

#MeToo - “The deeply autobiographical testimonies of sexual violence by women actually trace the biography of something else: the workplace”

Saturday 3 March 2018, by [BHATTACHARYA Tithi](#) (Date first published: 2 March 2018).

To understand the political relationship between individual violation and collective response, we need to explore the theoretical pathways that connect particular harms to universal conditions.

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An urgent, freely downloadable ebook, [Where Freedom Starts: Sex Power Violence #MeToo](#) [1] brings together new and previously published articles on sexual harassment and sexual violence in the wake of #MeToo. Leading activists, feminists, scholars, and writers describe the shape of the problem, chart the forms refusal has taken, and outline possible solutions. Importantly, they also describe the longer histories of organizing against sexual violence that the #MeToo moment obscures — among working women, women of color, undocumented women, imprisoned women, poor women, among those who don’t conform to traditional gender roles — and discern from these practices a freedom that is more than notional, but embodied and uncompromising.

Below we present Tithi Bhattacharya’s contribution to the book.

Socializing Security, Unionizing Work: #MeToo as Our Moment to Explore Possibilities

It was on October 5 last year that the *New York Times* first ran the story: actress Ashley Judd claimed that Hollywood mogul Harvey Weinstein had been abusing and violating women for years. For most of us, the shock was in the fact of the utterance, not in its content. Think about it — “I never knew powerful men harass women in the workplace” — said no woman, cis or trans, ever. What was shocking, then, was that a major newspaper was willing to throw open doors and expose the man within, whose power lay in his ability to keep such doors closed for decades.

A week later, Roy Price, head of Amazon studios, resigned when the *Hollywood Reporter* published a

testimony from the producer, Isa Hackett, about Price's sexual advances towards her. Three days after Price's resignation, on October 15, the actress Alyssa Milano tweeted the following message: "If you've been sexually harassed or assaulted write 'me too' as a reply to this tweet." Within 24 hours, 40,000 women had responded to Milano. And the numbers just kept growing.

While such numbers are important they can obscure an important distinctive feature of #MeToo. We have always had statistics. The alarming ubiquity of sexual violence in women's lives has been recorded by various official and unofficial bodies, from the U.S. Department of Justice and various law enforcement agencies to non-profits such as the Rape, Abuse & Incest National Network (RAINN) and the National Alliance to End Sexual Violence. But #MeToo can be said to have de-statistized women. Women began to tell their stories in their own voice to a wide audience, access to which had been democratized through social media platforms. When flesh, blood, and pain were added to statistics they molded its empiricism, creating darkly shaped life-stories. Thousands of women's voices, forced into silence for years, emerged in anguished synchronicity with the power to dethrone the likes of Harvey Weinstein, Louis CK, Matt Lauer, Garrison Keillor, Russell Simmons, push aside politicians from both sides of the aisle — the Republican senate candidate Roy Moore in Alabama, the Democratic Senator Al Franken from Minnesota — and finally secured the conviction of the Olympic gymnast team's long standing medical doctor, Lawrence Nassar. Individual stories of agony were finally told collectively.

To understand this political relationship between individual violation and collective response, we need to explore the theoretical pathways that connect particular harms to universal conditions, and whether such theorizing, instead of mirroring, can refract away from available social solutions for gender violence and gesture towards other radical forms of belonging.

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Any discussion of #MeToo must first acknowledge the fact that the deeply autobiographical testimonies of sexual violence by women actually trace the biography of something else: the workplace. Nested within the accounts of personal violations lies yet another secret, the stunningly dictatorial nature of the workplace, that is, perhaps for the first time, being discussed openly. #MeToo shows the normative nature of the boss's control over worker's lives, reproduced each day through the power he holds over employment and enforced each day through intimidation, bullying, and outright violence.

Consider the singular method Harvey Weinstein used to silence women who had survived his assaults: he threatened to ruin their careers. He threatened Salma Hayek that he would shut down her film *Frida*. After she refused Weinstein's advances, Lupita Nyong'o was terrified that it marked an end for her in Hollywood:

I needed to make sure that I had not awakened a beast that would go on to ruin my name and destroy my chances in the business even before I got there.

"I just want to know that we are good," I said.

"I don't know about your career, but you'll be fine," he said. It felt like both a threat and a reassurance at the same time; of what, I couldn't be sure.

