blasey-Ford brought allegations of sexual assault against Supreme Court nominee (now Justice) Brett Kavanaugh. For all of the similarities of the two cases, there are as many differences.

In contrast to Dr. Blasey-Ford's hearing, Prof. Hill's hearing did not come on the heels of a global #MeToo movement. As a Black woman, an untenured law professor at the time, and the recipient of broad skepticism from Black women supporting Justice Thomas and white feminists focused solely on gender issues, Prof. Hill faced insurmountable criticism. Kimberlé Crenshaw, a member of Hill's legal team, remarked on the "intersectionality" of the Hill/Thomas hearing, a term she coined to help explain the complexity for individual's whose identities meet at multiple intersections, be it race, class, gender, ability, and so on (Crenshaw, 1991). Despite publications

from scholars like Crenshaw, race and gender was not part of the larger conversation surrounding the 1991 Hill/Thomas hearings.

A few years later, Congress took action by forming the Violence Against Women Act as part of a larger violent crime and law enforcement bill in 1994. While the severity of penalties has been criticized by organizations like the ACLU, the bill was largely viewed an effective response that had the potential to end violence against women in the U.S. (ACLU, 2005). When the allegations surfaced against Justice Kavanaugh before his 2018 confirmation hearing, national media capitalized on the similarity of the two women's experiences with headlines that read, "From race to #MeToo, what's changed between Anita Hill and Christine Blasey Ford — and what hasn't?" (Crowder, 2018).

The juxtaposition of Prof. Hill and Dr. Blasey-Ford provides a window into the complexities of how U.S. society has viewed the issue of gender-based violence over the past 30 years. While Government took on the responsibility of responding to GBV by passing landmark legislation like the Violence Against Women Act, major pieces of the picture remain missing. A lack of focus on intersectionality in the response to GBV has perpetuated existing inequities for communities already struggling under unfair policies. In addition, the lack of focus on structural violence, beyond interpersonal actions, has allowed for avoidance of the underlying causes. While subsequent reauthorizations of the VAWA have taken steps forward in addressing disparities and systemic risk factors, it will take a shift in paradigm to address one of the biggest existing threats to equal opportunity that exists.

## 1.2 Definition of Terms and Acronyms

1. Violence against women (VAW): The United Nations defines violence against women as, "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (1993)
2. Gender-based violence (GBV): an umbrella term for any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identity and/or expression, sexual orientation, and/or lack of adherence to socially constructed norms around masculinities and femininities. It is rooted in structural gender inequalities, patriarchy, and power imbalances. GBV is typically characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social and other forms of control and abuse. GBV impacts individuals across the life course and has direct and indirect costs to families, communities, economies, global public health, and development<sup>1</sup> (U.S. State Department & USAID, 2016)
3. Intimate partner violence (IPV): The term "intimate partner violence" describes physical violence, sexual violence, stalking, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy (CDC, 2020)
4. Domestic violence: often used interchangeably with intimate partner violence, domestic violence is the domination, coercion, intimidation and victimization of one person by another by physical, sexual or emotional means within intimate relationships. Hegarty *et al* suggest that "domestic violence can be better understood as a chronic syndrome characterized not only by episodes of physical violence but also by the emotional and psychological abuse the perpetrators use to maintain control over their partners" (2020)
5. Structural violence: systematic ways in which social structures harm or otherwise disadvantage individuals. Structural violence is subtle, often invisible, and often has no one specific person who can (or will) be held responsible (in contrast to behavioral violence). The term was introduced by Norwegian sociologist Johan Galtung who proposed examples of structural violence including, but not limited to, institutionalized ageism, classism, elitism, ethnocentrism, racism, sexism, and more (Galtung, 1969).
6. Transgender: denoting or relating to a person whose sense of personal identity and gender does not correspond with their birth sex (*Merriam-Webster's Dictionary*, 2020)
7. Cisgender: Denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex (*Merriam-Webster's Dictionary*, 2020)
8. BIPOC: Black, Indigenous and People of Color

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<sup>1</sup> Violence against women and gender-based violence are often used interchangeably however, the term gender-based violence is increasingly used as a term inclusive of men, boys, the LGBTQIA+ community and those with gender-nonconforming identities

9. Victim: A term often used when referring to someone who has recently been affected by gender-based violence; when discussing a particular crime; or when referring to aspects of the criminal justice system
10. Survivor: A term often used by those who have gone through a recovery process, to indicate a reclamation of power. It can also be used to refer to a person who has gone through the recovery process and has identified themselves as a survivor, or when discussing the short- or long-term effects of sexual violence<sup>2</sup>
11. Stalking: a pattern of behavior in which an individual can feel afraid, nervous, harassed, or in danger. Behaviors can include knowledge of another's schedule, showing up at places they go, sending mail, e-mail and pictures, calling or texting repeatedly, writing letters or damaging property (NCVC, 2020)
12. Sexual assault/sexual violence: any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. Sexual assault includes rape (WHO, 2013)
13. Sexual harassment: unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (UN Secretary General, 2008)
14. Rape: a type of sexual assault usually involving sexual intercourse or other forms of sexual penetration carried out against a person without that person's consent<sup>3</sup> (WHO, 2002)
15. BJS: Bureau of Justice Statistics
16. CDC: Center for Disease Control
17. NCTE: National Center for Transgender Equality
18. NCVS: National Crime Victims Survey
19. NIJ: National Institute of Justice
20. NISVS: National Intimate Partner and Sexual Violence Survey
21. NVAWS: National Violence Against Women Survey
22. UIHI: United Indian Health Institute
23. VAWA: Violence Against Women Act

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<sup>2</sup> While some individuals may identify as a victim, others prefer the term survivor. The best way to know how a person would like to be identified is to respectfully ask for their preference

<sup>3</sup> Rape is a term often used interchangeably with sexual assault

### *1.3 Research Questions*

1. When Prof. Hill expanded the framing of gender-based violence prevention beyond one individual's actions and argued, in the context of former Vice President Biden's presidential campaign, that the most important conversation is ending sexual violence, how did readers respond?

2. What themes will emerge in response to Prof. Hill arguing the most important conversation is ending sexual violence as it exists, upheld by prominent systems and institutions?

## Chapter II: Review of Literature

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### *2.1: The Problem*

#### *A history of data collection on gender-based violence*

In the last forty years, studies have yielded a range of findings on the prevalence of gender-based violence due to differing methodologies (Bachman, 2000). In 1994, after the adoption of the Violence Against Women Act (VAWA), the field of gender-based violence research was still young and existing data was fragmented and insufficient in understanding the breadth and complexity of the issue (*Understanding Violence Against Women*, 1996). In adopting the VAWA, policymakers recognized the gaps in available data and invested in the expansion of the scope and scale of U.S. research and evaluation through the National Institute of Justice (NIJ) (*Employing Research to Understand Violence Against Women*, 2019). A later reauthorization of the VAWA created the Office on Violence against Women within the Department of Justice, an additional source for research and evaluation initiatives (DOJ, 2016).

A year prior to the adoption of the VAWA, the National Research Council published a report entitled *Understanding and Preventing Violence: Volume I* in which the question was asked, “is the U.S. more violent than other societies?” The response read: “In general, the answer is yes. ....Among 16 industrialized countries surveyed in 1988, the United States had the highest prevalence rates for serious sexual assaults and for all other assaults including threats of physical harm (1993).”

In 1994, the Centers for Disease Control (CDC) and the National Institute of Justice (NIJ) collaborated on the National Violence against Women Survey (NVAWS). The survey, conducted from 1995-1996, provided the first national data on the incidence and prevalence of intimate partner violence, sexual violence, and stalking (Dahlberg, 2009). The National Crime Victimization Survey (NCVS), administered by the Bureau of Justice Statistics (BJS) since 1973, is also often cited in research for the data it provides on nonfatal personal crimes (i.e., rape or sexual assault, robbery, aggravated and simple assault, and personal larceny). However, data from the NVAWS can be viewed as a more reliable representation of rates of violence against women than surveys such as the NCVS that frame victimization within the context of crime, despite its inclusion of questions about whether the incident was reported as a crime or not (BJS, 2020).

