Sexual Assault in the Political Sphere

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SEXUAL ASSAULT IN THE POLITICAL SPHERE

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Abstract

This project sought to analyze how sexual assault in the political sphere is perceived and treated in contemporary society in the United States of America. The thesis analyzed eight cases of sexual misconduct, including six from the past thirty years. In each case, the reaction of party and social leaders, of the politician’s constituents and of the politician himself were looked at, as well as the consequences the politician faced. The results were then analyzed side-by-side to discover similarities and differences between how cases of sexual assault allegations were treated and in terms of what happened to the politician after the allegations came out. I found that a politician’s partisan affiliation and power within their party greatly affected what kind of support they had both from party leaders and from their constituents. While this may be slightly changing now, an analysis of cases from 2016 and 2017 shows that it is still the most important factor in determining how a politician will be treated and what consequences they will receive.
Dedication/Appreciation

This thesis is dedicated to all victims of sexual misconduct, especially those who have found the courage to come forward against public figures and faced judgment, criticism and more in return. It is also dedicated to all public servants who seek to do the right thing, both in their professional and personal lives.

I would also like to extend my appreciation to Dr. John Gruhl, my faculty mentor, for his support as I encountered a variety of setbacks with this project and for being the best professor I had over my four years at the University of Nebraska-Lincoln. I would also extend my appreciation to all the women in my life who have demonstrated through their words and actions everyday how to be a good person and how to make a difference. Without them, I would be nothing.
Sexual Assault in the Political Sphere

In December 2017, US Senator Al Franken, a Democrat from Minnesota accused of multiple charges of sexual assault years earlier, announced his impending resignation from the US Senate. Despite being so willing to resign, however, Franken refused to take full responsibility for actions--claiming that some of the allegations against him were fictitious and that he remembered some differently than his accusers recounted them. Franken also observed that there was “irony” that he was resigning “while a man who has bragged on tape of his history of sexual assault sits in the Oval Office and a man who repeatedly preyed on young girls campaigns for the Senate with the full support of his party.”

Franken referred to President Donald Trump and then-US Senate candidate Roy Moore, an Alabama Republican, respectively. Franken’s situation and Moore’s situation, which were in the news at the same time, presented a fascinating case study into how sexual assault is perceived when it occurs in the political sphere in modern American society. Upon allegations against Franken coming to light, several of Franken’s colleagues--primarily women within his party--called on him to resign, directly confronting a colleague and friend.

While Franken quickly resigned under pressure, Moore continued running for US Senate with as much as gusto as before he was accused of sexual assault and inappropriate relations with minors decades ago. While many leaders within Moore’s party called on him to step aside, he ultimately managed to still be a competitive candidate up until the election. While the allegations

against Moore and Franken differ in their specifics, as did the political timing--Franken was in
the middle of his term while Moore was running for office--Moore chose a different tactic in
dealing with allegations. He went all in denying them and seeking higher ground than those who
had levied accusations against him. In his first campaign event after allegations broke, Moore
denied having met the women accusing him and “suggested, nonsensically, that the whole
episode was a conspiracy provoked by his aggressive prosecution of drug dealers some decades
earlier.”

He contended at another event that the allegations were part of a conspiracy against him
by the establishment (of either his own party or the Democratic Party; it didn’t really matter),
because the establishment “[doesn’t] want to hear about God, and they don’t want to hear about
the Constitution of the United States and its foundational principles in God.”

Alabama voters who supported Moore demonstrated a variety of reasons for sticking by
their candidate. Some merely supported Moore because he was the Republican candidate, while
others more wholeheartedly endorsed some of Moore’s more extreme political opinions and
believed he was, if anything, better than the average Republican candidate and was especially
deserving of their support. One Moore supporter explained that while he didn’t support all of
Moore’s more extreme policies, and even said Moore “may be a fool, but he’s our fool”, he was
willing to try to explain away allegations against the candidate. The supporter said that while a
32-year-old man pursuing a 14-year-old girl was not normal, Moore had just come back from
serving in Vietnam and men in uniform appealed to women. While this didn’t address the issue

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    moore-sexual-misconduct-1204-story.html
of the grown man pursuing a minor that the voter had just admitted was not a normal thing to do, talking to Moore supporters demonstrated the varying reasons he was still getting decent support in spite of sexual assault allegations.

The varied fates that have befallen several politicians recently make it worth doing a more encompassing look through the history of the United States to explore how sexual assault in the political sphere has been perceived throughout history and what factors have determined the results of individual situations.

In regards to terminology, the Department of Justice defines sexual assault as including “sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.”

When referring to sexual assault in this thesis, the above will be used as the definition. The act of forced kissing, which is not mentioned as an example by the Department of Justice, will also be considered sexual assault, as the Department of Justice furthers that “any type of sexual contact or behavior that occurs without the explicit consent of the recipient” is sexual assault.

The Department of Justice defines sexual harassment as including “any activity which creates an intimidating, hostile, or offensive work environment for members of one sex, whether such activity is carried out by a supervisor or by a co-worker.”

The broader term sexual misconduct will be used to encompass acts of sexual harassment, sexual assault and any other sexual misbehavior.

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7 ibid.
The terms “alleged” and “allegations” will be used regularly in regards to the actions the eight men referenced were accused of committing. This does not insinuate any disbelief in the women who made these claims, but ensures that these men are automatically condemned as having committed every alleged action, either. The reader may determine, based on this thesis and further research, what they believe to be true. Nonetheless, almost all the allegations discussed wherein are credible, or able to believed. Any allegation that has been viewed as more doubtful in credibility will be alluded to as such.

This thesis will analyze seven national political figures in the United States who have been accused of sexual assault as well as one who was accused solely of sexual harassment.

**Literature Review and History of Sexual Assault in the United States**

Sexual harassment and sexual assault have been the subject of some literature, as, of course, have the lives of most political leaders. In conjunction with another, the amount of literature is limited, however an understanding of sexual misconduct throughout history in general was important, as well, for understanding the time and place in which the discussed allegations occurred.

Historically, in the United States, rape was treated as a serious offense on the books, being punishable by death up until 1977 in some states and by the federal government (Coker v. Georgia). Yet, in application, its definition was narrow and racist, according to Sharon Block, who studied the issue intensely in her 2006 book *Rape and Sexual Power in Early America*. Of the 174 men who were actually executed for rape between 1700 and 1820, 142 were of African origin, yet 95% of the rape victims of the era were white (Block).
Block furthered that black women who were raped had no realistic hope of getting any charges pressed against their rapist. Winthrop Jordan and other scholars of the era wrote about the perceived hypersexuality of black people, a mindset that would allow people to view black men as sexual predators and black women as willing participants in anything done to them (Block).

JE Larson, in the Yale Journal of Law and the Humanities, wrote that early efforts to combat sexual assault were disjointed. On the one hand, black women in the decades after the Civil War attempted to bring attention to the massive extent to which they were victims of sexual assault, while legally one of the main milestones of the late 19th century was Congress raising the age of consent from ten to sixteen in 1889, an act which inspired most states to take the same action. This change in law was significant because, while not anywhere close to full reform, it put a limit on the actions of aggressors and established a larger class of victims who could expect the potential for justice (Larson).11

As women began entering the workforce in large numbers in the 1920s, they were usually advised that sexual misconduct from employers and coworkers was part of the job they had to accept (TIME).12

While black women, including a young pre-bus boycott Rosa Parks in the 1940s (Ms. Magazine), continued to fight for justice for victims of sexual assault, the issue didn’t really gain publicity until white feminists began discussing it in the 1960s and 1970s, demonstrating unfortunate realities about race in America.13

11 *Even A Worm Will Turn At Last: Rape Reform in Late Nineteenth-Century America*
In the 1970s, news reports of sexually assaulted women who fought back against their assailants grabbed national attention and organizations advocating against sexual assault became more prevalent, while the first rape crisis centers opened in 1972. Susan Brownmiller’s 1975 book *Against Our Will* acknowledged that sexual assault played a systemic role in maintaining the social order, although “African American activists had arrived at [this conclusion] a century earlier” (Brownmiller).\(^{14}\)

This era of advocacy against sexual assault, considered the third peak (but the first peak in which white women were active in the advocacy) led to laws being passed to make spousal rape and considered the sexual history of a survivor during an alleged assailant’s trial illegal. The efforts also led to the Violence Against Women Act in 1994, which required treating gender violence as a crime. Interestingly, the charge for passing the act, which has been amended to extend protections to more victims in ensuing years, was led by then-Senator Joe Biden, who had three years earlier been involved in the hearings of Clarence Thomas and the testimony of Anita Hill, which had made sexual harassment a nationally-discussed issue.

Legal scholar Catherine A. MacKinnon, a Yale Law School graduate and professor at Michigan Law School since 1989 writing for Yale Press, has explained that in the late 20th century, the Thomas-Hill hearings and Clinton impeachment anchored the discussion on sexual misconduct, making it necessary to analyze both when looking at sexual assault in the political sphere (MacKinnon).\(^{15}\)

\(^{14}\) *Against Our Will*

**Purpose of This Thesis**

Sexual harassment is an immensely broad issue that has affected millions upon millions of people. To narrow the subject, this thesis will seek to examine only sexual assault and look at seven cases of politicians committing sexual assault (as well as one important case of sexual harassment that merits attention because it affected how some of the cases the thesis analyzes were viewed).

First, alleged acts of sexual assaults by former Presidents Thomas Jefferson and Grover Cleveland will be analyzed to paint how sexual assault was viewed in the 19th century and give a needed historical perspective. Second, three prominent cases from the 1990s will be analyzed. These three cases are often grouped together when discussing sexual harassment and sexual assault awareness, making them logical to analyze. These three cases are the charges of sexual harassment against Supreme Court Justice Clarence Thomas and the sexual assault allegations against former Senator Bob Packwood and former President Bill Clinton.

Finally, three prominent cases form 2016 and 2017 will be analyzed. Given the widespread attention sexual harassment and sexual assault cases have received due to the #MeToo movement in late 2017 and early 2018, and the fact that massive amounts of male celebrities have faced actual consequences for alleged actions, it is necessary to look at the differing consequences faced by President Donald Trump, former Senator Al Franken and Senate candidate Roy Moore.

Primarily, it will be important to compare the three cases within each cluster. How the sexual assault allegations are perceived plays a major role in what consequences turn out. Yet perceptions are rarely the same from one case to the next for various reasons. The nature of the
alleged assault, how much it is believed, the past history of the alleged assailant, the assailant’s political party, his background on women’s issue and other factors play a role in perception and, in turn, in what happens to the politician.

For the two 19th-century cases, this thesis will consult books and other writings on the eras. The six more recent cases will primarily rely on articles and other primary sources from the time at which the allegations involving the politician in question were publicized and dealt with.

**Thomas Jefferson**

All further examples will describe cases that were viewed widely as sexual assault at the time they took place. Nonetheless, it would be a disservice to not briefly discuss the case of Thomas Jefferson and Sally Hemings, a woman who was enslaved by Jefferson and bore from one to six children with him.

While it is impossible to know how widespread knowledge of the relationship was, it was not totally unknown during Jefferson’s presidency. The year after he took office, 1802, a Virginia journalist named James Callender published an article in a Richmond newspaper substantiating local rumors that Jefferson had fathered children with Hemings. Not long after, the Irish poet Thomas Moore wrote a poem on the account that detailed a rendezvous between Jefferson and Hemings in which the then-President, “dreams of freedom in his slave’s embrace!”