Gretchen Carlson was fired by Roger Ailes, the co-creator of Fox News, for refusing to have sex with him. Long before the #MeToo moment, Mechelle Vinson, a bank teller, made legal history when in 1986 she won a case in the U.S. Supreme Court against her supervisor. Vinson had been fired from her job after putting up with four years of abuse and violence from her boss who "repeatedly

sexually assaulted her — once forcing her to the floor in the bank vault...[and] threatened to fire her if she refused his demands...”

It is clear, and well known by women, that between the legal “freedom” of reporting an abusive, even rapist, boss, stands the specter of losing that very job that makes life possible.

One third of the approximately 90,000 charges received by Equal Employment Opportunity Commission (EEOC) in 2015 included an allegation of workplace harassment.

In 2016, the Commission reported that

- *90 percent of workers experiencing harassment do not take formal action.*
- The most common workplace response was to “avoid the harasser” (33 percent to 75 percent)
- Workers denied or downplayed the gravity of the situation (54 percent to 73 percent)
- Women often attempted to ignore, forget, or endure the abusive behavior (44 percent to 70 percent)

A significant number of women in America work under multiple “bosses” or authorities who have control over their ability to work, and hence, live. State Agencies, such as the office of Immigration and Customs Enforcement (ICE), sometimes provide the legal context for the illegal sexual assault by the workplace boss. Study after study documents the heightened vulnerability of immigrant farm workers in the fields of California whose uncertain immigration status make them perfect quarry for predatory bosses. Again, while the statistics give us a general understanding of the enormity of the problem, it is women’s voices that actualize the reality. Human Rights Watch reported the story of an 18-year-old woman from Oaxaca, Mexico working in California:

[She] spoke no English and practically no Spanish, reported her rape to a local farmworker women’s organization but left the area before the organization was able to help her seek justice. She reportedly told the young woman who tried to help her, “I would like to speak as you speak, but I can’t defend myself.”

She had the formal freedom to speak while being bound by every other un-freedom which made utterance impossible. #MeToo, then, while on the surface appears as the *personal* breakthrough of brave individuals, actually exposed not just the violent manager or boss, but the institutions that enable the boss, and the *system* that enforces silence.

Since sexual violence forms such an integral part of labor discipline for women then surely the solution lies in improving workplace conditions. This is a banal truism, so let us instead look at the specific methods on offer towards achieving that goal.

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The above-mentioned 2016 report of the EEOC Select Task Force on Harassment in the Workplace encapsulates what we can call the “HR solution” to gender violence. The commissioners’ framing of workplace gender violence is primarily concerned with how capital is disadvantaged by such violations. There is, the report states, “a compelling business case for stopping and preventing harassment” primarily because it entails “decreased productivity, increased turnover, and reputational harm. All of this is a drag on performance — and the bottom-line.” The solution they offer is to bestow even more authority and responsibility on managers and bosses — traditionally the caste from which the most violent harassers are recruited. “The importance of leadership cannot be

overstated,” overstates the report; “effective harassment prevention efforts ... must start with and involve the highest level of management of the company.”

It is worthwhile remembering that the first personnel management department in the United States was started by a company called National Cash Register and it came into existence after a successful strike by workers, after which the company’s president organized a new department to deal with “complaints” and handle hirings, firings, and workplace safety. It should come as no surprise, then, that HR firms began to proliferate in the United States with the onset of neoliberalism from the 1980s and matched the decline of unions and their increasing inability to ensure workers’ rights. The language used by HR firms bore testimony to who had the upper hand in class struggle. For instance, according to the “Michigan Model” of HR management, proposed by Fombrun, Tichy, and Devanna in 1984, workers were to be held as “a valuable resource, to be obtained cost effectively, used sparingly, and developed and exploited to the maximum to further corporate interests.” From the old IWW slogan of “an injury to one is an injury to all” we had finally arrived at a full discursive acknowledgment that workers were de-individualized living beings, without race or gender, who existed to “further corporate interests.” The HR solution to the sexual violence engendered by capitalism was to further entrench the worker in capitalist social relations.

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Recently Alex Press has reminded us of the “union option” as a solution to workplace violence. In a particularly evocative formulation she asks for the “weaponization” of the “whisper network.” Through the whispered warnings of other women, women develop a shared knowledge of who to avoid in a workplace or on campus: the manager who asks you to stay back after hours; the professor who closes his office door to offer you more privacy. The near-certainty of sexual assault produces the inevitability of support networks amongst women. Beneath the whispers, the quiet support, lies the steady nervure of solidarity. Press argues for such networks to be formalized, either as a union, a hotline, or “a more formal body that compiles allegations, verifies their validity, and acts on that information.”