Quantifying gender-based violence continues to be a widely disputed issue, in part due to pervasive stigma, fear of retaliation, victim-blaming, and other cultural phenomena that result in underreporting (Perrin et. al., 2019). Public discourse that reinforces stigma, blames victims, or criticizes behavior and any other effect that reduces, suppresses, discourages, delays or otherwise impedes reporting is commonly referred to as the “chilling effect” (Cloven and Roloff, p. 199-219, 1993). Implications for underreporting can be severe. Statistics generated by the FBI tend to be much lower because they rely on data from law enforcement agencies, which assumes the victim has filed a police report. Many GBV-related crimes go unreported due to the victim feeling that nothing can/will be done and because of the personal nature of the incident (BJS, 2020).

The NIJ collaborated again with the CDC, as well as the U.S. Department of Defense Family Advocacy Program in 2010 to develop the National Intimate Partner and Sexual Violence Survey (NISVS); the first survey report was produced in 2011. The CDC continues to administer the NISVS to capture data about gender-based violence. This survey has become one of the most frequently cited data sets in the National Archive of Criminal Justice Data (BJS, 2018).

The most recent National Intimate Partner Violence Survey (2015) stated that during their lifetime, 1 in 5 cisgender women experienced rape or attempted rape; 1 in 6 cisgender women were stalked; and 1 in 4 experienced contact sexual violence, physical violence, and/or stalking by an intimate partner and reported some form of intimate partner violence-related impact. 1 in 10 cisgender men have also experienced contact sexual violence, physical violence, and/or stalking by an intimate partner and reported some form of intimate partner violence-related impact. These forms of violence often begin early in life for both women and men. Across the majority of violence types measured, most first-time victimization occurred before age 25, and many victims first experienced violence before age 18 (Smith et. al., 2018).

Finally, research and statistics on gender-based violence have historically focused more on individual-level actions rather than the larger structural systems that maintain an environment where violence is prevalent (Montesani and Thurston, 2015). Structural violence is represented by inequities in determinants of health such as access to affordable housing, quality health care, or living wages. Determinants of health create conditions where different forms of gender-based violence take shape and thereby exploit those who are vulnerable (Farmer, 1996). Understanding this broader context is essential in developing successful policy interventions, notably, policy aimed at preventing gender-based violence.

*U.S. Government response to gender-based violence*

While this study is focused solely on public response to gender-based violence in the U.S. it can be helpful to contextualize how violence is studied globally and how the U.S. fares in comparison to other high, middle, and low-income countries. In a comprehensive review of more than 100 major gender-based violence studies done across the globe, encompassing a broad spectrum of violence against women, the U.S. accounted for  $\frac{2}{3}$  of all major intervention studies. High-income countries (Australia, Canada, Hong Kong, New Zealand, the UK, and the USA) have conducted far more research on successful intervention strategies while nearly all of the studies done in low and middle-income countries focused on prevention measures. The U.S. has maintained a strong focus on intervention rather than prevention despite evidence for successful programs that can work to address underlying risk factors for violence including social norms, gender inequities and support for developing non-violent behaviors (Ellsberg et al., 2015).

Violence against women in the U.S. was first viewed as a serious social problem in the early 1970s, partially due to the reemergence of the Women's Movement (Tjaden and Thoennes, 1998). Until the early '90s, U.S. law did not protect women from all forms of domestic and sexual violence. Interspousal immunity and the law of coverture allowed for violence against women as a means of control by their male partners. Despite the eventual shift in cultural norms that had previously reduced women to property, dynamics considered to be "within a family" were outside the purview of the law until the 1994 passage of the VAWA (Johnson, 2003). Soon after, norms began to shift from domestic violence and sexual assault as a "personal" or "family" matter, to an issue that required a coordinated government response (Tjaden and Thoennes, 2000) (Renzetti et. al, 2011).

The law and order politics and “tough on crime” mentality of the 1980s paved the way for the creation of the Violence Against Women Act (VAWA), introduced in 1991 by then-Senator Joe Biden and eventually adopted with bipartisan support in 1994. At its core, the VAWA aims to address the issue of violence against women through the criminal justice system, a fundamental belief held by supporters of law and order politics who believe incarceration is ultimately the most effective means of crime and violence prevention (Hinton, 2016). Researchers such as Leigh Goodmark, Director of the Family Clinic at University of Baltimore School of Law, have voiced disagreement, arguing that the criminal justice system approach is not the right solution for many victims and survivors of GBV (Bunch, p. 123-128, 2003).

The Violence Against Women Act has drawn political controversy in recent years, beginning in 2013 with added protections and legal rights for immigrants and anti-discrimination measures for LGBTQ victims (Leahy, 2013). Due to staunch disagreement on the 2019 reauthorization proposals for the VAWA, the bill expired in February of 2019 and while lawmakers have continued to fund a majority of the programming through various spending bills, an agreement has yet to be reached on a comprehensive reauthorization for a variety of reasons.

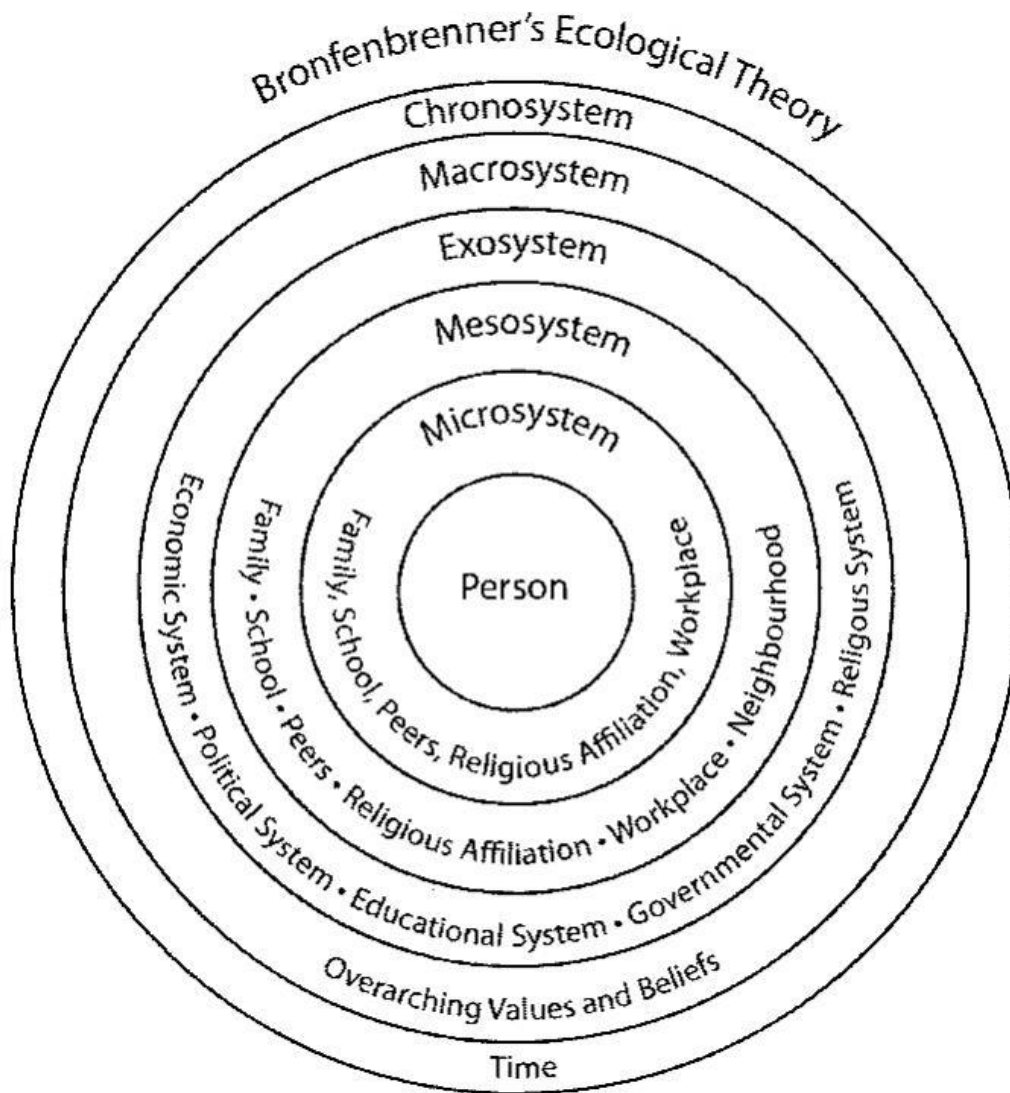
For decades, the definition for “crime of violence” was determined according to Federal law as “the actual, attempted, or threatened use of physical force.” The Democrat-proposed reauthorization bill in 2019 sought to expand the definition of domestic violence to, “verbal, emotional, economic, and technological abuse” or “any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim” (Title 18 U.S. Code § 16, 1984). Perhaps even more controversially, the 2019 House reauthorization bill included a

provision that would close what advocates often refer to as the “boyfriend loophole” or the ability of current and former dating partners convicted of abuse or stalking charges to purchase firearms. (Sevcenko, 2018).