Throughout history, the relationship between Jefferson and Hemmings was often swept aside or eventually, acknowledged as a case of Jefferson taking a mistress. Even then, it took until 1998, when the science journal *Nature* published DNA test results, to prove Jefferson...

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fathered one of Hemmings’ children and probably all six. The Thomas Jefferson Memorial
Foundation, the private groups that runs Monticello, where Jefferson and Hemmings lived, ,
certified their agreement with these results in 2000.17

The problem with merely analyzing the relationship as an affair and focusing on how
many children came out of the relationship is that it ignores the dynamic between Jefferson and
Dreams of Sally Hemings*.

In many ways, the novel accurately referenced aspects of the relationship that have been
found to be accurate, or likely accurate: Jefferson and Hemings having six children while she
was his slave, Jefferson enslaving their children and freeing them once they turned 21 and
acknowledging that Hemmings was the half-sister of Jefferson’s late wife, Martha. Notably,
however, O’Connor explored how Hemmings felt about Jefferson, hypothesizing it may have
been somewhere between love and the Stockholm syndrome.18

Others are even more critical. Noted civil rights activist Shaun King wrote in 2017 that
almost all writings on Hemmings that portray her as Jefferson’s “mistress” imply consent.
However, King reasons that given that Hemmings was legally considered Jefferson’s property,
she was incapable of consent. Thus, every time Jefferson engaged in sexual relations with her he
would have been committing sexual assault. Even if Hemmings appeared to be consent, King

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17 PBS Frontline: Is it true? 
https://www.pbs.org/wgbh/pages/frontline/shows/jefferson/true
explained that she had no choice but to say yes to Jefferson if he initiated sexual contact, and that this lack of freedom of choice means there is no way she was able to truly consent.\(^{19}\)

King’s theory is not without merit. Of course, a slave would have no means to try her rapist in court, so there was never going to be any ruling of sexual assault at the time. And while some Americans of the era were aware of the relationship to some extent, it was unlikely many would have likened it to rape.

Nonetheless, Jefferson’s case shows that sexual assault in politics is as old as our country. Before looking at the five modern examples of sexual assault in politics, it is also worth looking at another 19th-century president, Grover Cleveland, for whom accusations of rape were levied against while he was alive.

**Grover Cleveland**

Grover Cleveland is remembered today primarily for being the only president to serve two non-consecutive terms as president. A skimming of facts about him might reveal the large age gap between him and his wife, who he married during his first term as president or the attacks against him in the 1884 election regarding a child he had had out of wedlock. However, a more intense investigation into both of these facts paints a version of Cleveland that merits remembering, albeit for all the wrong reasons.

In December, 1873, Cleveland was a prominent citizen of Buffalo, New York who had spent the previous three years serving as sheriff of Erie County. One day, he encountered a widow named Maria Halpin on the street. Halpin, a year younger than Cleveland and well-

respected by those who knew her, had been courted by Cleveland for several months. As Halpin headed to a friend’s birthday party, Cleveland suggested that she instead join him for dinner, and refused to take no for an answer.20

After successfully compelling Halpin to change her mind about her evening plans, Cleveland took her to one of Buffalo’s elite restaurants and then walked her back to her apartment. While Cleveland had often escorted Halpin back to her apartment, this time he came inside and, in the words of Halpin, “by use of force and violence and without my consent” had sex with her.

Halpin’s words, spoken 145 years ago, are notable in how blatantly they lay out what happened to her. The language is exactly the same as what might be used in modern discourse. It is pertinent to recognize that while perceptions and legal treatment of rape and sexual assault have evolved throughout history, at the end of the day, the actions have been around for millennia.

When Halpin threatened to report Cleveland’s rape to the police, he flew into a rage. Given his connections to the entire power structure in the city and county, and as the outgoing sheriff, Halpin knew to believe that it would be hard for anyone to take her side if she took action against Cleveland.

A man with connections was sure to be protected during this time period, especially considering that men of no prestige or renown were similarly given the benefit of the doubt when accused of rape or sexual assault.

20 A Secret Life
Charles Lachman, who wrote *A Secret Life*, the acclaimed 2011 biography on Cleveland that helped prove and make more well-known allegations that had surrounded Cleveland for years, wrote also of two other rape cases that occurred in the 1870s.

In 1874, the year after Cleveland raped Halpin, two in California was riding a horse through town when they noticed a man pursuing them. The women kicked the horse into a fast gallop but the animal eventually grew tired, and one of the women dismounted the horse to relieve it, and, upon dismounting, was attacked by the man. After a struggle between the two women and the man, who stripped the woman and exposed himself, the woman who was not being assaulted ran screaming for assistance, and the man ended his attempted rape.

While a court originally found the man guilty of attempted rape, a higher court reversed this ruling, determining that the victim was large enough to fight off an assailant and that her willingness to dismount the horse demonstrated that she was a woman of “easy virtue.”

In a case that also gained widespread publicity two years later, a man in Vermont raped a maid who had been left home alone by the family she worked for, and then tried to bribe his victim into staying quiet. Rather than charge this man with rape, a court instead found him guilty of assault with intent to rape. This seems ludicrous given that he indeed carried out the rape, and the court was not in denial of this, but the logic given was the woman had not sufficiently fought back and thus had acquiesced to his advances. Thus the man may have gone in with intent to rape but, because the woman submitted, he was only guilty of his intent and not the fact that he achieved his goal.

Given this logic that existed within the legal system at the time, it makes perfect sense why Maria Halpin would view her situation as hopeless. In fact, Lachman writes that during this period, “it was fine for a man with normal biological urges to use a ‘certain degree of violence’
when engaging in sex. As the law saw it, even if the woman put up a struggle, that was foreplay.”

Often, the majority of American history is viewed as a time in which social mores also condemned premarital sex. However, the extent to which this is true has probably been substantially exaggerated. While premarital sex was not a publicly discussed or condoned act, as far back as the 1700s, sex before marriage was very common, and often times, a difference was drawn between premarital sex in the literal sense of having sex with the person you were going to marry and casual sex.\textsuperscript{21}

Many would have viewed Cleveland and Halpin as a couple. Thus, it is possible that this difference between premarital and casual fornication may have persisted and gone in the couple’s favor. However, when Halpin found out six weeks after being raped that she was pregnant, Cleveland recognized that he had bigger problems on his hand then just an unlikely risk of being accused of rape. He considered this “the worst jam of his life.”\textsuperscript{22}

Ultimately, Cleveland wound up leading Halpin on into assuming he would marry her, but eventually proved this would not be the case. When the baby was born, Cleveland arranged for him to be adopted by a relative of a physician he knew. Later, he had the young child placed in an orphanage, and tried to prevent Halpin from visiting her son, and tried to place Halpin in an insane asylum for the now archaic “onomania”, described as “[a] peculiar form of insanity, in which the patient breaks out into paroxysms of alcoholic excess, attended with violent, strange, or even indecent acts, due apparently to uncontrolled impulses.”\textsuperscript{23}

\textsuperscript{21} Courtship and Sexual Freedom in Eighteenth-Century America
\textsuperscript{22} A Secret Life
\textsuperscript{23} ibid.
Ultimately, while Cleveland took great pains to prevent knowledge he had fathered the child with Halpin from leaking beyond his circle, it probably wasn’t that necessary. Despite committing rape and impregnating a woman out of wedlock, the issue only came up as a standard political attack when Cleveland first ran for president a decade later.

Ten days after Cleveland received the Democratic nomination, a Buffalo pastor and active Republican named George H. Ball brought the ten-year-old incident into the mainstream. Ball, described as one who believed he was “divinely obligated to make the entire race march to the beat of their own very much out-of-tune drummer,” informed a leading Buffalo paper about what had happened a decade prior and attempted to make clear that this was not a political issue but one demonstrating Cleveland’s lack of character. Given that Cleveland was viewed as man of strong character and seen as a reformer who would bring change to government, this attack was inherently ostensibly political as well. Ball referenced much of the entirety of story between Cleveland and Halpin, including their son being taken to an orphanage and Cleveland’s attempts to have Halpin institutionalized.

Nonetheless, Ball hurt his case by dramatically extrapolating on those generally believed facts. Speaking without detail, he implied that Cleveland had committed other acts “too horrible to relate and too vile to be readily believed.” He furthered that Cleveland was “an artful seducer, a foe to virtue, an enemy of the family, a snare to youth and hostile to true womanhood.”

It’s interesting to note Ball’s angle. Even though he may have had political motivations for wanting to hurt Cleveland, his rhetoric is wholly anti-Cleveland and speaks well of Halpin. Speaking of her positive place in the community and her Christian ways, Ball makes clear that it is Cleveland who is to blame. While he didn’t focus directly on the angle of sexual assault as it

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24 Grover Cleveland: A Study in Character
25 ibid.
would be perceived today, he very clearly portrayed Cleveland’s actions as vile and worthy of reproach.

Nonetheless, hardly any other newspapers joined in covering Ball’s claims. Evidently, while not necessarily known in full by the public, Cleveland had been open about what had happened with Democratic insiders prior to his nomination and power players in New York and Chicago had spread word of it as well.26 However, the Buffalo newspaper that had originally published Ball’s stories began printing more and more stories presenting Cleveland as a terrible person, but these stories were baseless and correctly perceived as such.

Despite losing credibility in this regard, even some Cleveland backers more or less admitted that Cleveland had done what he had been originally accused of doing. Minister and activist Henry Ward Beecher said that while Cleveland’s actions were immoral, he had made amends and was guilty of something that many men (including Beecher himself) were guilty of doing. He further implied that if every man who committed adultery voted for Cleveland in November, he would win in a landslide.27

Ball’s claims were generally discredited, though, and even those who believed in some of his accusations viewed Cleveland’s private sins as better than the public misdeeds of his Republican opponent, thus leading to a Cleveland win in November.

The next year would be significant for rape laws in the United States. While Cleveland successfully fended off charges of misconduct, and avoided any realistic claims of rape, women’s rights activists at the time were making substantial progress towards legal reform.

26 ibid.
27 ibid.
According to activists in the latter decades of the 19th century, “it was hypocritical to demand that girls remain chaste before marriage when the law treated girls over the age of ten years as ‘fair game’ for seduction and violation.”

At the time, perception of the two sexes and of sexual acts differed substantially from how they are perceived now. While the rape reform movement was part of the early feminist cause, the pro-sex attitudes of modern feminism were not widely present. The focus instead was seeking to protect women from their stronger aggressors.

Specifically, the national president of the Women’s Christian Temperance Union, Frances Willard, demanded to know in 1885 why customs and laws, “bear so heavily upon the weaker, making the punishment for stealing away a woman’s honor no greater than that for stealing a silk gown.”

A prime, and often overlooked, component of the women’s right movement at the time was the effort to expand the definition of rape. While this was not being done in a way that would have helped Maria Halpin, it still represented the beginning of a changing tide in views of what constituted sexual assault and demonstrated the massive power that societal uproar can have on an issue.

In 1885, when rape reform efforts began in earnest, the age of consent was ten years old in most states, which was a statute descended from English common law. A mere four years later, Congress revised the District of Columbia’s age of consent from ten to sixteen, where it has remained ever since.