But is it just the fear of being fired that maintains the elaborate architecture of silence around workplace assault? If we see the workplace as the only disciplining space for women then we miss the material relations that bind the place of work to the spaces of home and life. We can thus miss the fears and resolves that arise out of that necessary and dangerous mutuality.

What women urgently need to speak out against their abuser is security, in the most expansive and socialized sense. Not just security at work against possible retaliation, but also the security of a robust infrastructure of social services that will catch her if she does get fired, tide her over, and sustain her family till the next job. While the first can be attained through unionization, the latter needs much wider, society-wide, often anti-systemic struggles. A traditional union draws its own boundaries of authority at the doors of the workplace. But what good is a union contract for a survivor of sexual assault if ICE raids her home and threatens deportation? A fighting union thus must unite the struggle at the point of production with the wider social inequality which produces such struggle. A woman does not struggle for a higher wage for the sake of the wage; she fights in order to afford a better life for herself and her family. Similarly, the union cannot simply fight for her job security in the face of harassment. Battles that ensure the reproduction of life, the struggle for universal health care, free education or public transit, need to be led by unions if they want to be trusted in the workplace, for it is these social conditions that allow women to speak out against individual harassers. It does not take too much imagination to guess whether a union that fights for DACA or reproductive justice will be more or less effective than a union that supports Trump’s wall or dithers on abortion. [2]

Unions that do not understand this fundamentally dictatorial nature of the wage form — that it is the sole, mediated, route to life — do not understand the rich, complex, and necessarily contradictory reasons that motivate workers, especially women, to fight. Who can forget the most vivid moment in Emile Zola's *Germinal* when a food merchant who had for years forced women to have sex with him in return for food finally faces the judgment of rioting women. They castrate him, brandish his penis as a trophy and yell "that's the last time you shove that up our daughters...no more spreading our legs just so we can each have a loaf of bread." While it is the fear that the loaf be taken away that forces women to bow before the wage form and its varied abuses, it is also often bread (or water or housing) that motivate women to finally break the wage form's power.

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The scene in *Germinal* brings us to one aspect of this #MeToo moment that is the most in need of reflection and exploration as we chart a way forward.

What do we do with the abuser?

The question was most sharply posed when Rosemarie Aquilina, the sentencing judge for Olympic doctor Larry Nassar, wished him rape and torture in prison while serving out his life sentence. The issue has most commonly been posed as a struggle between carceral feminism and a feminism that upholds restorative justice. I contend that we are confronted with a more complex situation because of the very nature of bourgeois justice.

The capitalist socio-juridical logic forces us to choose between (a) the Scylla of imprisonment of the rapist as justice for the victim/survivor; or (b) the Charybdis of a rapist pardoned/let off due to the profoundly sexist/racist nature of the justice system as whole. The problems with both positions have been documented in both scholarship and in harrowing lived experience. But the source of the dilemma, in my opinion, does not lie in the dark consequences each choice incites, but in the nature of justice under capitalism which is formal and not actual. [3] The most painful demonstration of this contradictory sense of justice is in the goals that the feminist movement often sets in distinction from the antiracist movement. While the latter rallies against the criminal justice system, the former often demands carceral justice for survivors of sexual violence. The spaces of overlap between both, while crucial, are often small, grey, and uncertain.

So, and again, what do we *do* with the abuser?

Michel Foucault's work powerfully documents the change in the discourse of justice from the premodern to the modern moment. The juridical system of premodern European societies with its emphasis on punishment/torture/execution — which had to do with a certain disregard of the body — was in harmony with a religious notion of grace, where comfort of the soul and the body was provided to the penitent by the Church. The authority of the monarch to "pardon" or stay an execution came from his divine double-body. Hence church spaces were also sanctuary spaces. Forgiveness always lay with God, and, through God, with the Prince.

The modern world with its emphasis on "discipline" formally recognizes "pardon" or "grace" but only in the bourgeois juridical sense. The socially rooted sense of God's grace that the premodern community had has been drained of both its symbolic and actual powers because, in part, both crime and punishment are thoroughly rooted in the individual rather than the social. We have lost a socio-moral language of pardon, forgiveness and, yes, grace.