*The social-ecological model as a framework for understanding gender-based violence*

The socio-ecological model (SEM) was first introduced in the 1970s by the American Psychologist Urie Bronfenbrenner as a conceptual model for understanding human development. It was later formalized as a theory in the 1980s (Bronfenbrenner, 1977). Bronfenbrenner’s theory posits how four systems (microsystem, mesosystem, exosystem, and macrosystem) shape an individual’s life. The theory has had widespread influence on how psychologists and other researchers study humans and their environments. Revisions of this model also include the influence of policy as part of the “chronosystem” which is the pattern of events over the course of a person’s life, in addition to the socio-historical context in which they’re living (Bronfenbrenner, 1986). Bronfenbrenner’s theory is illustrated by Figure 1 (Bronfenbrenner, 1977).

Figure 1: Bronfenbrenner's ecological systems theory model



In the 1980s, versions of Bronfenbrenner's ecological model were utilized by feminist theorists to better understand the origins of gender-based violence (Heise, p. 262-290, 1998) (Yllö, and Bograd, 1988). Around this time, suicide and homicide rates were outpacing rates of infectious disease and violence became a greater priority for the CDC to address. 1980 was the first year the Dept. of Health and Human Services included violence as a measurable objective within a set of health promotion and disease prevention recommendations for the country

(Dahlberg, 2009). These developments paved the way for researchers to map the role of structural and interpersonal gender-based violence, and the implications for public health policy and intervention.

Research over the years has remained heavily skewed towards understanding individual acts of violence, rather than the larger structural systems such as poverty and unemployment and the role they play in maintaining gender-based violence as a public health crisis (Epstein et. al., 2005). A prominent study of the latter revealed a strong relationship between determinants of health and interpersonal violence, with significant variance in ethnic and cultural populations (Montesanti et al., 2015). In a 2010 study, scholar Richard Wilkinson informed this phenomenon by writing, “The most well-established environmental determinant of levels of violence is the scale of income differences between rich and poor. More unequal societies tend to be more violent” (Wilkinson, 2004). Figure 2 is a concept map by Montesanti and Thurston demonstrating the relationship between structural and interpersonal GBV. Figure 3 is a graphic by the World Health Organization explaining the ecological model as it relates to gender-based violence risk factors.

Figure 2: Concept map illustrating causation and the interrelationship between structural and interpersonal GBV (Montesanti et. al, 2015).

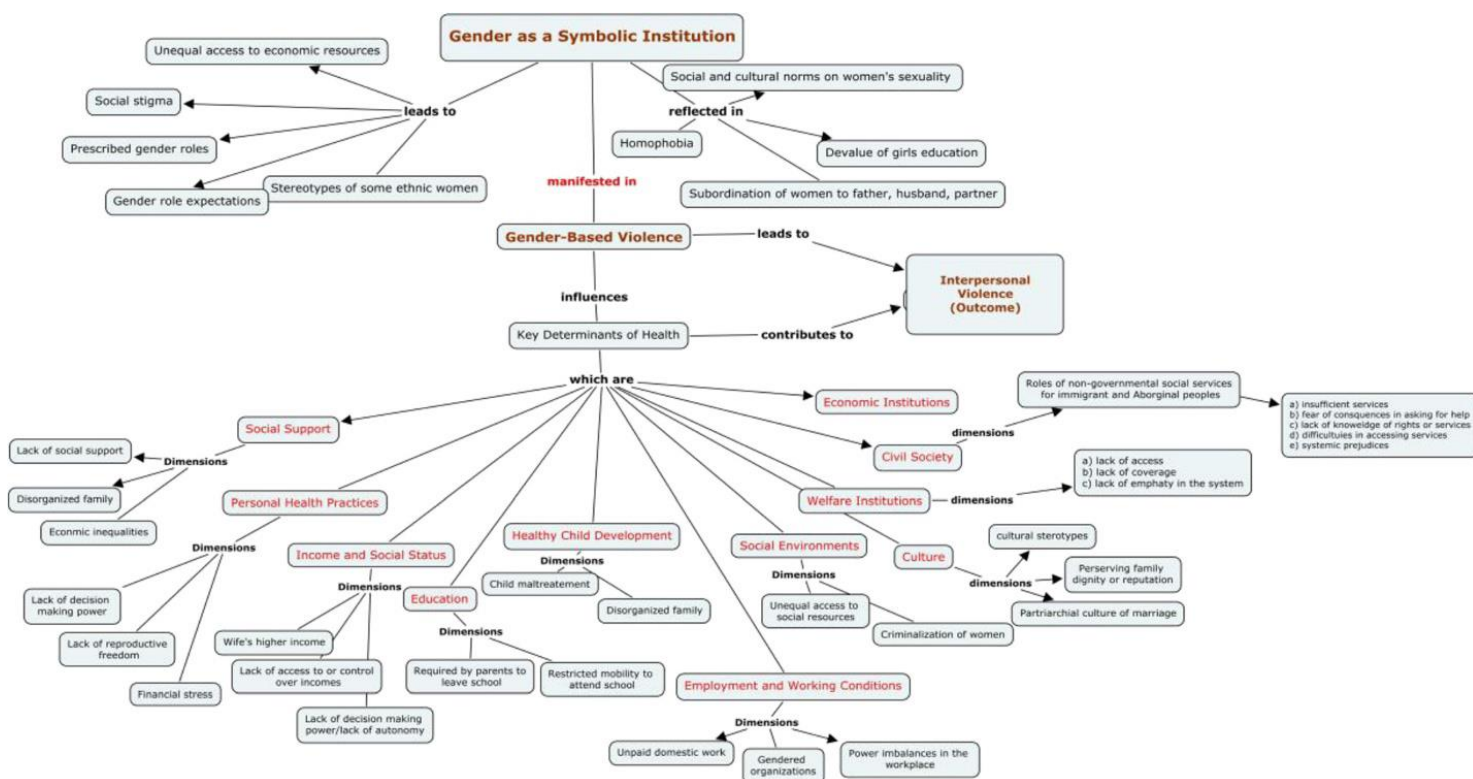
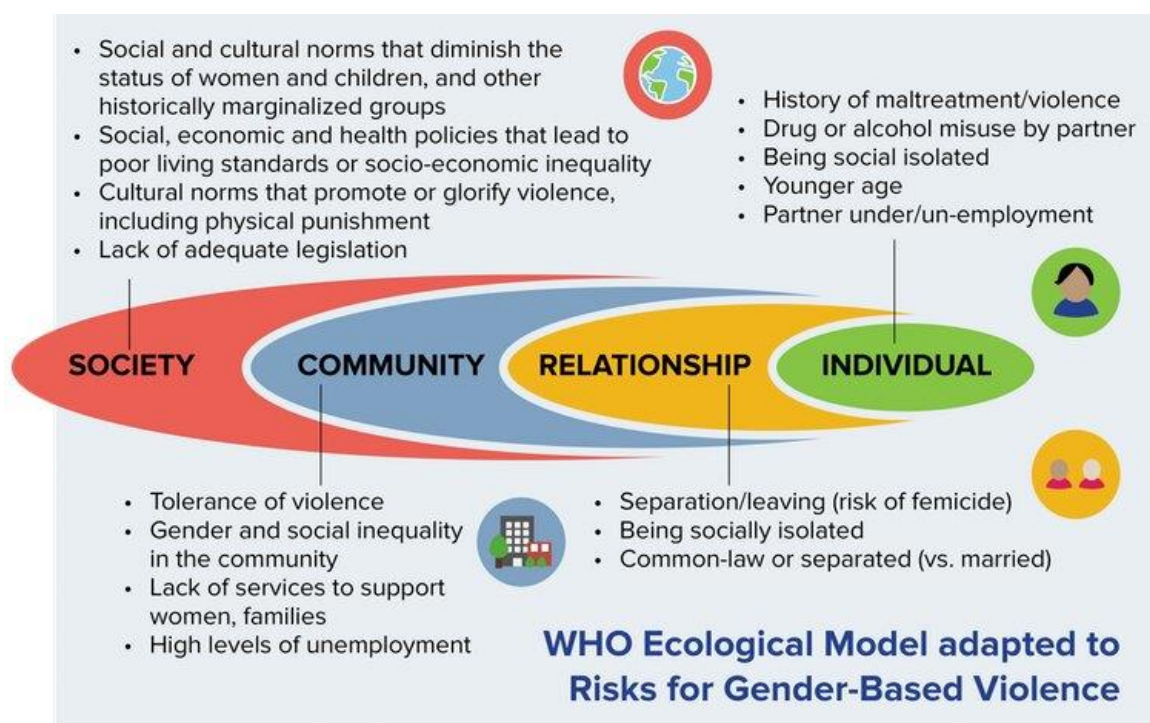


Figure 3. A graphic by the World Health Organization explaining the ecological model as it relates to gender-based violence risk factors



*Disaggregating the data by population*

“There is no such thing as single-issue struggle,  
Because we do not live single-issue lives.”