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28 Even A Worm Will Turn At Last: Rape Reform in Late Nineteenth-Century America
29 ibid.
30 https://www.ageofconsent.net/states/district-of-columbia
Congress’ action led to many state and territorial legislatures taking similar actions over the next decade, typically crafting new restrictions that remain more or less in place today.\(^{31}\) Extending the definition of statutory rape substantially was significant for the movement and while Cleveland isn’t accused of doing anything sexual with his future wife when she was a child, the legal change demonstrated society as willing to put more extensive limits on what men were permitted to do.

Nonetheless, rape remained generally tolerated in most circumstances. Some have argued that the tolerance of rape stemmed from a view of man as a conqueror being a prominent part of the American story. Men came and raped the land and were celebrated for it--and still are, often--in retellings. Rape of women was, then, not all that different. Like the land, women were something to be acquired for personal gain and, while it ostensibly was to be treated right, who were outsiders to tell a man how to treat his property?\(^{32}\)

Grover Cleveland’s likely act of sexual assault and the mores of the time regarding sexual assault present a somewhat confusing picture. On the one hand, there was an awareness of the concept of consent, an awareness that current laws and customs were too lenient and cultural influences that would have frowned upon Cleveland’s actions. On the other hand, there was a blatant bias in law, custom and culture towards white men, especially benefiting those in power, a societal definition of rape that was much more restrictive than the one that exists in the United States today and a knowledge that so many men were guilty of what Cleveland is alleged to have done that there were not many men willing to throw stones.

\(^{31}\) Even A Worm Will Turn At Last: Rape Reform in Late Nineteenth-Century America  
\(^{32}\) The Horrors of the Half-Known Life: Male Attitudes Toward Women and Sexuality in Nineteenth-Century America
Jefferson and Cleveland Analysis

The allegations against Jefferson and Cleveland are incredibly different yet also offer obvious similarities in how sexual misconduct was treated at the time. In both scenarios, the alleged assailant and the alleged victim were realistically viewed by most who knew them as a couple. Given the very limited application of rape laws at the time, Jefferson and Cleveland both had ample reason to not worry.

Jefferson’s situation wasn’t even considered sexual assault by practically anyone at the time, at least based on known records. Considering it sexual assault, even now, is controversial and hinges on the question of whether or not someone can enter into a consensual relationship with a person who legally owns them. Regardless, no matter how Sally Hemings felt about the relationship with Jefferson, there was not much she could practically do about it. Having her children freed from slavery when they came of age may have been the best she could have realistically hoped for. Meanwhile, while Cleveland’s victim blatantly charged Cleveland with rape and, as a white woman of means, had the opportunity to at least have her voice somewhat heard, she still was a woman in nineteenth-century America. She was not going to win any sort of legal case. The only thing Jefferson or Cleveland had to fear from committing the acts they did was potential professional repercussions.

Yet in neither case did any serious repercussions occur. Jefferson may have gotten criticism or mockery from critics due to his relationship with Hemings, but there don’t appear to be many serious impacts on his career. Only two centuries later is the relationship being reevaluated. And while Cleveland was, like Jefferson, the subject of attacks by critics and, in this case, at a time when he remained in the prime of his career, the attacks were viewed mainly as
typical politics. Political opponents are bound to dig up dirt, exaggerate what happened and use one’s past actions to their advantage.

Given that those who attacked Cleveland publicly were politically opposed to him, the allegations were viewed in a political lens. The focus was never on Halpin. The focus was on Cleveland having a baby out of wedlock. Even today, mentions of the alleged assault often only cite the potential scandal of Cleveland having a child with a woman he wasn’t married to, without delving into the fact that the child was the result of an alleged rape.

Nonetheless, Jefferson’s relationship with Hemings and Cleveland’s with Halpin are discussed contemporarily among the most remembered sex scandals of the nineteenth century. The fact that both may have constituted sexual assault is what makes them worth revisiting before considering six much more modern cases. These two men had successful careers that were barely tainted by their actions. Over a century later, six other powerful men would be met with a wide-ranging variety of repercussions.

1990s

By the 1990s, the country was in a drastically different place than it had been when Jefferson or Cleveland were alive. During the decade, three powerful men became caught up in especially prominent situations involved sexual misconduct. The first, Clarence Thomas, was accused merely of sexual harassment. However, because of the widespread attention the allegations received, the allegations directed at Thomas are worth examining first.

When looking at the two men accused of sexual assault, three reactions will be analyzed: that of political and social leaders, that of the man’s constituents and that of the man himself. Then, the consequences of the allegations will be revealed.
Clarence Thomas

While not a case involving sexual assault, the public attention and response, as well as the response by national leaders, to Anita Hill’s 1991 testimony against Clarence Thomas created the environment in which politicians like Bob Packwood and Bill Clinton would soon be accused of assault in.

In 1991, Clarence Thomas was nominated by then-President George Herbert Walker Bush to fill a vacancy on the US Supreme Court. He was viewed as likely to get confirmed as a Supreme Court justice when Hill, who had worked directly under Thomas in two different jobs, publicly accused him of sexual harassment. Hill’s allegations led to a reopening of Thomas’ confirmation hearings and she was grilled for days by senators, and Thomas wound up being confirmed by a 52-48 margin, the narrowest approval in history.

While Thomas was not accused of sexual assault as Packwood and Clinton later would be, he was accused of creating a hostile environment in which he discussed pubic hair, bestiality, bragged about his own sexual prowess and pursued relations with Hill. Significantly, the hearings drew widespread national attention. 86% of Americans reported viewing an hour or more of the hearings, yet they did not substantially change the percentage of Americans supporting Thomas’ confirmation. Some polling showed some Americans with no opinion on Thomas’ confirmation shifting to opposing it, while some shifted away from supporting Thomas.

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33 Anita Hill Defends Her Legacy
34 Teaching Modern Foreign Languages: A Handbook For Teachers
https://books.google.com/books?hl=en&lr=&id=ReUcy1-XmHIC&oi=fnd&pg=PA51&dq=clarence+thomas+pubic+hair&ots=8VL2Qu-BCP&sig=ed-nKrUxb-I7JTLzt7_ZbmJODo#v=onepage&q=pubic&f=false
and some shifted towards supporting him (based on whether or not they viewed the Senate Judiciary Committee as out to get Hill or out to get Thomas) but, on the aggregate, support held steady.\(^{35}\)

Nonetheless, Hill’s testimony is considered to have a pivotal impact on how sexual harassment would be viewed in the ensuing years. Hill became a symbol of efforts against sexual harassment, and was regularly cited in reporting about Packwood and Clinton.\(^{36}\) The three cases, all of which gained national attention within a short period of time, were thus treated in tandem for how they brought sexual harassment--and sexual assault--in politics into the public sphere.\(^{37}\) And, despite what the previously cited survey showed about unchanged opinions, the deep engagement by the public in the matter is viewed as significant.\(^{38}\)

Like Packwood and Clinton, Thomas had multiple accusers, although none but Hill were allowed to testify, part of a deal between Joe Biden, the chair of the Senate Judiciary Committee at the time, and Republican leadership. It took Biden 26 years to apologize for this and for allowing his Republican colleagues to aggressively question Hill as they saw fit.\(^{39}\) Perhaps unsurprisingly, Biden made his apology, in an interview with *Teen Vogue* as sexual harassment and sexual assault entered the public sphere in a major way yet again in late 2017.

Nonetheless, while 2017 was significant in truly delving into sexual assault in politics and by men in and out of power in many other fields, the events of the 1990s first helped create

\(^{35}\) Deconstructing the Political Spectacle: Sex, Race, and Subjectivity in Public Response to the Clarence Thomas/Anita Hill “Sexual Harassment” Hearings
http://www.jstor.org.libproxy.unl.edu/stable/2111571?seq=2#page_scan_tab_contents

\(^{36}\) Tracing the legacy of Anita Hill: The Thomas/Hill hearings and media coverage of sexual harassment

\(^{37}\) The Effects of Training on Perceptions of Sexual Harassment Allegations

\(^{38}\) Sex, Lies, and the Public Sphere: Some Reflections on the Confirmation of Clarence Thomas
http://www.journals.uchicago.edu.libproxy.unl.edu/doi/pdfplus/10.1086/448646

\(^{39}\) ‘I Wish I Had Been Able to Do More.’ Joe Biden Says He Owes Anita Hill an Apology
http://time.com/5064108/joe-biden-anita-hill-apology/
an environment in which Americans--both ordinary and powerful--began to consider sexual harassment and sexual assault charges as they never had before.

**Bob Packwood**

Senator Bob Packwood was among the most prominent senators of the late twentieth century. He was a prominent member of the Republican caucus, helping President Ronald Reagan pass his 1986 tax reform act and helping kill President Bill Clinton’s healthcare legislation. Yet he was also considered a hero by many women’s rights activists for his consistent and vocal support of abortion rights.

In the early 1990s, however, allegations came out that Packwood had sexually harassed--and committed what could be defined as sexual assault--several women. A Los Angeles time profile on the then-new allegations, published on December 6, 1992, described how the charges against Packwood were perceived by his constituents and by national voices.

A Portland toy-store owner, Denise Miller, said all allegations of Packwood’s “aggressive sexual behavior,” including grabbing, fondling and forcibly kissing several women, had been met with deep anger in the state, saying that Packwood had always relied on Democratic women in his five successful election campaigns and for him to “turn around and do this is really disgusting.”

The article furthered that Packwood’s scandal was a major cause of discussion in Oregon, including among those who weren’t engaged in politics. It was alleged that Packwood being a womanizer was a known fact among political insiders, but the general public was generally

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41 ibid.
unaware of this—and even more unaware that his alleged actions had transcended mere consensual womanizing and entered the fray of sexual assault.

In the weeks after Packwood’s 1992 reelection, several women accused Packwood of inappropriate past behavior. One described Packwood pulling on her ponytail and trying to remove her clothes while another woman claimed Packwood fondled her when she was only thirteen. Yet another, a low-level campaign staffer, described being aggressively kissed without consent by Packwood the first time they met, with him then attempting to entice her to come into his hotel with him. A former employee described Packwood reaching under her dress to remove her girdle.

While the case of the 13-year-old didn’t seem to garner as much attention as most other accusations, there were nearly a dozen cases considered credible by most major media outlets at the time on top of even more rumors of harassing behavior and credible accounts of affairs.

Packwood’s own reaction to the accusations as well as the reaction of local and national leaders, as well as his constituents, must all be considered. Packwood himself denied allegations and tried to provide material challenging the women’s credibility as accusations began coming out in the weeks prior to his reelection. After winning, however, he offered a generic apology for causing women “discomfort or embarrassment” and checked himself into a private clinic to address a possibly drinking problem.

42 ibid.
47 ibid.
In his next public appearance, in December of 1992, Packwood called his behavior “just plain wrong” but when asked what he was taking responsibility for, merely said, “I’m apologizing for the conduct that it was alleged that I did.”

He furthered that he would “restructure, drastically and totally, my attitude and my professional relationships” so as not to continue engaging in inappropriate sexual behavior. Yet at the same time, he showed little remorse for what he had done, and declined to comment on accusations he had tried to assail the character of his accusers during his reelection bid.

Packwood went on to serve in the Senate for another three years, only leaving in the fall of 1995 when it was clear he was on the brink of expulsion from the body.