Foucault has shown how the modern juridical system borrows and mimics the language of the Christian church — the monk's "cell" is where the prisoner is kept, and the penitent are those who

inhabit the “penitentiary.” The bourgeois order wants to minister to the criminal’s “soul” in a world it has rendered soul-less. Hence, we as modern citizens, lack the language and ability to truly comprehend and hence deliver grace.

Under the current justice system, perhaps capitalism will always force our approach to the individual abuser to hover between doubt and irresolution. If futures are immanent in the present, then perhaps an abolitionist feminism is still only accumulating its form from the floating heterotopias of our time.

However, till such a feminism breathes life, we can resolve this: that while the question of forgiveness for the individual abuser can be reflected upon, the system that produced him, protected him, and enabled him can never be forgiven.

Tithi Bhattacharya

Where Freedom Starts: Sex Power Violence #MeToo

An urgent, freely downloadable ebook in the wake of #MeToo

The powerful wave of rage fuelling #MeToo has finally refocused public attention on sexual harassment and sexual violence and starkly posed questions of power, of feminism, and of politics. How do we define violence? How do we discuss and experience sex? Who gets to tell stories of sexual assault, and who gets to be heard? How impoverished is our language for describing the intersection of power, desire, and violence? What is the relationship between individual struggles and collective protest? What do we do with the abusers? In short, this moment has recalled a much older question: how do we get free?

In this collection of new and previously published writings, leading activists, feminists, scholars, and writers describe the shape of the problem, chart the forms refusal has taken, and outline possible solutions. Importantly, they also describe the longer histories of organizing against sexual violence that the #MeToo moment obscures—among working women, women of color, undocumented women, imprisoned women, poor women, among those who don’t conform to traditional gender roles—and discern from these practices a freedom that is more than notional, but embodied and uncompromising.

Contributors include Tarana Burke and Elizabeth Adetiba, Lauren Berlant, Tithi Bhattacharya, Stephanie Coontz and Hope Reese, Estelle Freedman, Melissa Gira Grant, Linda Gordon, Jessie Kindig, Laura Kipnis, Victoria Law, Maricruz Ladino and Gabriel Thompson, Magally A. Miranda Alcázar, Liz Mason-Deese, Danielle McGuire, Larissa Pham, Alex N. Press, Jane Ward, and Terri L. Williamson.

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* Tithi Bhattacharya is a professor of South Asian History and the Director of Global Studies at Purdue University. She is the author of *The Sentinels of Culture: Class, Education, and the Colonial Intellectual in Bengal* (Oxford University Press, 2005) and has just edited *Social Reproduction Theory: Remapping Class, Recentering Oppression* (Pluto Press, 2017). Her work has been published in the *Journal of Asian Studies*, *South Asia Research*, *The Nation*, *Electronic Intifada*, *Jacobin*, *Salon.com*, and the *New Left Review*. She writes extensively on Marxist theory, gender, and the politics of Islamophobia and is a national organizer for the International Women's Strike.

Footnotes

[1] <https://www.versobooks.com/books/2773-where-freedom-starts-sex-power-violence-metoo>

[2] The New York Teamsters recently took a decision to fight ICE agents to protect their members. These sort of actions and decisions need to be generalized across the labor movement to make unions relevant again to the lives of working women and men.

[3] To explain, very briefly the Marxist idea of real and formal justice: Marx's analysis of bourgeois justice stems from his theoretical premise that injustice/inequality forms the basis of the wage labor system as a whole. The contradiction inherent in the bourgeois form of justice is generated by the fact that in the capitalist production system when the worker exchanges her labor for a wage, it is a just exchange. The capitalist purchases labor power "at its full price, so that equivalent is exchanged for equivalent". But since the wage form conceals surplus value, the actual form of direct production involves a theft, since "there is not a single atom of" surplus value "that does not owe its existence to unpaid labor" of workers. This doubling, just exchange of wage and unjust extraction of surplus value is reproduced in social and juridical forms of the bourgeois order. The transformation of value and price of labour-power into the form of wages is, according to Marx the "phenomenal form, which makes the actual relation invisible, and, indeed, shows the direct opposite of that relation, forms the basis of all the juridical notions of both labourer and capitalist, of all the mystifications of the capitalistic mode of production, of all its illusions as to liberty..."