---Audre Lorde

Many times throughout history well-intentioned individuals have pitted sex and gender against race, ethnicity and other identities representing the diversity of lived experience. The feminist movement in the U.S., beginning with women’s suffrage (1848-1923), has long struggled with inclusion and a full understanding of intersectionality. Early on, prominent abolitionist Frederick Douglass pointed out how Susan B. Anthony (co-founder of the women’s rights movement) had maintained implicit assumptions that Black women could separate their Blackness from their femaleness. Douglass and Anthony’s disagreement was one of many factors that led Black and white feminists to begin organizing separate efforts. Tensions ultimately culminated at a 1913 suffragist march when organizers demanded Black participants march together at the end of the parade (Staples, 2018). Feminist scholar bell hooks wrote about the exclusion of Black feminists in the women’s rights movement, capitalizing on the importance of intersectionality when she pointed out how white women exist as both the “oppressed” and “the oppressor” (hooks, 2000). The framing of race/ethnicity and sex/gender as independent identities, or secondary to one another, is a dangerous assumption that has undermined equity movements and further marginalized vulnerable groups throughout history.

In 2014, President Barack Obama, along with Vice President Joe Biden, cited the VAWA as one of the single biggest influencing factors in reducing gender-based violence in the U.S. (*The President and Vice President speak on preventing sexual assault*, 2014). From 1994 to 2010, VAWA-funded programming was credited with reducing intimate partner victimization by 72% for cisgender women and 64% for cisgender men (Reckdenwald et. al, 2010). However, it's important to note that general crime trends have also decreased since then and there is no clear evidence on how all of the combined factors have affected or influenced GBV-related crimes (Sewell, 2017). While VAWA's impact on reducing gender-based crime rates for cisgender individuals can be seen as significant, disaggregating the overall population data reveals epidemic-level rates of sexual and domestic violence against BIPOC and LGBTQ communities. Statistics are staggering-- 46% of lesbians, 74.9% of bisexual women, 84.3% of American Indian and Alaska Native women, 50% of transgender people, 53% of people identifying as Black and transgender and as many as 50% of immigrant and refugee women have experienced sexual and/or domestic violence (NISVS, 2015)(NIJ, 2016)(Brown et. al, p. 32, 2019).

As general crime trends peaked in the 1980s and began to decline in the 1990s, GBV-related crime rates followed a similar trend. However, the similarities and differences in trends of GBV and other forms of violence has not prompted considerable quantitative, macro-level, and longitudinal research or theories of violence against women, in addition, literature on the relationship between gender equality and rates of GBV is inconclusive (i.e. does GBV decrease as gender equality increases)(Sewell, p. 743, 2017). Further, there is a lack of comprehensive theoretical framework in the existing data on the relationship between race, gender inequality and GBV. Several Black feminist scholars introduced an intersectional approach to the field namely, Kimberlé Crenshaw, Patricia Hill-Collins and Hillary Potter, but there is a considerable

lack of research on violence against women with regard to race and ethnicity (Crenshaw, 1991)(Crenshaw, p. 130-167, 1989)(Hill-Collins, 2013)(Potter, 2015).

Another issue in regard to intersectionality in the GBV field is data-gathering. Municipal governments and nonprofits are often left with the task of comprehensive data gathering for BIPOC and LGBTQ victims and survivors. These efforts have been demonstrated by the National Center for Transgender Equality (NCTE) and United Indian Health Institute (UIHI). In 2015, NCTE (a national nonprofit) conducted the largest ever survey of the lives of transgender people across the U.S. called the U.S. Transgender Survey (USTS). Despite its limitations, the USTS provides the most comprehensive look at the lives and issues faced by trans and gender non-conforming populations across the U.S., including data-gathering on domestic and sexual violence (*U.S. Transgender Survey*, 2015). Similarly, in 2017 the Urban Indian Health Institute (UIHI), a tribal epidemiology center, conducted a national study to gather data on GBV among Alaska Native and American Indians called, “Missing and Murdered Indigenous Women and Girls.” The study focused on urban areas across the U.S and discusses the barriers to data collection, the insufficient work and perpetual misclassifications by law enforcement agencies, and importantly, the understated crisis of violence experienced by indigenous women and girls across the U.S. (*Missing and Murdered Indigenous Women and Girls*, 2018).

In order to account for the lack of intersectionality, studies suggest a shift in the focus of GBV-prevention work is necessary. As represented by the ecological framework, a widely accepted paradigm for GBV prevention, to effectively stem the tide of gender-based violence, notably, populations disproportionately represented among victims and survivors, policy efforts

must address institutionalized racism, sexism and other oppressions (Montesanti et al, 2015)(Heise, 1998)(Crenshaw, 1991).

## 2.2: *What's changed since 1991?*

“When, on 11 October 1991, Anita Hill appeared before the Senate Judiciary Committee to air her charges of sexual harassment against Supreme Court nominee Clarence Thomas, public awareness was focused with unusual intensity on an issue of profoundly interpersonal as well as political controversy and complexity.”

--Thomas, McCoy and McBride, *Deconstructing the Political Spectacle: Sex, Race, and Subjectivity in Public Response to the Clarence Thomas/Anita Hill 'Sexual Harassment' Hearings* (1993).

“It became clear, finally, what took place: a black male nominee to the Supreme Court was confirmed amid a controversy that raised and buried issues of profound social significance.

“What is less clear is what happened, how it happened, why it happened; what implications may be drawn, what consequences may follow. For what was at stake during these hearings was history. In addition to what was taking place, something was happening. And as is almost always the case, the site of the exorcism of critical national issues was situated in the miasma of black life and inscribed on the bodies of black people.”

--Toni Morrison, *Race-ing Justice, En-Gendering Power* (Babha et al, 1992)

The famed story of Prof. Anita Hill and her testimony before the Senate Judiciary committee in 1991 was a defining moment in American history. When Dr. Christine Blasey-Ford took the stand in a similar fashion 27 years later, bringing forward sexual assault allegations against Supreme Court nominee Brett Kavanaugh, national media drew attention to the similarities and differences in the two events (Schladebeck, 2018).

Both Supreme Court nominees, now Justices, denied allegations brought against them, and both women endured an extensive line of questioning on the validity of their claims. Hill's testimony spurred a national uprising among women whose anger and frustration over the lack of representation was cited as a major motivator in their decision to run for elected office shortly after watching the Hill/Thomas hearings. 1992 was referred to as the "Year of the Woman" after a record-breaking 47 women were elected to the House of Representatives – 24 of them for the first time, plus four additional women in the Senate (Zhou, 2018). In 2018, just after Dr. Blasey-Ford's hearing, 36 non-incumbent women were elected to the House of Representatives breaking the record of 24 set in 1992 during the "year of the woman" (*2018 Election Night Tally*, 2018).

Less than a year prior to Dr. Blasey-Ford's testimony against Justice Kavanaugh in 2018, the phrase "Me Too" was reignited a decade after Tarana Burke coined the term to bring together survivors of sexual assault. The phrase was made into a hashtag (#MeToo) and quickly spread by national media after a number of high-profile individuals used the hashtag to expose instances, and in some cases years, of abuse. The years following culminated in a movement that brought an unprecedented amount of attention to the issue of gender-based violence in the U.S. and across the world (Matthews, 2018).