This leads to how local and national leaders perceived the allegations. The Packwood accusers likely felt validated to come out with their allegations due to the atmosphere of the country, which was more awakened than before on sexual harassment-related issues after Anita Hill’s testimony during the Clarence Thomas hearings.

By late November, 1992, the Oregon Democratic Party and many national women’s groups were calling on the US Senate Ethics Committee to investigate the allegations, while the Oregon Republican Party’s director implied that was too extreme, as previous investigations by the committee had proven ineffective.

He furthered that Republicans were disturbed by the allegations and hoped Packwood would be forthcoming, but also praised his willingness to apologize.

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49 ibid.
50 Senate Urged to Probe Packwood Allegations https://www.washingtonpost.com/archive/politics/1992/11/24/senate-urged-to-probe-packwood-allegations/c346372c-d83c-4f8c-a256-6fe5fffc5fb6d/?utm_term=.bdf8d76e920a
The Senate Ethics Committee wound up investigating the allegations, although it was a slow process and was not viewed as likely to produce an outcome that would hurt Packwood, given the committee’s propensity for protecting its own and Packwood’s ability to hire top lawyers who could grill his accusers.\textsuperscript{51}

While feminist lawyer Gloria Allred was among those who took a strong stance against Packwood almost immediately, feminist icon Gloria Steinem put out a statement that generally sought to defend him as pressure grew at the end of 1992.\textsuperscript{52}

While Steinem showed support, generally there was a strong anti-Packwood sentiment by women’s groups on both the state and national level. In Oregon, even in late November of 1992, leaders with several Oregon groups or branches came out strongly in favor of investigations into Packwood and many called for his resignation and expressed their deep disappointment with his alleged actions.

Tia Plympton, who was the National Organization of Women’s state coordinator in Oregon, said at the time that a full Senate investigation was warranted and stated, “Sexism and misogyny come in all forms and it’s important to catch all perpetrators...Packwood is supposed to be a role model. As an individual, I would be very happy if he resigned.”\textsuperscript{53}

The executive director of the Oregon Coalition of Women voiced similar concerns, and joined with other local groups to ensure a unified response against Packwood’s actions.

\textsuperscript{51} The Trials of Bob Packwood \url{http://www.nytimes.com/1993/08/29/magazine/the-trials-of-bob-packwood.html?pagewanted=all}

\textsuperscript{52} Los Angeles Times: For Many, Packwood Case Has Extra Sting of Betrayal : Scandal: Oregon senator, facing sexual harassment accusations, had long been champion of women's causes. \url{http://articles.latimes.com/1992-12-06/news/mn-3565_1_sexual-harassment}

\textsuperscript{53} Senate Urged to Probe Packwood Allegations \url{https://www.washingtonpost.com/archive/politics/1992/11/24/senate-urged-to-probe-packwood-allegations/c346372c-d83c-4f8c-a256-6fe5f3c5fb6d/?utm_term=.bdf8d76e9209}
Meanwhile, leaders of national groups including the Fund for a Feminist Majority and National Women’s Political Caucus announced that the allegations needed to be taken seriously and action had to be taken. Harriet Woods, who headed the latter group, expressed a fear of going back “to the pre-Anita Hill stage when accusations of sexual harassment are trivialized.”

The executive director of the National Abortion Rights Action League, while demurring on whether Packwood should resign, said the allegations had “changed forever” Packwood’s credibility and that he would have a tough time continuing as an advocate for women’s issues.

Finally, among the voters, there was at first substantial doubt over what Packwood should do. Oregonians interviewed expressed mixed feelings—condemning Packwood’s behavior while at the same time often acknowledging people had done worse things and that an investigation should occur. Polls in late 1992 showed about equal numbers of Oregonians supporting Packwood resigning and supporting him staying in office, such as one by the Oregonian showing a 43-41 split on what Packwood should do.

One woman interviewed by the Washington Post cited agreement with Gloria Steinem’s defense of Packwood on the grounds that he was a lifelong advocate for women, demonstrating the power a voice like Steinem still held for women at the time and the appreciation women in Oregon had developed for Packwood’s work.

Nonetheless, as time drew on and the Senate Ethics Committee’s investigation endured into 1993 and then into 1994, Oregonians grew more unified in what they wanted their longtime senator to do.

54 ibid.
55 ibid.
56 In Oregon, As Packwood Scandal Sinks In, It May Be Losing Weight
In January, 1994, Packwood came to Oregon for his first tour of the state in months, and was dogged by protestors following him around, heckling him and singing, “Hit the road, Pack” wherever he went.\(^57\) Anger against the senator was growing. While he had more or less abandoned his family in 1990 (telling them he only cared about being a senator and moving out on his son’s birthday,)\(^58\) he had now seemingly abandoned the state as well, no longer owning a residence within Oregon.

Yet Packwood, even with his accusers now totaling as high as twenty, continued to pursue a strategy of holding on. He knew if the Senate Ethics Committee supported him and Republicans won big in the 1994 midterms (as they eventually would) that he would become chairman of the Finance Committee and become one of the most powerful men in Washington.\(^59\)

As the investigation dragged on and the scandal started looking worse and worse as more accusers came out, Packwood became more willing to start questioning their credibility and pondered aloud why some of the women he allegedly harassed or assaulted continue to work for him and around him.

Yet, a poll released around the time of Packwood’s early 1994 visit showed a stark change in what his constituents wanted. KPTV, a Portland television station, found that 63 percent of voters wanted Packwood to resign and only 27 percent wanted him to stay in office, with 10 percent undecided, which the New York Times called, “a shift from earlier polls which showed a 50-50 split.”\(^60\)

\(^{57}\) Irate Protestors Give Packwood No Break On a Visit to Oregon


\(^{59}\) Irate Protestors Give Packwood No Break On a Visit to Oregon

\(^{60}\) ibid.
Yet despite the voters’ will clear, the Senate Ethics Committee investigation dragged through 1994 and into 1995. Senator Mitch McConnell, a Kentucky Republican, had been the ranking member of the committee from 1993 to 1995 before assuming the role of chairman when Republicans won control of the Senate in the 1994 midterms. In 1993, he had rhetorically asked if the committee was up to the job of “impartially and thoroughly” investigating his colleague.61

Then-freshman Senator Barbara Boxer, a California Democrat, expressed surprise that the Ethics Committee took over two years to investigate Packwood, and, in 1995, attempted to get the Senate to hold public hearings on Packwood. While Republicans blocked these motions, Boxer brought national publicity back to the scandal and the Senate Ethics Committee unanimously voted in September, 1995 to expel Packwood--a groundbreaking decision. With the Senate then scheduled to hold a vote of the whole body on expelling Packwood, their colleague quickly announced his resignation and ended his career after 27 years in Washington.62

Bill Clinton

While Bill Clinton’s affair with Monica Lewinsky is his most famous sexual transgression, his past includes other allegations that are more serious in nature, as they constitute sexual assault.

While there are still many people who dispute the credibility of Clinton’s accusers, it is important to hear to look at the perception of the allegations. Given that they possibly occurred as the accusers described, and have been discussed off and on for decades, including in recent months, they deserve an analysis.

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61 When Bob Packwood Was Nearly Expelled From The Senate For Sexual Misconduct
https://www.npr.org/2017/11/27/566096392/when-bob-packwood-was-nearly-expelled-from-the-senate-for-sexual-misconduct
62 ibid.
Three women have accused Clinton of sexual misconduct: Juanita Broaddrick, Paula Jones and Kathleen Willey. Given that the accusations by Broaddrick and Willey constitute sexual assault (rape and groping, respectively), while Jones’ constitutes sexual harassment (exposure and posturing without contact), the cases of Broaddrick and Willey are what must be analyzed more in depth.

In 1999, weeks after Clinton was acquitted by the Senate to end the Monica Lewinsky scandal, Broaddrick gave a live interview to “Dateline NBC” accusing Clinton of sexual assault 21 years prior, when she was an Arkansas businesswoman volunteering on Clinton’s first campaign for governor. In her description, Clinton began kissing her even when she told him not to, and wound up forcing her on the bed. When asked during the interview if Clinton raped her, Broaddrick alleged that he did.63

Like Broaddrick, Willey was a political supporter of Clinton. She volunteered for his 1992 presidential campaign and she and her husband donated substantially to his campaign. This led to her getting a job in the White House in 1993. Later that year, according to an interview she gave in 1998, she approached Clinton in the Oval Office in a state of distress, seeking help for her husband, who was being charged with embezzlement. What began as Clinton comforting her, according to Willey, led to him kissing her without consent, grabbing her breasts and him putting her hands on his genitals. Willey pushed away and said she’d better go, ending the encounter.64

The cases were very different in certain aspects—Willey was a closer acquaintance of Clinton’s than Broaddrick was, the actions alleged by Broaddrick were more serious than those alleged by Willey, Willey’s came out within a few years while Broaddrick didn’t formally made

accusations for over two decades--but both were similar in other ways. If true, they both constitute sexual assault by Clinton, both involved women who supported Clinton and thus were entering the situation with a fondness for him that likely made his assault very jarring and both would be questioned on the credibility of their stories as soon as they came out with the allegations.

Clinton’s response was to unequivocally deny the accusations. At the time Willey and Broaddrick stepped forward, news of his consensual affair with Monica Lewinsky was constant and he had already survived allegations of sexual harassment by Paula Jones and the revealing of a consensual affair with Gennifer Flowers. Clinton’s personal attorney stated, upon Broaddrick making her accusations, “Any allegation that the president assaulted Ms. Broaddrick more than 20 years ago is absolutely false. Beyond that we are not going to comment.”

While Broaddrick had been interviewed a few years prior when Clinton was under investigation for his alleged harassment of Jones, she had at the time denied being raped, leading to questions of her credulity as she clearly was being dishonest one of the times, although in 1999 she expressed regret that she had not come forward in 1992, and also had her story backed up by her husband and several longtime close friends.

Willey’s accusations were also denied by Clinton’s lawyers. Nonetheless, Clinton did not and has not acknowledged committing the actions he has been alleged of, nor has he been proven guilty of these crimes beyond a reasonable doubt.

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66 Ibid.
Reaction among leaders was unsurprisingly partisan, given the climate of the time. Overall, the Democratic Party stood by Clinton. His sexual promiscuity was condemned, but removing him from office was hardly considered by Democrats, who felt their man was under attack by Republicans who had had it out for him since he began his bid for president.

While some media outlets tried to offer both sides of the story, and offer reasons for whether Clinton was innocent or guilty, this also offered fodder for both sides to use.

But most past Clinton supporters jumped to his support or, at the very least, declined to condemn him. Gloria Steinem wrote a prominent essay that is best remembered with the line, “It’s not harassment and we’re not hypocrites” in regards to the Willey accusations (the Broaddrick accusations would not come until the next year).

Steinem said Clinton was, perhaps, a sex addict but made clear that Willey was not Anita Hill and Clinton was not Bob Packwood or Clarence Thomas (again showing that, even in the latter 1990s these two cases were still prominent for bringing sexual indiscretions to the forefront). Steinem argued that since Clinton did not continue pursuing Willey after she pushed him away, he accepted no meant no while Packwood and Thomas did not. She also condemned Packwood and Thomas for being repeat offenders.