Thirty years and a #MeToo movement later, how much has really changed? A month after Justice Kavanaugh's confirmation, Vox and the Elections Research Center at the University of Wisconsin partnered together to poll Americans on whether or not opinions on the seriousness of allegations of Supreme Court Justices had changed since Justice Thomas' confirmation, and the extent to which these attitudes shape political opinions. The poll found just a 2% difference from 1991 to 2018. 67% of respondents in 1991 said that if Anita Hill's accusations were true, Clarence Thomas shouldn't be confirmed. Nearly 30 years later, opinions haven't changed much. 69% of Americans said that if Christine Blasey Ford's accusations are true, Brett Kavanaugh shouldn't be confirmed (Matthews, 2018). Results from additional polling questions can be found in Appendix B.

### *Public perception of sexual violence*

In addition to the Vox polling data, recent studies have found that, even after 30 years and \$9 billion to address GBV through the VAWA, Americans still struggle to take this issue seriously. A study by AbiNader, Thomas and Carolan published in early 2020 sought to answer two questions: when a Supreme Court nominee is accused of sexual violence, have the ways the mainstream media discussed the violence in newspaper headlines changed between 1991 and 2018? To what extent and how? (b) Have the ways the mainstream media characterizes the nominee and the accuser within and between 1991 and 2018 changed? How? (AbiNader et al, 2020).

The study compared newspaper headlines from the media coverage of the Hill/Clarence process in 1991 and the Blasey-Ford/Kavanaugh process in 2018 to understand if the framing of sexual violence had changed in the 27 years between the two high-profile cases. Results showed less victim-blaming and minimization of sexual violence in 2018 but increased avoidance of direct discussions of violence, leading researchers to believe society is still unwilling, or unsure, of how to talk about sexual violence. Further, results suggested discomfort in acknowledging or naming racial oppression and its connection to sexual violence.

Even though the Blasey-Ford testimony happened with the backdrop of the #MeToo movement, the analysis of media coverage suggests little change from 1991 and 2018 in pervasive stigma coupled with a continued resistance and unwillingness to believe survivors and hold perpetrators accountable. Further, results suggested a shift from 1991 to 2018 in the use of violence as a political tool and ongoing debate in partisan politics. Headlines indicated Ford's believability was less important than her role in a larger political process (AbiNader et al, 2020).

A number of studies have employed thematic analysis of online comments and social media to study the public perception of sexual violence and how media frames the conversation. Harmer and Lewis conducted a study called "*Disbelief and counter-voices: a thematic analysis of online reader comments about sexual harassment and sexual violence against women*" in which an analysis of online newspaper comments revealed dominant expressions of disbelief even as counter-voices attempted to advocate for women and girls with lived experience of GBV. The study demonstrated how disbelief about GBV was expressed by questioning the evidence and extent of the behavior and by undermining the author's arguments. It further demonstrated how online spaces are gendered and can serve to reinforce inaccurate framing of

the conversation while still allowing those with lived experience to defend themselves and others (Harmer & Lewis, 2018).

A 2013 study focused on the framing of sexual harassment through media portrayals, researchers found that the dominant representation of sexual harassment was by individual acts, as opposed to harassment as a systematic or structural issue. In comparison, the research revealed mainstream media makes even less of a connection between GBV as a result of gender inequality (McDonald & Charlesworth, 2013). Media that did frame sexual harassment as a systemic issue are far less frequent than those portraying individual acts of GBV--highlighting the need for more nuanced and dynamic representations that are realistic interpretations of how GBV persists in the U.S. (McDonald & Charlesworth, 2013).

Further, a study that involved thematic analysis of social media forums concluded victim blaming and questioning, survivor support, perpetrator support, and trolling statements about law and society as major themes across the data (Zaleski et al, 2016). Without media that highlights the problem of GBV in the wider social context, the net result is a normalizing of the status quo that further perpetuates interpersonal violence (Hyman et al, 2016).

*“Anita Hill: Let’s Talk About How to End Sexual Violence”*

In April of 2019 before Joe Biden announced his candidacy for U.S. President he called Prof. Hill to discuss “his regret for what she endured” 28 years ago when he presided over the hearing as Chair of the Senate Judiciary Committee. In an interview with the New York Times about the

phone call Hill reflected, “I cannot be satisfied by simply saying, ‘I’m sorry for what happened to you.’ I will be satisfied when I know that there is real change and real accountability and real purpose” (Stolberg and Hulse, 2019).

A month after her phone call with Biden, Hill authored an op-ed in the New York Times. It was entitled, “Anita Hill: Let’s Talk about How to End Sexual Violence.” In the piece she argued that if then-Senator Biden had done his job as chairperson of the Senate Judiciary Committee in 1991, the #MeToo movement might have begun at that time, and with the support of the government. She remarks on Dr. Blasey-Ford’s hearing the year prior writing, “And yet again, the process appeared to be concerned with political expediency more than with the truth.” In her final words, she urges readers to remember, “Sexual violence is a national crisis that deserves a national solution.” It isn’t about an apology from Biden, it’s about meaningful action to address, in her words, “the larger inequalities that enable sexual misconduct to flourish” (2019).

### *The importance, and difficulty, of addressing structural violence*

The CDC adopted the social-ecological model of health as a framework for prevention of gender-based violence in 2007. Addressing the range of individual, relationship, community and societal level factors that influence an individual’s risk of violence is a widely accepted and agreed-upon framework (CDC, 2020). And yet, the public perception of sexual violence risk factors beyond those on an individual level remains virtually unchanged.

Still, the obvious question remains: how is gender-based violence allowed to persist? In a 2001 study, Winter and Leighton define structural violence as “the violence of injustice and

inequity-- embedded in ubiquitous social structures [and] normalized by stable institutions and regular experience.” Originally, theorist Johan Galtung framed the issue of structural violence as, “any constraint on human potential due to economic and political structures (1969).” According to Winter and Leighton, structural violence poses unique challenges because, in comparison to direct violence which often does not need to compete for attention, structural violence is almost always invisible. Woven through the fabric of a society and normalized as “status quo” it becomes hard to recognize and even harder to meaningfully address. Further, to recognize the existence of structural violence would also require asking questions about how and why it’s tolerated, who is harmed, and importantly, who it benefits (Winter and Leighton, 2001).

While this study only addresses a sliver of the many complex questions that arise when studying issues such as GBV, it is uniquely positioned to shed light on complex issues of sex, gender, race, power, politics and their intersections with GBV as they’ve persisted over the past few decades. Specifically, this study aims to better understand the public response to Anita Hill’s attempt to reframe the conversation on gender-based violence from individual actions, and the use of violence as a political tool, to the broader context in which gender-based violence is allowed to persist.

## Chapter III: Methodology

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### *3.1 Background*

To understand how the public responded to Professor Hill's argument to reframe the conversation on sexual violence, this study utilized thematic analysis of comments posted in response to Prof. Hill's op-ed "Let's Talk About How to End Sexual Violence" on the *New York Times* (NYT) website. The opinion piece was originally posted on May 9, 2019. There are a total of 597 comments archived and available to read on the NYT website. The comment section has since been closed for further commenting.

### *3.2 Data Collection and Research Design*

Qualitative thematic analysis is utilized as a method in order to identify, analyze and report patterns, or themes, within the dataset (Braun & Clarke, 2012). Qualitative methods, especially thematic analysis, can be particularly helpful when studying gender-based violence. Testa et al found that qualitative research, including the use of thematic analysis, provided important insight into the subjective experience of violence, resulting in a greater understanding of the context and meanings associated (2011). Increasingly, thematic analysis is being used to study gender-based violence discussions in online forums and on platforms that engage a wide audience. In the 2020 study by AbiNader et al, thematic analysis was used to systematically review content from major U.S. newspapers following both the Thomas/Hill and Kavanaugh/Blasey-Ford hearings in order

to study characterizations of the accuser, nominee and associated effects of gender-based violence. Similarly, Fawcett & Shrestha developed multiple overarching themes through qualitative content analysis to study online spaces devoted to victims and survivors' discussions on sexual assault and the use of the online platform (2016).

In the context of this study, thematic analysis was utilized to analyze reactions as depicted through the comments of New York Times readers. This method enabled an examination of the overall sentiment of comments identified by an inductive or "bottom up" approach, meaning the patterns identified are closely tied to the data themselves (Patton, 1990). According to leading thematic analysis proponents and psychologists Braun and Clarke, a thematic analysis at the latent level works to "identify or examine the underlying ideas, assumptions, and conceptualizations - and ideologies - that are theorized as shaping or informing the semantic content of the data."

The units of analysis for this latent level study were the commenters themselves. Each unique comment was transferred into individual cells in an Excel spreadsheet. "Replies" or comments that were submitted in response to another comment, or a series of comments, were not included. The number of comments, posted by unique commenters and analyzed for this study, was 314. Before coding, each comment was de-identified and copy/pasted into individual rows in an Excel spreadsheet. In order to maintain a level of rigor throughout the coding process, the six-phase process from Braun and Clarke's guide to thematic analysis (2006) was applied.