Of course, to buy Steinem’s arguments assumes that Clinton groping Willey—which Steinem admitted was credible—was not itself sexual assault and that the Paula Jones accusations

\[68\] Ibid.
\[71\] Ibid.
and other rumors surrounding harassment by Clinton were not true, because otherwise he would have to be considered a repeat offender as well.

Journalist Nina Burleigh wrote at the time that she would perform fellatio on Clinton for what he had done to protect abortion rights. While intended as humor, Burleigh’s declaration resurfaced in late 2017 as a symbol of how Democratic women were willing to disregard accusations against Clinton.

Clinton supporters tended to connect some of the allegations with the Republican campaign to hurt Clinton. In their book *The Hunting of the President*, Joe Conansen and Gene Lyons implied that the Broaddrick accusations were part of efforts by anti-Clinton forces, explaining that she was baited by conservatives for years to accuse Clinton of rape, thus attempting to explain why she reversed her 1992 denial of rape in the aftermath of Clinton’s acquittal by the Senate.

In ensuing years, when these accusations would resurface, they were often believed immediately by Clinton’s opponents while considered “bimbo eruptions” (to borrow language from Clinton’s deputy campaign manager, Betsey Ross Wright) by his staunch supporters.

A poll in 1999 found that 79% of Democrats at the time believed Broaddrick’s allegations were “not worth investigating because the alleged event happened 20 years ago,”

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72 “What About Bill?” Sexual Misconduct Debate Revives Questions About Clinton

73 The Hunting of the President: The Ten Year Campaign to Destroy Bill and Hillary Clinton
https://books.google.com/books?hl=en&lr=&id=mx54xsM95OEC&oi=fnd&pg=PR7&dq=bill+clinton+rape&ots=gH2NQgzC8p&sig=HEikwVUEEREe8sQLlgHblvksq_s#v=onepage&q=broadrick&f=false

74 Smuggling case may stifle ex-Clinton aide’s work
while only 27% thought the allegations against Clinton represented a pattern of misbehavior on his part, but more likely reflected a pattern of behavior by adversaries.\textsuperscript{75}

A poll from 1998 found a little more support for Paula Jones’ accusations, with 44 percent of Democrats believing Clinton had made an unwanted advance while 38 percent though he hadn’t.\textsuperscript{76}

While the consensual Lewinsky affair represented the most prominent sex scandal of Clinton’s career, the allegations of sexual assault by the three women were well-known. So when Clinton reached 73% approval on December 19, 1998, the day the US House introduced articles of impeachment, it demonstrated how widespread Clinton’s actions were either not believed, ignored, forgiven or minimized by the populace. Even after his Senate trial, 57% of Americans agreed with the decision to keep him in office.\textsuperscript{77}

The accusations against Clinton came up prominently nearly two decades later when then-presidential candidate Donald Trump invited Broaddrick, Jones and Willey to attend his second debate against Hillary Clinton. Prior to the debate, the three women announced their support for Trump before reiterating their decades-old allegations regarding Bill Clinton.\textsuperscript{78}

Now, with the women having regained publicity and the widespread condemnation of sexual assault that occurred in late 2017, Bill Clinton’s actions have been given a new look. Nonetheless, it is important to note that Trump inviting the accusers to attend the debate in his section came on the heels of Trump being in his own situation involving alleged sexual assault.

\textsuperscript{75} Most Hillary Clinton Voters Think the Allegations Against Bill Clinton Are Credible
https://www.huffingtonpost.com/entry/most-hillary-clinton-voters-think-the-allegations-against-bill-clinton-are-credible_us_5a0ca041e4b0c0b2f2f76f79
\textsuperscript{76} ibid.
\textsuperscript{78} All eyes on Clinton accusers sitting in Trump section in debate hall
1990s Analysis

The three cases in the 1990s demonstrate that partisan affiliation was the most important factor in how the allegations of sexual misconduct were perceived and treated by political leaders, social leaders and regular Americans. How important the politician was to the party seems to correlate with what consequences they received. Thomas, for instance, was very important to the Republican Party. He was appointed to replace Thurgood Marshall, one of the most liberal Supreme Court justices in history. Thomas, an ardent conservative, represented the potential for a rightward shift of the court.

It was in the best interest for Republicans, politically, that he be confirmed. As such, all but two Senate Republicans voted to confirm Thomas, in spite of the allegations. (Interestingly, one of the two willing to buck their party and oppose the nominee was Bob Packwood.) 79

When scandal engulfed Packwood a few years later, he wasn’t important enough for quick action to be taken. Having just been re-elected, Packwood didn’t have to face voters against for six years, and would need to be expelled or resign to leave office. Given the lack of precedent for expelling a senator for sexual misconduct and the lackluster nature of the Senate Ethics Committee, it’s unsurprising that quick action wasn’t taken against Packwood.

Also, there was no clear motivation to do so. Packwood, politically, had been liked by both parties for different reasons. Republicans liked having one of their own representing a liberal state like Oregon while Democrats liked having a moderate Republican who was amenable to crossing the aisle. As one of 100 senators, Packwood was not near as important

79 United States of America Congressional Record: Proceedings and Debates of the 102nd Congress First Session Volume 137 - Part 18 https://www.loc.gov/law/find/nominations/thomas/debates.pdf
politically as Thomas or Clinton. Thus, there was not as strong of a reason to fight for him or fight against him from the standpoint of political leaders.

Like Packwood, Clinton also maintained office for years as allegations swirled. Unlike Packwood, of course, he never resigned his office and held the support of a majority of his constituents. The numbers of Democrats totally discounting the allegations of sexual assault against Clinton are almost surprisingly high, given that Clinton’s adultery was not a secret. Of course, sexual assault and cheating on Hillary Clinton are not the same thing, but to disregard the allegations against Clinton strongly is interesting, in retrospect.

Party leaders were not condemning Clinton either. Looking at things through an “idealistic” lens, it would appear the Republican Party was more willing to condemn sexual misconduct (as Republicans took a firmer stance against Packwood than Democrats did against Clinton, while Republicans also condemned Clinton). But a more cynical take would show that it made political sense to keep distance from Packwood and allow him to wind up resigning in disgrace (as Senator McConnell was aware this looked better for the party than strongly supporting him) while it also made political sense to harp on Bill Clinton, the leader of the opposing party. Meanwhile Democrats had little to gain besides, eventually, a Senate seat in Oregon while they had everything to lose if Clinton went down in disgrace.

Among social leaders, the same tactics seemed true. Feminist leaders were more apt to call out Packwood than Clinton (although Gloria Steinem and others defended both, and some surely condemned both) although both were supporters of women’s rights issues. Of course, analyzing both situations would show that Packwood would surely be replaced by another pro-choice individual while Clinton going down in a scandal could increase the likelihood of a pro-life Republican winning in the next presidential election.
Among constituents, Clinton’s support only increased as time went on while Packwood’s plummeted. The reasons for this haven’t been laid out, but there are some assumptions that can be made. Packwood lacked a strong base in Oregon to back him, while Clinton was the leader and face of the Democratic Party, and was doing fairly well at his job, giving him an automatic strong, party base. As president, Clinton was more able to control the narrative and pursue policy goals while Packwood, as one of 100 senators, was less able to prove that it made political sense for him to stay in office. Finally, other factors, such as Packwood’s aloof attitude and the sense he had abandoned Oregon (and his family) may have played a role in Oregonians allowing themselves to gradually dissociate from Packwood, while Clinton was a well-liked, charismatic figure among his base.

The very different consequences faced by the Republican Senator from Oregon and the Democratic President in the 1990s are notable. Both gained substantial attention for happening in the wake of the Anita Hill hearings. Some Americans, surely, believed every allegation or no allegation about Packwood or about Clinton. Others believed there was some truth to allegations. Regardless, Clinton maintained strong support from those loyal to him while Packwood, after some initial defense from longtime allies, was allowed to fade away dishonorably.

2016-2017

Two decades later, three more prominent public officials would become the subjects of allegations of sexual assault within just over a year’s time. These allegations coincided with massive amounts of public allegations against people (primarily men) in power in many fields, both famous and not. Yet, as was true with Thomas, Packwood and Clinton, the three powerful
politicians accused of sexual assault in 2016 or 2017 wound up receiving vastly varying consequences.

President Donald Trump was hit with allegations of sexual misconduct throughout his campaign before being caught on tape admitting to sexual assault weeks before the 2016 presidential election. Roy Moore, a controversial far-right politician in Alabama, was accused of sexually assaulting multiple girls and women years prior to his 2017 campaign for US Senate while Al Franken, a progressive Democrat and US Senator from Minnesota was accused by multiple women of sexual assault just weeks after the allegations against Moore became public.

**Donald Trump**

Trump’s election in spite of the multitude of allegations against him merit another examination of how the nature of the allegations affected perception of the situation, and the unique reactions by political leaders of both parties, voters and Trump himself.

Compared to the three political figures caught up in nationally prominent sexual harassment and assault scandals in the 1990s, Trump perhaps most resembles Packwood in the sheer number of accusers. At least 20 women have made credible accusations of sexual assault against the current president.\(^8\)

The accusations run from the 1980s to the 2010s, and many of the women came forward in the wake of Trump’s 2005 comments that were released in October, 2016. In a tape from the set of *Access Hollywood*, Trump had first gloated about his consensual sexual affairs before commenting on committing sexual assault. Trump said that when he saw an attractive woman he

would, “Just kiss. I don’t even wait. And when you’re a star, they let you do it. You can do anything...grab ‘em by the pussy. You can do anything.”

The release of the tape a month before the election is what really forced Trump’s alleged acts of sexual assault into the limelight and created the situation in which many women felt willing to come out with their own stories, but allegations against Trump really weren’t anything new.

In a 1993 book called “The Lost Tycoon” by Harry Hurt, Trump’s divorce from his first wife, Ivana, was written about. The book included details from their divorce deposition, including allegations of Trump violently raping Ivana while angry. Ivana clarified that Trump had not raped her in a “literal or criminal” sense, but didn’t clarify exactly what she had meant.81

In May 2016, the New York Times had run an account painting Trump as a man who enjoyed the presence of attractive women and objectified them. While mentioning a couple specific incidences of sexual assault, the various people interviewed painted a picture of Trump as someone prone to crude sexual remarks, fond of boasting about his sexual prowess, obsessed with approval of the looks of the women he surrounded himself with and engaging in inappropriate behavior with many women, including plenty of incidents of blatant sexual harassment.82

However, the woman the story focused the most attention on, Roxanne Brewer Lane, who was allegedly treated inappropriately by Trump, immediately voiced her disapproval of the article as written, and said the newspaper had spun the article to make her encounter with Trump seem worse than it really was. She made clear, “I did not have a negative experience with

81 The New Yorker: Listening To What Trump’s Accusers Have Told Us
82 New York Times: Crossing the Line: How Donald Trump Behaved With Women in Private
Donald Trump, and I don’t appreciate them making it look like that I was saying that it was a negative experience because it was not.”

Trump seized on Brewer Lane’s denial of the article’s claims. A vocal opponent of the *New York Times* and its supposed agenda against Trump and his campaign, the Republican presidential nominee tweeted about Brewer Lane’s denial and called out its “hit piece” on him, which he said Brewer Lane had “blown up.”