Phase one involved familiarization with the data. Once each unique comment was transferred to individual rows in an Excel spreadsheet the data was read over a total of five times. The first

read through was done to get an overall sense of the responses. The second read through involved taking notes and highlighting repeated words and sentiments, the third time to begin brainstorming potential codes and finally, a fourth time to ensure consistency in the notes and that nothing was missed that should have been noted. Although the entire thematic analysis process can be seen as non-linear, phase one is the bedrock of the analysis providing familiarization with the entire dataset. Phase two began the initial generation of codes, where full and equal attention was given to each individual comment in order to identify repetition and patterns across the dataset. No limit was placed on the initial list of codes and each was carefully developed in order to capture the complexity of the data in individual and exclusive codes. The final codebook can be found in Appendix D.

After coding the full dataset, phase three began the search for themes. Initially, codes were counted for their frequency to get a sense of the recurrence of each individual code. Codes were then grouped together based on similarities such as “I believe Anita Hill” and “I believe Christine Blasey-Ford” or concern with defeating Trump and comments that mentioned the desire to elect more women. Codes began to naturally combine to form overarching themes and sub-themes. Phase four refined phase three by ensuring each theme formed a coherent pattern and related to the other themes but had clear distinctions between the others. The minimizing/questioning sub-theme was created to capture a number of codes such as “the importance of due process” and “criticisms of #MeToo” which inferred disbelief but was not as explicitly stated as the comments in the main theme of disbelief.

After ensuring the three themes, and one sub-theme, were cohesive and related but still clearly distinctive, phase five of the process solidified the decision-making process. This phase

involved returning to earlier phases (phase 3 and 4) to make sure data was captured and organized in a way that will make sense to readers. A description of each theme is included in the results section.

Finally, phase six of the six-step process, as outlined by Braun & Clark, involved taking the fully worked-out themes and writing up a report. The report includes the analysis of data that has been interpreted and matched with other data to create overarching themes which are clearly defined, well thought out, consistent, and informed by the literature. Phase six is considered the “results and discussion” portion of the study. Table 4 provides an overview of each phase of the data review and analysis.

*Table 4. (Adapted from Braun & Clarke 2006)*

<i>Phase</i>	<i>Description of the process</i>
1. Familiarization with the data	After each comment was entered into individual rows in an Excel spreadsheet the dataset was read, and re-read, a total of four times. Notes were taken, keywords highlighted, and comments inserted on individual cells to track ideas.
2. Generation of initial codes	Upon review of notes, comments, and highlighted keywords, a set of 23 initial codes was created and each assigned to the relevant data on the sixth full review. Interpretations of the data were consistent with the theoretical framework outlined in the literature review. The codebook and results of coding can be

	found in Appendix D.
3. Search for themes	<p>After each comment was coded with each applicable code, the data was worked into categories where areas of significant overlap could be identified and developed into potential broader themes.</p> <p>Literature and theories, as previously discussed, informed the creation of each of the main themes, as well as interpretation of the results.</p>
4. Review of themes	After refining the initial themes, a thematic ‘map’ of the analysis was created including sub-themes.
5. Defining and naming themes	A third and final review generated clear definitions and names for each theme and sub-theme.
6. Producing the report or discussion	Examples from each theme were selected from the dataset and the results of the data were written to include in the “results and discussion section” of the study.

## Chapter IV: Results and Discussion

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### 4.1 Results

Thematic analysis of online reader's comments suggested three overarching themes: disbelief, affirmation, and a focus on politics. Table 5 provides an overview of how relevant codes were grouped into themes.

*Table 5. Results of the thematic analysis*

<b>DISBELIEF</b>	<ul style="list-style-type: none"> <li>◦ Phrases like "I do not believe" Anita Hill/Christine Blasey-Ford</li> <li>◦ Disagreement with the phrase "believe survivors"</li> <li>◦ Highlighting importance of "innocent until proven guilty"</li> <li>◦ Mentioning danger of false accusations</li> </ul>
<b>Minimizing/Questioning</b>	<ul style="list-style-type: none"> <li>◦ Importance of due process</li> <li>◦ Other issues are more important right now</li> <li>◦ Criticisms of #MeToo</li> </ul>
<b>AFFIRMATION</b>	<ul style="list-style-type: none"> <li>◦ Phrases like "I believe Anita Hill/Christine Blasey-Ford"</li> <li>◦ Praise/thanks/appreciation for Anita Hill</li> <li>◦ Encouragement for Anita Hill to run for office/seek appointment to SCOTUS</li> <li>◦ Defense of the phrase "believe survivors"</li> </ul>
<b>FOCUS ON POLITICS</b>	<ul style="list-style-type: none"> <li>◦ Concern defeating Trump</li> <li>◦ Need to elect more women</li> <li>◦ Discussing partisan politics</li> <li>◦ Comments on the Kavanaugh &amp; Thomas hearings</li> <li>◦ Comments on Biden's actions</li> </ul>

The response to Prof. Hill's Op-Ed revealed many strongly held beliefs and perspectives on the Hill/Thomas and Kavanaugh/Blasey-Ford hearings and on gender-based violence broadly, the political landscape at the time and the credibility of those named in the op-ed. Consistent with the published findings from AbiNader et al, Harmer & Lewis, McDonald & Charlesworth, most often the focus of online discourse is on the individualized problem of GBV, there are strong connections to partisan politics, and frequent attempts to discredit victims and survivors.

### Theme 1: Disbelief

Comments on the "believability" of Hill, Blasey-Ford, and public accusers came up frequently. In October 1991, a New York Times/CBS news poll asked respondents whether they believe Clarence Thomas or Anita Hill (after the hearings); 24% said they believed Hill, 58% said they believed Thomas (Kolbert, 1991). In 2018, an Economist/YouGov poll found that 43% of Americans believed Blasey-Ford, while 32% believed Kavanaugh (*After Kavanaugh hearings, Americans believe Blasey Ford, 2018*). Studies have found that Black women report sexual assault at a much lower rate (17%) than white assault victims (44%) (BJS, 2011). Underreporting by Black women has been identified as a result of a belief that the victim will not be believed, fear of potential repercussions or feelings of guilt and shame that lead victims to believe the treatment is a result of their behavior (Adams, 2015). Sexual violence against Black women dates back to slavery and exploitation during the transatlantic slave trade. This history can be seen in behaviors and attitudes of entitlement over Black women's bodies, and the likelihood for white women's experience of sexual violence to be believed and held in higher value than those of Black women (Feinstein, 2018).

The believability of Anita Hill from the post-hearing polls and the results of this study's thematic analysis of comments on believability show the disproportionate effect of gender-based violence on Black women. Unfortunately, when Kimberlé Crenshaw and others brought issues of intersectionality to light around the time of the Hill/Thomas hearings, it was not a part of the broader discussion. It remains an understated and oftentimes missing part of the larger conversation on GBV today.

A significant number of comments (114 of the 314 total) fit under the theme of disbelief. Criteria for this theme included comments that inferred doubt, strong criticism, skepticism or questioning the credibility of Hill, Blasey-Ford or victims and survivors at large. Comments that alluded to disbelief but did not state a clearly held opinion on the "believability" of the content were not included in this theme. Throughout this theme the discussion centered on discrediting accusers themselves, voicing strong doubts about the validity of accusations, and a strong focus on the danger of false accusations. In addition, disagreement with the phrase "believe survivors" and comments in support of the criminal legal system's assumption of "innocent until proven guilty." Examples of comments within this theme include:

*"Innocent until proven guilty. Full stop."*

*"Dirty words (assuming they happened) are not violence, and sexual harassment does not result in death, so experiencing it does not make you a "survivor". What has caused this bizarre use of language?"*

*“But there are cases where the alleged victim was lying! Accusers must be treated beyond reproach, but let the facts be proven beyond reasonable doubt before tar and feathering the alleged abuser.”*

*“Justices Kavanaugh and Thomas were subjected to an intense smear campaign which, thankfully, both survived. You cannot assign guilt in the absence of hard evidence.”*

*“I watched the entire Hill, Thomas hearing, and I did not believe her then and I don't believe her now.”*