By embarrassing the *Times*—and with some credibility on his side, given Brewer Lane’s public disavowal of the article—Trump managed to frame the article as a partisan hit-piece and just another partisan attack, much as Clinton often successfully did in the 1990s. Despite the wealth of information in the *Times* article, Trump’s history with women would not truly become the focus of the presidential campaign until the release of the *Access Hollywood* tape.

The response from Trump’s own party demonstrated the divide over how to best to handle the strange circumstance. Just a month before a divisive election, the Republicans’ already-controversial nominee, already accused of a plethora of sexually inappropriate acts, had now been caught bragging about committing sexual assault.

Many Republicans condemned the remarks while rhetorically downplaying their significance to the election. Trump ally Dan Patrick, the lieutenant governor of Texas and state chair of the Trump campaign, stated, “There is absolutely no excuse to ever talk about women in such a crude and demeaning way. He was certainly right to apologize. But we can’t let this firestorm distract voters from the frightening policies revealed today in the WikiLeaks of

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83 TIME: Donald Trump Ex-Girlfriend Comes to His Defense: ‘He Was a Gentleman’  

84 Donald Trump's Twitter account: @realdonaldtrump 05/16/16
Hillary’s emails, including her ‘dream’ of ‘open trade and open borders,’ which would spell ruin for the future of our country.”\(^{85}\)

Similarly, close Trump ally Ben Carson gave the following response: “In no way do I condone Trump’s behavior – in fact I condemn any form of disrespect toward women. We should always honor and respect the dignity of our mothers, sisters and daughters. Even though the incident happened ten years ago, well before Trump entered the political arena, this behavior is unacceptable, especially by someone who aspires to higher office … I feel fairly certain that the progressives have had knowledge of this conversation for a long time and dropped it at this point in time in an effort too [sic] obscure the release of damaging information about Hillary Clinton and her desire for open borders.”\(^{86}\)

Both men deployed the same tactic: Condemn Trump’s words, say something about treating women well and then launch into criticism of Hillary Clinton.

Away from Trump’s immediate inner circle, stronger words were used and without the quick change in subject to Hillary Clinton’s policy plans. Leaders like House Speaker Paul Ryan, Senate Majority Leader Mitch McConnell and Republican National Committee Chair Reince Priebus all put out statements strongly condemning Trump’s words, while another top Senate Republican, John Thune, took an even firmer stance in calling for Trump to withdraw from the race and allow Trump’s running mate Indiana Governor Mike Pence to become the party’s nominee for president “effective immediately.”\(^{87}\)

Thune’s suggestion was brought forward by a plethora of other Republicans in the US Senate and US House. Again, very rarely was the issue politicized. A few mentioned Hillary

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\(^{85}\) PBS: Here’s the list of GOP responses to Trump’s vulgar comments about groping women
https://www.pbs.org/newshour/politics/headline-republicans-react-trump-comments-objectifying-women

\(^{86}\) ibid.

\(^{87}\) ibid.
Clinton in the context of it being necessary for Trump to step aside so the Republicans could defeat her, but statements and responses tended to stray from the blatant politicization that Patrick and Carson prominently utilized. Among the six Republican women in the US Senate at the time, two already had refused to endorse Trump,\(^88\) one called on him to reexamine his campaign, one merely condemned his words and the remaining two called on Trump to step aside so Pence could be the nominee.\(^89\)

Among Democrats, Trump’s words were obviously strongly condemned but also used politically against many Republican candidates for office. Multiple races for the US House and US Senate got an infusion of the presidential campaign as Democratic candidates and affiliated groups put out advertisements using Trump’s words to condemn the values of the Republican candidate in said race.\(^90\)

Trump and Hillary Clinton faced off in a town hall debate two days after the tape leaked, and Hillary Clinton was presented a clear opportunity to condemn Trump and stand up for women.\(^91\) Seeking to counteract this, Trump invited Broaddrick, Jones and Willey, the women who had previously accused Bill Clinton of sexual assault, to the debate to give him an opportunity to minimize the importance of his public declaration of committing sexual assault, which he prominently termed “locker room talk.”

While the reaction among the political elite was incredibly passionate, even among Republicans, the tape didn’t have quite as much impact among voters. Morning Consult, a

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\(^{89}\) PBS: Here’s the list of GOP responses to Trump’s vulgar comments about groping women [https://www.pbs.org/newshour/politics/headline-republicans-react-trump-comments-objectifying-women](https://www.pbs.org/newshour/politics/headline-republicans-react-trump-comments-objectifying-women)


prominent pollster, found in the days after the tape leaked that while 48% of Republican voters thought the tape gave them a “less favorable impression” of Trump, they generally were satisfied upon watching or hearing about his apology video, with 65% finding Trump more favorable upon watching it.\textsuperscript{92}

Meanwhile, a CBS poll found that in key swing states Ohio and Pennsylvania, 90% of voters said the tape didn’t change how they viewed Trump. A mere 12% of Republicans thought Trump should withdraw from the race, despite 16 of the 54 Republican senators having retracted their support of Trump within the first two days of the tape’s leak. As it pertained to candidates down the ballot, 28% of Republican voters said they’d be more apt to vote for a down-ballot candidate who denounced Trump, but 25% said they’d be less apt to vote for a candidate who abandoned the presidential nominee.\textsuperscript{93}

A week later, with the news of the tape now less fresh, a poll conducted by the Washington Post and ABC News found that Hillary Clinton held a four-point lead in national polling, but that this wasn’t much changed from where she had stood before the tape leaked. According to the \textit{Post}’s account of the poll, “Nearly 7 in 10 respondents believe Trump probably made unwanted sexual advances, and a majority say his apology for boasts about forcing himself on women on a hot-mic videotape was insincere. Nonetheless, the controversy appeared to have had only a minimal impact on his overall support.”\textsuperscript{94}

\textsuperscript{92} Politico: Exclusive Poll: GOP voters want the party to stand by Trump \url{https://www.politico.com/story/2016/10/politico-morning-consult-poll-229394}

\textsuperscript{93} Vox: Poll: Vast majority of Republican voters don’t care much about the leaked Trump tape \url{https://www.vox.com/2016/10/9/13217158/polls-donald-trump-assault-tape}

\textsuperscript{94} Washington Post: Washington Post-ABC News poll: Clinton holds four-point lead in aftermath of Trump tape \url{https://www.washingtonpost.com/politics/washington-post-abc-news-poll-clinton-holds-four-point-lead-in-aftermath-of-trump-tape/2016/10/15/c31969a4-9231-11e6-9c52-0b10449e33c4_story.html?utm_term=.e512a39d6035}
Trump himself, as mentioned, released an apology video, reiterated his apology in the next presidential debate but also diminished the importance of his words by terming them “locker room talk” and said that they don’t reflect who he is and that his campaign travels had made him into a more empathetic person--allowing him to transition into a pro-American message that let him wrap his apology into touting his campaign for presidency. He also ended his apology video by calling the leak “a distraction” and condemning Hillary Clinton’s policies that had helped “run the country into the ground” and called her out for “bullied, attacked, shamed and intimidated” the women that Bill Clinton had “abused.”

Strangely, several months into his presidency and over a year after his apology, Trump was said to be privately questioning the tape’s authenticity. This corresponded with the massive amount of sexual assault victims coming forward in late 2017 that led to the downfalls of many powerful men.

At this time, three of the women who had accused Trump of sexual harassment or assault a year before were renewing their efforts to condemn the man who was now president. The White House quickly accused the women of engaging in a “publicity tour” and spreading politically motivated false claims. Some Democrats, with sexual assault being condemned to an extent never before seen, called on Trump to resign and Trump’s own ambassador to the United Nations, Nikki Haley, stated that Trump’s accusers “should be heard.”

96 ibid.
97 Business Insider: Trump responds to women who have accused him of sexual misconduct, saying they’re politically motivated http://www.businessinsider.com/trump-responds-to-sexual-assault-allegations-2017-12
At the same time, Trump was actively supporting Roy Moore in his bid for US Senate and would soon condemn Al Franken.

**Roy Moore**

Roy Moore entered the special US senate election in Alabama in 2017 as an incredibly controversial figure and somehow managed to come out of it even more controversial.

He had spoken against Muslims being allowed to serve in political office, against the legal rights of gays, used racist language, insinuated Americans’ sins were to blame for 9/11 and Sandy Hook, been a leading advocate of the false claim that Barack Obama was born in Kenya and, perhaps most prominently, had twice been removed from his post as chief justice of the Alabama Supreme Court.98

Moore’s brand of Christianity and his zealous desire to remain out of the mainstream had made him popular with a large enough contingent of Alabama that he had been able to rebound from past defeats. After being removed from the court for refusing to comply with an order that he remove his massive Ten Commandments fixture from the courthouse, he managed to get elected chief justice again in 2012. This time, he was removed for refusing to comply with the Supreme Court’s ruling on same-sex marriage. Upon leaving the court for the second time, he immediately began his run for the special US Senate election and won the Republican primary--despite running against the incumbent, Senator Luther Strange, who received a major endorsement and rally from President Trump prior to the election.99

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However, Moore wound up being accused of multiple acts of sexual assault and sexual harassment from decades prior that likely played a role in the biggest electoral loss of his career and another opportunity for the Republican Party to deal with one of its candidates being accused of very serious crimes.

While Moore was accused of inappropriate behavior by at least nine women, three of the cases constituted allegations of sexual assault. In early November, 2017, with over a month until Moore would face Democrat Doug Jones in the special election, the Washington Post reported that Moore had sexually assaulted Leigh Corfman when he was 32 and she was 14. Corfman claimed that Moore touched her inappropriately and took her to his home.\(^{100}\)

Given that the age of consent in Alabama was and still is sixteen, this accusation was incredibly serious. Moore, for all his bigoted remarks and willingness to defy federal law, had established himself as a devout Christian and someone who espoused “family values”. To be accused of sexually assaulting a fourteen-year-old girl was a startling counter from the image Moore had built for himself.

Corfman was not alone. Among the other eight women accusing Moore of inappropriate actions was Beverly Young Nelson, who alleged that when she was 16 and Moore was 30 he “offered to drive her home from her job waitressing at a restaurant and then groped her and forced her head toward his crotch.”\(^{101}\)

Another, Tina Johnson, claimed that Moore groped her in 1991 when she came to visit his law office.\(^{102}\) Johnson was 28 at the time while Moore was 44 and, by this point, a few years

\(^{100}\) Chicago Tribune: Roy Moore campaign refuses to substantiate claims about accuser

\(^{101}\) TIME: More Women Are Accusing Roy Moore of Sexual Misconduct. Here’s Everything You Need to Know About the Scandal http://time.com/5029172/roy-moore-accusers/

\(^{102}\) Ibid.
into his marriage to his wife Kayla. This scenario, while fundamentally another allegation of sexual assault, is significant in terms of how it would be perceived compared to the cases of Corfman and Nelson, given the substantially older age of the victim and the fact Moore was now married.