A sub-theme identified under disbelief was minimizing and questioning (59 of the 314 total comments). This sub-theme was related to disbelief but not as directly as comments such as “I do not believe her.” It focused on how other issues besides GBV are more important, criticizing the #MeToo movement and mentions of “due process.” While comments on due process, for example, did not often indicate belief or disbelief but rather a minimization of the key arguments as outlined by Prof. Hill in the op-ed. Examples of this sub-theme include:

*“Actually, do not believe "survivors". You don't know if they're survivors of anything unless and until there's been some sort of due process.”*

*“All hat and no cattle. Compare this problem to nuclear war, human rights, starvation or the environment or naming the new royal baby. It does not matter, it is not in the top five problems in the world. Everybody put on the sad face about sexual violence injustices and inequities. This is not the most important conversation in the world! It is important*

*but way down on the world list. What? Anita? This opinion looks self-serving and a chance to reclaim the limelight for the dismissed victim.”*

## Theme 2: Affirmation

Just over one-third of all comments (114 of 314) coalesced into a theme of affirmation. Clearly, the stories of Prof. Hill and Dr. Blasey-Ford elicited strong emotional responses from many of the readers. This discussion was characterized by forthright statements such as “I believe Anita Hill” or “I believe Christine Blasey-Ford” as well as general praise, thanks or appreciation directed at Anita Hill. While statements encouraging Prof. Hill to run for office could have been included under the “focus on politics” theme, it was determined these fit better under affirmation because the statements tended to be less specific, more supportive of Prof. Hill’s influence and voice than her position as a strategic political player. Examples of comments from the affirmation theme include:

*“Time to end our political board game and realize that Joe Biden and Anita Hill would make a great Dem team as President and Vice President. As a black college professor and a strong voice for women's rights, Professor Hill would make a powerful contribution to sense in America in these times when we seem to be forgetting who we are. Peace.”*

*“Professor Hill, you will be well remembered, in the History Of Women in America. Your tormentors, not so much. My sincere thanks and best wishes.”*

*“I remember watching Anita Hill's testimony during the Clarence Thomas confirmation. I believed her. I did not believe Clarence Thomas. I watched Christine Blasey Ford testify during the Brett Kavanaugh confirmation. I believed her. I did not believe Brett Kavanaugh. While I'm extremely disappointed by the outcome of these two events, they matter. They matter because these things build, one on top the other, until at some point, they topple the status quo. Prior to this article, I was not aware of the Be Heard Act. As my way of supporting Anita and Christine I'm writing my elected officials demanding their support for this important legislation. Thanks Anita,”*

### Theme 3: Focus on politics

While some believe the process for nominating and confirming Supreme Court Justices should not be political, results from this dataset show strong political preferences. This final overarching theme constituted the most comments, 209 of 314 total, focusing on politics. The theme was developed to capture strong sentiments related to partisan debates and strategies to affect specific political agendas. General comments on the Kavanaugh/Thomas hearings and on Biden's actions were included if they clearly noted support or opposition for a political party or actions by a partisan elected official (i.e. Biden). Examples from the dataset include:

*“Is President Trump daring the Democrats to impeach him? Yes. Can they? Probably not with Mitch McConnell leading the Senate. Pelosi is sharper than everyone else and she is against it. Without her endorsement, there would be no opportunity to bounce the President. Voting him out is the best recourse and the DP should be able to garner the WH and Senate simultaneously.”*

*“I really have a hard time believing that everything would have been different if only Biden had handled Ms. Hill’s accusations differently. Clarence Thomas would have been confirmed regardless. I notice that Ms. Hill does not mention him here. Surely his behavior is more important than Biden’s? Ms. Hill, I believe you. You were wronged. But it’s been thirty years. The statute for being mad at Joe Biden has expired for me. I care about what he would do today, not what he didn’t do in the 80s.”*

*“There’s one solution we can all do our part to promote. Elect more women.”*

*“What she doesn’t mention is the terrible effects these two glaring cases (hers and that of Ms. Ford) in placing upon the Supreme Court--the highest level of justice in the land--two male perpetrators who also just happen to vote for the extreme Right/Republican side of every issue.”*

#### *4.2 Discussion*

The present study sought to understand the public’s response to Anita Hill’s attempt to reframe the conversation on gender-based violence and whether and how the determined themes connect to existing literature and theories. The results show that while there was a strong show of praise, thanks and gratitude directed toward Prof. Hill, an equal amount of disbelief and discrediting was displayed. Finally, more significant than both of these themes were the inability

of respondents to separate GBV from past and present politics, isolated events or ongoing partisan debates.

As established previously in the literature, there is continued resistance in media and online forums in discussing sexual violence. This study demonstrated findings consistent with the literature on unwillingness to believe survivors and an inability to separate politics from GBV (AbiNader et al, 2018)(Harmer & Lewis, 2018)(Zaleski et al, 2016). In comparison to thematic analysis studies of online forums centered on survivor support and healing, this study did not find evidence of an environment that facilitated victim and survivor support and recovery (Fawcett & Lalita, 2016). Nine comments were identified as personal stories from victims and survivors. While there isn't enough data to confirm why so few people commented about personal experience, it's reasonable to conclude that the 40 unique responses that disagreed with the phrase "believe survivors" may have caused what was previously identified as a "chilling effect." Meaning, its possible respondents read many of the comments criticizing and discrediting Prof. Hill and Dr. Blasey-Ford and determined the space to be unsafe for sharing their own experiences.

In the final paragraph of the op-ed Hill writes, "Sexual violence is a national crisis that requires a national solution. We miss that point if we end the discussion at whether I should forgive Mr. Biden. This crisis calls for all leaders to step up and say: "The healing from sexual violence must begin now. I will take up that challenge." (2018). Despite the weight of these final words, the data revealed 43 mentions of Joe Biden. While it may be tempting to assume each mention of Biden was an attempt to stay focused on him, the mentions of Joe Biden combined with the results of the broader discussion on politics (73 of the 314 comments) suggests there is

little interest in separating the issue of GBV from politics. Or at a minimum, not many ways commenters felt they could conceivably separate the two.

Increasingly, the Violence Against Women Act, which began with broad bi-partisan support and partnership across the aisle, has been mired in partisan controversy. What was once a non-partisan issue is now, according to Professor Christina Villegas, either perceived as a feminist attack on family values or well-intentioned laws representing flawed ideologies that ultimately don't serve victims well (Ball, 2013). The inability to view issues through an intersectional lens, as AbiNader et al found in the 2020 study, was also present in these data findings. Only one comment, of the 314, mentioned the intersection of race and gender in which the commenter wrote,

As a privileged white woman in my 60's I just want to point out that our African American sisters have been exceptional leaders in addressing social issues. Mamie Till Bradley, Rosa Parks, Dr. Hill---just a few of a long list. I can well imagine the temptation to stay out of the fray on this question, Dr. Hill. Instead, once again you model the courage to step up and provide the very leadership you discuss. Thank you for your courage, stamina, and determination.

This was a concerning finding considering the legacy of racism in America and the importance in understanding how structural violence is maintained.

Finally, it's important to note that a number of comments within the dataset discussed how the New York Times linked this article on their webpage with a previous title that read "Believe

Survivors. Full Stop” which was later removed. It is possible that less comments would have been generated on due process had the NYT not used this title. Although no evidence of the title switch was found, multiple comments referenced this change and its inconsistency with the substance of the article. While the term “survivors” is used by Hill in the article, nowhere does the phrase “believe survivors” appear.

#### *4.3 Limitations*

Thematic analysis by nature is a flexible qualitative research method but the lack of a clear definition and set of procedures can limit its application. While there are many advantages to thematic analysis, especially in analyzing this topic, the method also lacks the ability to infer specific meaning (Clarke & Braun, 2006). Thematic analysis does shed light on particular phenomena and emotional reactions to a stated viewpoint but it does not provide insight into the nuances of each comment. In addition, though this study did not gather demographic information, it is likely readers of the New York Times are not a representative sampling of the U.S. population. And, while the New York Times is one of the top news outlets accessed in the U.S. the digital newspaper also requires a paid subscription after a limited number of articles are viewed (*Top Media Outlets*, 2020).

#### *4.4 Validity*

The interpretation of codes and themes was based on the work of one individual. If this study was replicated, it's likely another researcher could develop different codes. Because inter-rater reliability was not possible, extensive documentation was undertaken during the 6-step process outlined by Braun and Clarke, as well as a reflexive approach that involved returning to previous steps in the process to re-assess and engage the data at every decision point.