Other allegations painted Moore as someone who pursued much younger women and girls. Stories were shared of him specifically flirting with and going out with teenagers, an unsubstantiated story told of him being banned from his local shopping mall and it was revealed that he first seen and developed a crush on his future wife, Kayla, when he was 30 and she was fifteen.103

The reaction to Moore’s scandal among political leaders demonstrated a stark divide among members of Moore’s own party, with many leading members of the Republican establishment strongly condemning him while some local leaders stood by their candidate. A prominent exception to the general condemnation by Washington was President Trump, a year removed from the sexual assault scandal that many thought would derail his presidential campaign. Trump stated that Moore had denied the allegations, implied that he believed the senate candidate and maintained his endorsement of Moore.104

Senate Majority Leader Mitch McConnell, who two decades earlier had headed the Senate Ethics Committee during the investigation of Bob Packwood, was determined to make sure Moore would never serve in the Senate, part of his history of “showing little tolerance for sexual misconduct that he fears could tarnish the image of the Senate and his party.”105

103 Birmingham News: Don’t believe Roy Moore’s accusers? Then listen to Moore http://www.al.com/opinion/index.ssf/2017/11/you_dont_have_to_believe_the_w.html
104 The Hill: Trump, Senate GOP at odds over Roy Moore http://thehill.com/homenews/senate/361633-trump-senate-gop-at-odds-over-roy-moore
Just over a week after the Moore allegations became public, McConnell stated that he believed the women and that Moore was not fit to be a senator, while ally Senator Cory Gardner publicly announced his support for expelling Moore if he were to win the election. This hard line was explained by a former top aide to McConnell as evidence of the majority leader’s “aggressive, no tolerance policy toward sex abuse allegations” and his willingness to put the “integrity of the Senate” ahead of “the partisan makeup of its membership.”

Despite the stark difference in how Trump and McConnell responded to the Moore allegations, both had partisan reasons for acting as they did. Trump expressed his concern with a “liberal” like Doug Jones winning a seat in a Senate in which Republicans already held a precarious 52-48 majority, while McConnell had seen Republicans’ poor showing in the scheduled 2017 elections a week prior to his condemnation of Moore and recognized it was in his party’s best interest to take a strong stance against Moore. Risking losing one Senate seat would be better than damaging the party’s image by supporting someone like Roy Moore, by McConnell’s calculation.

Meanwhile, the man who represented both the Washington establishment and the Alabama Republican Party, Senator Richard Shelby, announced two days before the special election that he could not support Moore and had written in a “distinguished Republican candidate” instead.

Shelby, interestingly, was the last Democrat to get elected to the US Senate having won as a Democrat in 1986 and 1992 before joining the Republican Party in 1994. In the ensuing

106 ibid.
107 The Hill: Trump, Senate GOP at odds over Roy Moore http://thehill.com/homenews/senate/361633-trump-senate-gop-at-odds-over-roy-moore
years, he had become a strong conservative and has maintained strong approval numbers in his home state,\(^9\) which sent him to Washington for the sixth time in 2016.

Shelby, in an interview with CNN’s Jake Tapper, expressed an understanding of President Trump’s decision to stand by Moore, but added, “But there’s a time, we call it a tipping point. And I think so many accusations, so many cuts, so many drip drip drip--when it got to the 14-year-old story, that was enough for me. I said, ‘I can’t vote for Roy Moore.’”\(^10\)

Senator Rand Paul of Kentucky, who avoided commenting on Moore, appears to have been the only Senate Republican to ostensibly remain behind Moore through the election, with all of his caucus colleagues either blatantly condemning Moore or at least giving half-hearted statements about Moore needing to step aside if the allegations were true.\(^11\)

Within Alabama, most leaders in the party either stuck by Moore or made remarks about how the election was up to the voters. Among the elected leaders publicly willing to say she supported Moore was Governor Kay Ivey, who was criticized for standing by Moore after having said she had no reason to disbelieve his accusers.\(^12\)

The divide in the party was also evident in the Republican National Committee’s decision to stop funding Moore, only to relent and begin supporting him again after Trump explicitly announced he was standing by the Republican candidate.\(^13\)

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\(^9\) Morning Consult: America’s Most and Least Popular Senators  

\(^10\) TIME: Alabama Sen. Richard Shelby Says He Couldn’t Bring Himself to Vote for Roy Moore  

\(^11\) CNN: Where Republican senators stand on Roy Moore  

\(^12\) Birmingham News: Most Alabama GOP leaders support Roy Moore or keep silent  

\(^13\) Vox: The Republican Party is back on board with accused child molester Roy Moore  
Democrats, while condemning Moore, did not feel a need to harp on the situation. While some, like Senate Minority Whip Dick Durbin of Illinois criticized President Trump’s response, the amply strong condemnation on the national level by Republicans gave Democrats no need to politicize the Moore scandal. Even in Alabama, Jones, Moore’s opponent, didn’t focus on the allegations but instead on his own qualifications to serve as senator and focused on turning out the black vote by discussing his record on civil rights.\textsuperscript{114}

Moore had historically based his support among the evangelical right, and again a split became evident after the allegations came out. For instance, Albert Mohler, the president of the Southern Baptist Theological Seminary in Louisville, Kentucky, stated that the allegations were devastating, if true, but suggested that there was so much at stake in the election for pro-life voters that losing one seat in the US Senate was a major concern. Indeed, Moore and some supporters would turn to the abortion issue (Moore opposes abortion while Jones is pro-choice) to recast the issue of morality in the race.\textsuperscript{115}

On the national level some conservative pastors, like Russell Moore, who is not related to Roy Moore, strongly condemned the Republican candidate, tweeting, “Christian, if you cannot say definitively, no matter what, that adults creeping on teenage girls is wrong, do not tell me how you stand against moral relativism.”\textsuperscript{116}

Others, like Franklin Graham, son of the most well-known pastor of the 20th century, Billy Graham, supported Moore. Franklin Graham tweeted, “The hypocrisy of Washington has


\textsuperscript{115} ibid.

no bounds. So many denouncing Roy Moore when they are guilty of doing much worse than what he has been accused of supposedly doing. Shame on those hypocrites.”

After the allegations came out, Kayla Moore, the candidate’s wife, shared a letter on social media signed by 50 pastors, mostly from Alabama, showing their support for Moore. However, the letter had been signed months before the allegations came out and multiple pastors asked for their names to be removed from the letter, while a group of more progressive ministers wrote a letter condemning Moore and his fitness for office.

While Republican leaders and conservative pastors were divided, it ultimately would come down to the voters of Alabama whether Moore would be elected or not. Polling for the race was considered less than reliable, as not many major outlets conducting sophisticated polling of the state while the strange nature of a special election in the middle of December further confounded projections.

Analyzing the polls to the best of their ability, RealClearPolitics, which forms a composite of major polling, found that Moore had led Jones by about six points prior to the allegations breaking, that Jones managed to briefly grab a lead but that Moore then partially rebounded and held a 2.2% lead going into the election. While this was within the margin of error for the polls being analyzed, every poll conducted in the week before the election showed Moore with a slight lead besides a FOX News poll that showed Jones with a 10 point lead.

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117 Ibid.
A CBS News poll found that 71% of Republican voters in Alabama believed allegations against Moore were false, with 92% of that segment believing Democrats were behind the charges, with 88% blaming the media. The poll further found that even among Republicans voters who were concerned with the allegations, electing a conservative voice and a Trump ally was more important.\textsuperscript{122}

White women, in particular, stood by Moore despite the allegations that he sexually assaulted girls and women, which some, like Dr. Marcie Bianco, the managing editor of the Clayman Institute for Gender Research at Stanford University, attributed to a historic desire among white women to align themselves with white men (those in power) rather than with the oppressed (be it women of color or, in this case, other white women who dared speak out against a powerful white man).\textsuperscript{123}

Whatever the reason, it was clear Republican voters would, for the most part, stand with Moore. His supporters pointed to Jones’ support for legal abortion, the need for a Republican to hold the seat and even admiration for the stands Moore had taken that had gotten him removed as Chief Justice of the State Supreme Court twice.\textsuperscript{124}

As for the candidate himself, Moore said he had “never molested anyone” and denied every dating someone underage. Originally he implied he knew some of the women accusing him of sexual assault, before later saying he hadn’t met them. Going on the attack, Moore expressed suspicion over the women’s timing (bringing up actions from decades ago a month

\textsuperscript{122} Washington Times: Loyalty: 96% of Roy Moore voters support Trump

\textsuperscript{123} NBC News: Roy Moore's white female voters are part of a long history of internalized misogyny
https://www.nbcnews.com/think/opinion/roy-moore-s-white-female-voters-are-part-long-history-ncna827976

\textsuperscript{124} PBS: For Many Alabama voters, Roy Moore is still the ‘lesser of two evils’
before the election) and also defended himself by saying he didn’t recall “dating any girl without
the permission of her mother.”

He played to his voters by focusing on his opposition to abortion and support of
“Christian values” such as opposition to same-sex marriage and transgender rights.

Ultimately, after the chaos and division leading up to the election and the voices of many
women condemning Moore for what he did to them decades earlier, Roy Moore lost the election
by a margin of 49.9% to 48.4%. While Moore is yet to officially concede, Senator Doug Jones is
now serving as Alabama’s first senator from the Democratic Party since 1994 and Roy Moore
and his supporters must contemplate their next move.

**Al Franken**

While Moore and the Alabama race were in the national headlines, Senator Al Franken, a
Democrat from Minnesota, became engrossed in his own sexual assault scandal.

There are important differences between Moore and Franken and the allegations against
them. Moore is a far-right Christian while Franken, a former comedian, had established himself
as a brash progressive and advocate for women’s rights. Moore was a candidate for Senate at the
time the allegations against him came out, while Franken was midway through his second Senate
term. While Moore was accused of sexual assault and sexual misconduct by women who were
teenagers, Franken’s accusers were all adults at the time of the alleged assaults.

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125 Los Angeles Times: Roy Moore dismisses sexual misconduct allegations as ‘ritual defamation’
http://www.latimes.com/politics/washington/la-na-pol-essential-washington-updates-roy-moore-dismisses-
sexual-abuse-1512942626-htmlstory.html

126 Washington Times: Roy Moore’s campaign rallies support with pro-life message against ‘Abortion
These differences meant allegations against Franken, for better or worse, would be looked at much differently than those against Moore by many Americans. Within days of the allegations against Moore becoming national news, a radio newscaster named Leeann Tweeden that while on a 2006 U.S.O. tour of the Middle East, Franken, not yet a senator, kissed and groped her without consent. Tweeden also supplied a photo of Franken grabbing her breasts while she appeared to be asleep.127

In the coming days, more allegations would come out. Eight women wound up accusing Franken of non-consensual touching, groping or kissing.128

Franken was defended by many women who had previously worked for him, citing his advocacy for policies that supported women and their own personal accounts of how he treated them.129 Nonetheless, Franken’s party was not so quick to defend him. As more women accused Franken of sexual assault, twenty of his Democratic colleagues, led by Senator Kirsten Gillibrand of New York, called on him to resign. The twenty included many of the women in the Democratic caucus as well as the two leading members of the caucus, Minority Leader Chuck Schumer of New York and Minority Whip Dick Durbin of Illinois, as well as prominent Senator Bernie Sanders of Vermont. Tom Perez, the chair of the Democratic National Committee, also called on Franken to resign.130

Aligned with these Democratic leaders was President Trump, who was among the first leaders to condemn Franken. Within hours of Tweeden announcing her allegations against

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129 Huffington Post: Female Former Franken Staffers Say He Was A ‘Champion For Women’ https://www.huffingtonpost.com/entry/female-franken-staffers_us_5a0f060ae4b045cf4371109c
Franken, Trump tweeted, “The Al Frankenstien picture is really bad, speaks a thousand words. Where do his hands go in pictures 2, 3, 4, 5 & 6 while she sleeps? .....And to think that just last week he was lecturing anyone who would listen about sexual harassment and respect for women.”