#### *4.5 Further investigations*

This data represents a small fraction of the comments on the issue of gender-based violence that emerged in response to both Anita Hill and Christine Blasey-Ford's testimony against two Supreme Court Justices. Further research and analysis could benefit a growing body of work studying how the public's perception of sexual violence is formed and the hesitancy associated with speaking about sexual violence in general, and as it relates to racism and other forms of oppression. As social media becomes a main method of communication and a platform for movements like #MeToo, further studies should analyze how online spaces affect victims and survivors, whether and which platforms are conducive to productive conversations on GBV and how myths, stereotypes and stigma reveal itself in the online sphere.

Further, as advocates make the case for social media platforms to moderate online spaces for inaccurate or misleading information and hate speech, studies could be done to analyze the effectiveness of online comment moderation and whether it has an effect on the likelihood of victims and survivors to share their experiences and engage in debate and discussions on GBV.

## Chapter V: Conclusion

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The U.S. is faced with an epidemic of gender-based violence. Legislation like the Violence Against Women Act has invested billions of dollars in a criminal justice-based response to GBV, but is significantly limited in its ability to address violence structurally and to meaningfully respond to the disproportionate rate of GBV experienced by historically marginalized communities. The data from this study revealed troubling perspectives on GBV that included disbelief, minimization and questioning, and a relentless focus on the issue through a political lens. Findings were consistent with literature on the issues of GBV and highlight the need for further studies with a focus on populations disproportionately represented among victims and survivors.

In 2018, around the time Prof. Anita Hill published her op-ed, “Let’s talk about how to end sexual violence” Kimberlé Crenshaw, a member of Prof. Hill’s legal team and an expert on civil rights and black feminist legal theory also wrote a NYT op-ed. Her piece was entitled, “We still haven’t learned from Anita Hill’s testimony.” In it she discusses the Hill/Thomas hearing as a failure of intersectional organizing and highlights pervasive stereotypes that have de-prioritized Black women and rationalized their abuse (Crenshaw, 2018). The hearings of Dr. Christine Blasey-Ford and Prof. Anita Hill tell different stories. Converging and diverging, comparing these cases provides insight into the success advancing equity, and the considerable work that is left to do to fill gaps in the response to gender-based violence in the U.S.

Targeted universalism is a new and innovative policy framework originally developed by critical race scholar John A. Powell to address systemic inequities by implementing contextually relevant strategies for achieving universal goals. The framework is a blend of both targeted and universalist approaches to policy development (Powell 2019). It is built on putting equity into practice and reaching all groups by targeting populations disproportionately affected by systems of oppression. Governments around the U.S. have already begun implementing policies within this framework, marking a shift in more traditional paradigms that, while well-intended, can have harmful impacts on vulnerable populations.

Policymakers may be tempted to view gender-based violence as the collective experience of individual incidents of violence, or isolated experiences that tragically occur in a victim or survivor's life. The important questions to ask when developing new policies aimed at intervening in, or preventing, gender-based violence are, who is being harmed by GBV? Who benefits from GBV and the marginalization of BIPOC and LGBTQ victims and survivors? Who is proposing the new policies and how were victims and survivors consulted in the development process? Those with an influential platform have a unique opportunity to amplify Prof. Hill's arguments by continuing to reframe gender-based violence and move the conversation beyond individual acts to structural causes such as poverty and racism—root causes of violence. Beyond just addressing the harm caused, policymakers have an obligation to reduce and prevent harm—saving taxpayer dollars by diverting people from the criminal legal system and ensuring every American has the ability to live a life free of violence.

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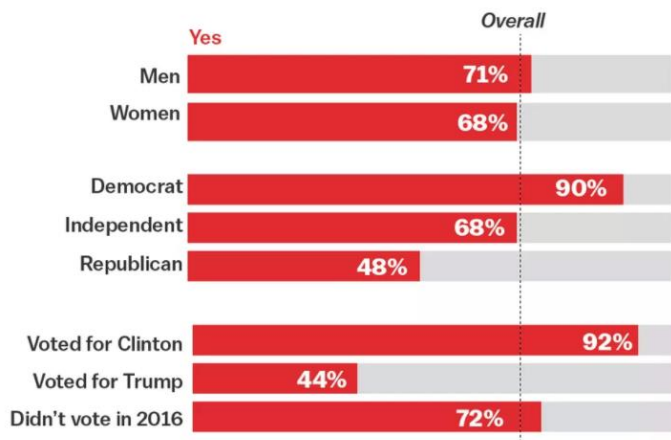
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Appendix A

Figure A.1 Polling data

**If the allegations against Kavanaugh are true, would that be enough of a reason for the Senate to reject his nomination?**



Source: Vox/Elections Research Center



Javier Zarracina/Vox

**More people disapproved of the Senate's handling of Kavanaugh's hearing**

All in all, do you approve or disapprove of the way the Senate handled the confirmation hearings of ...

**Brett Kavanaugh** (Vox/Elections Research Center, 2018)



**Clarence Thomas** (CBS/NTY, October 1991)



Source: Vox/Elections Research Center



Javier Zarracina/Vox

**Likelihood to support candidate for Congress if opposed the nomination**

If a candidate for Congress in your district opposed the nomination of Kavanaugh/Thomas to the US Supreme Court, would this make you more likely or less likely to support this candidate?

**Brett Kavanaugh** (Vox/Elections Research Center, 2018)



**Clarence Thomas** (NBC/WSJ, October 1991)



Source: Vox/Elections Research Center



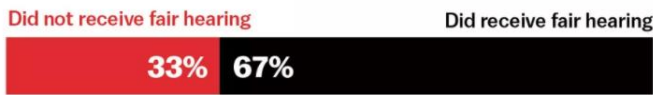
**Fewer people think that Kavanaugh had a fair hearing, compared with Thomas**

Do you think the nominee (Kavanaugh/Thomas) did or did not receive a fair hearing?

**Brett Kavanaugh** (Vox/Elections Research Center, 2018)



**Clarence Thomas** (NBC/WSJ, 1991)



Source: Vox/Elections Research Center



Javier Zarracina/Vox

### Likelihood to reelect senator if voted in favor of confirming the nomination

*If one of your US senators voted in favor of confirming Kavanaugh/Thomas as a Supreme Court justice, would that make you more likely to vote to reelect that senator?*

**Brett Kavanaugh** (Vox/Elections Research Center, 2018)



**Clarence Thomas** (ABC News/Washington Post, June 1992)



Source: Vox/Elections Research Center



Javier Zarracina/Vox

### In both cases, people considered the allegations enough reason to reject the nomination, if true

*If the charge is true, would that be enough of a reason for the Senate to reject his nomination, or not?*

**Brett Kavanaugh** (Vox/Elections Research Center, 2018)



**Clarence Thomas** (ABC News, October 1991)



Source: Vox/Elections Research Center



Javier Zarracina/Vox

### Kavanaugh hearings had a negative effect on views of President Trump

*As a result of the hearings, do you have more confidence or less confidence in President Trump/Bush?*

**Donald J. Trump** (Vox/Elections Research Center, 2018)



**George H.W. Bush** (Gallup/CNN, 1991)



Source: Vox/Elections Research Center



Javier Zarracina/Vox

## Appendix B

*Table B.1 is the Codebook used for the dataset, including the number of occurrences for each*

CODE1	Mention of danger in false accusations	23
CODE2	Comments on “due process”	30
CODE3	Personal experience about being a survivor or victim of GBV	9
CODE4	Concern with defeating Trump	11
CODE5	Statements about GBV in law and society broadly	48
CODE6	“I believe” Anita Hill	20
CODE7	“I do not believe” Anita Hill	23
CODE8	Belief in importance of “innocent until proven guilty”	19
CODE9	Comments on Biden’s actions	43
CODE10	Praise/thanks/appreciation for Hill	64
CODE11	Anita Hill should run for office or be appointed to SCOTUS	13
CODE12	We need to elect more women	3
CODE13	Disagreement with “believe survivors” phrase	40
CODE14	Defense for the phrase “believe survivors”	12
CODE15	There are other issues that are more important right now	7
CODE16	Comments on the Kavanaugh//CB-F case	32
CODE17	Comments on the Hill/Thomas case	50
CODE18	“I believe” Christine Blasey-Ford	5
CODE19	“I do not believe” Christine Blasey-Ford	9
CODE20	Reference to NYT changing the title of the op-ed	17
CODE21	Discussion of partisan politics	70
CODE22	Indeterminate/unclear	1
CODE23	Criticism of #MeToo	3