Similarly, Mitch McConnell quickly requested that the Senate Ethics Committee review the allegations. McConnell’s Democratic counterpart, Schumer, and even Franken himself supported this action.

Another prominent Republican colleague of Franken’s, Senator Ted Cruz of Texas, called allegations against Franken a “serious, serious problem” in an interview in which he also claimed the Senate should not expel Moore if he were to win.

Within Minnesota, some leading Democratic politicians called on Franken to resign, but many refrained from this call, recognizing that Franken admitted to some of the allegations and was willing to undergo an investigation by the Ethics Committee.

A day after his colleagues called on him to resign, Franken announced he would do so in the coming weeks. Fellow Minnesotans like Senator Amy Klobuchar, Governor Mark Dayton, Representative Keith Ellison and Lieutenant Governor Tina Smith, all Democrats, praised Franken for his progressive record as a senator and his decision to assume responsibility for his

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131 New York Times: Al Franken Issues Apology After Accusation of Forcible Kissing and Groping

132 Ibid.

133 The Hill: Cruz on whether Senate should expel Moore if he wins: 'Of course not'

134 Washington Examiner: Two prominent Minnesota Democrats call on Al Franken to resign
actions by resigning, while the state Republican party condemned him for not being more apologetic to the women he assaulted in his resignation speech.\textsuperscript{135}

Indeed, Franken did not take an especially contrite tone. While he had generally been contrite about his actions, apologized for any women who felt his actions constituted sexual misconduct and supported the Ethics Committee investigation of the allegations, he seemed on the offensive in his resignation speech on the Senate floor.

He noted, “There is some irony that I am leaving while a man who bragged on tape about his history of sexual assault sits in the Oval Office, and a man who preyed on young girls runs for Senate with the full support of his party,” referring to Trump and Moore.\textsuperscript{136}

He furthered that his past statements supporting women who raise allegations needing to be heard had given people “the false impression” that he was admitting guilt, stating that many of the allegations were false and that he remembered others differently than the women did. He added that the allegations primarily concerned behavior prior to his joining the Senate in 2009, stating, “Nothing I have done as a senator...has brought dishonor on this institution. And I am confident that the Ethics Committee would agree.”\textsuperscript{137}

Despite his defiance, Franken nevertheless said he would resign because, “Minnesotans deserve a senator who can focus with all her energy on addressing the challenges they face every day,” notably using the pronoun her.

\textsuperscript{136} Los Angeles Times: In an emotional speech on the Senate floor, Al Franken says he’ll resign amid allegations of sexual misdeeds http://www.latimes.com/politics/la-na-pol-franken-resignation-20171207-story.html
\textsuperscript{137} ibid.
Indeed, Governor Dayton named Tina Smith, the lieutenant governor, to replace Franken. She was sworn in to the seat on January 3, 2018, alongside Senator Doug Jones of Alabama, a symbolic moment for advocates against sexual assault.

Franken’s constituents, however, weren’t so sure his resignation had been called for. A poll taken in late December, 2017 (between his resignation speech and his actual resignation) found that 50 percent of voters believed Franken should stay in office, including 71 percent of Democrats. Interestingly, women were more apt to voice support for Franken than men were.

With his home-state behind him and many national leaders against him, a situation he held in common with Moore, Franken handled the situation substantially differently than his Alabama counterpart in a way that merits further analysis.

2016-17 Analysis

Donald Trump, Roy Moore and Al Franken came under fire in an era much different than the one in which Clarence Thomas, Bob Packwood and Bill Clinton had been engulfed in scandal. 2017 was a watershed moment for sexual assault, as the year kicked off with women marching in cities across the country and concluding with several powerful men having been removed from their jobs for past sexual misconduct.

Yet the three most prominent political figures to be accused of sexual assault all faced the allegations very differently from one another and were all met with notably different consequences. Again, it is clear that partisanship informs how accusations are viewed. Polls of

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Republicans across the country in 2016 and Republicans in Alabama and Democrats in Minnesota in 2017 found that all three men retained the support of most of their base despite the fact that the allegations all seemed fairly viable.

In that respect, not as much had changed since the 1990s as one might expect. However, reactions by the political elite demonstrated substantial evolution. The fact that so many Republicans rescinded their support of Trump, or even strongly condemned him, just weeks before a pivotal election was unprecedented in modern politics. Similarly, the entire Senate Republican caucus, minus one, not offering support to Roy Moore was remarkable. Across the aisle, the incredibly fast, strong condemnation of Franken, a well-liked, strong progressive, by his Democratic colleagues showed that both parties had become more attuned to removing those accused of sexual assault from their ranks.

Again, both the idealistic and cynical views of political leadership must be explored. In an idealistic analysis, one might find that leaders of both parties have developed deeper convictions and have become more willing to condemn misconduct within their ranks. In a cynical analysis, one might consider that, given the climate around sexual misconduct in 2017, it would have been politically foolish to align too strongly with one of the men accused of sexual assault. Perhaps, though, that wouldn’t even have been the case. People who supported the three men already were really not terribly moved by the allegations.

The reactions of the three men, while all different, also had aspects in common. All three became gradually more on the offensive as time went on. Trump went from apologizing for his remarks admitting to sexual assault to calling out Bill Clinton for being worse and later even denying that the Access Hollywood tape was real. Moore never apologized, but still shifted from saying he knew some of the women accusing him to denying knowing any of them. Franken
gave easily the most sincere apology and was the most willing to be investigated, but also railed on Trump and Moore more than he showed remorse for his own actions in his Senate farewell address, in which he also backtracked on how guilty he was.

As with the cases in the 1990s, the reaction varied depending on how powerful the individual and the office they were seeking were. For instance, while many Republican leaders condemned Trump, a healthy number continued to support him, even if lightheartedly. Ultimately, Trump won the election and the Republican leadership has been generally amicable with him as he’s settled in as President. It’s unsurprising that Republican leaders were able to more strongly condemn Moore and more apt to rescind their endorsements of him than they were of Trump. As troubling as losing a Senate seat in a red state like Alabama was, Republicans surely recognized that going from 52 seats to 51 seats in the US Senate was not the end of the world. On the other hand, losing the White House to the deeply unpopular Hillary Clinton would have been too much for many Republicans to handle, thus why Trump still retained some support from his party.

Franken, on the other hand, was the most expendable. While a strong progressive, he was not a particularly important member of the Senate’s Democratic caucus. Also, given Minnesota’s progressive governor and slate of progressive leaders, there were few worries that Franken would be quickly succeeded by another competent progressive Democrat once he left office. It was Minnesota Democrats themselves who stood by Franken, as they had a deeper level of respect and appreciation for him, as their senator, than did Democrats in other states.

While the specifics of the allegations varied wildly from man to man to man, this ultimately didn’t matter substantially in terms of how the voters and the political elite responded to the allegations as much as the partisan affiliation and political gain to be had from supporting
or opposing the accused man was. The allegations against Moore, given that they included sexual assault of a child, were perhaps the most serious, and, unlike Trump, Moore lost his election. However, Moore had held a fairly small lead in polling even before the allegations came out, and it’s possible that his divisive politics and Doug Jones’ incredibly well-run campaign operation may have combined to lead to a Jones victory, regardless.

2016 and 2017 proved that while sexual assault was taken more seriously than in the 1990s, not as much had changed as one might think. The most important man in the party, Clinton for 1990s Democrats and Trump for 2010s Republicans, was critiqued the least by his party for allegations against him. The most politically expendable individuals (Senators Packwood and Franken and Senate-hopeful Moore) were allowed to fall away in disgrace.

What had changed, though, was the fact that political leaders were at least willing to condemn inappropriate behavior in their own party and to, generally, profess that they believed the alleged victims. Clinton was never condemned by dozens of the most important people in his party as Trump was (even if many 2016 Republicans continued to support Trump). Packwood was not quickly pressured out of office like Franken was. And while many Republican Senators were not aligning with Roy Moore anyway due to his history of extremist, bigoted language and actions, it is significant that only one of 52 Senate Republicans ostensibly supported Moore.

**Conclusion**

The way sexual assault and other acts of sexual misconduct in this country are being perceived and treated are quickly changing, in some ways, while remaining very similar in others. Viewing allegations through a non-biased lens is difficult, especially in the polarized world of politics where everything is public information and where the sides have already been
Thomas Jefferson and Grover Cleveland were public figures in an era in which men had little to lose by committing sexual misconduct, so long as they maintained good enough reputations otherwise. By the 1990s, however, alleged victims finally had somewhat of an arena to share their story. Anita Hill going on national television to accuse Clarence Thomas of repeated sexual harassment was a watershed moment, even if it didn’t substantially affect how the American people viewed Thomas and did not prevent his confirmation to the Supreme Court. Either way, though, Hill started a conversation and influenced the future debates over what should happen to Bob Packwood and Bill Clinton.

As of 2018, the #MeToo movement remains in full swing. Women, and some men, across the country have been speaking out in great numbers against sexual misconduct. Women continue to accuse President Trump of sexual assault and sexual harassment, while Roy Moore and Al Franken have fallen away from the national stage for the time being.

It is clear that even with women becoming more apt to speak out against sexual misconduct, politics still is its own game. In almost every case analyzed in this thesis, the men accused of sexual assault retained the support of their base. Presidents Clinton and Trump have been able to treat allegations as part of a “vast right-wing conspiracy” or “fake news” respectively. When a politician is bombarded with attacks from the opposition, as the controversial Moore has been for the duration of his time in the public eye, it’s easy to spin accusations into the latest opposition attack. When a politician has a history of supporting women’s rights, like Clinton, Franken or Packwood, it’s natural to point to that history and use it to maintain respect.

So, in conclusion, it appears sexual assault allegations in the political sphere may not be
taken as seriously as allegations elsewhere, at least given the large amounts of support almost all
of these men have maintained, relatively speaking. It bears wondering whether the recent trend
of politicians more strongly condemning sexual assault within their ranks represents a genuine
good-hearted effort, or whether it represents an attempt to look to be on the right side of history.

Going forward, it is an unfortunate certainty than more politicians will be accused of
sexual misconduct, including sexual assault. It is important that these future cases are looked
upon through an apolitical lens. How much one likes a politician’s policies or how much they’ve
ostensibly done for women or families throughout their career need to be temporarily cast aside
to examine whether or not the allegations against the politician seem true. People should not be
quick to condemn a politician they oppose if they’re ready to jump to the defense of a politician
they support.

Finally, those accusing politicians of sexual assault need to be heard in full. They must
have a platform to share their stories without any media spin or distortion. The politician accused
should, of course, be allowed the same opportunity, but he must not use this as a way to silence
and humiliate his accuser. For centuries, victims of sexual assault have remained largely silent,
fearing repercussions if they speak out. This culture seems to slowly be changing and needs to
continue to do so. What party we belong to and what ideology we subscribe to should not affect
being a part of this change.

Trump’s election showed sometimes sexual assault accusations may not affect one’s
professional success, but Franken being ostracized by his colleagues and quickly resigning show
that they very well may. There are patterns for how politicians accused of sexual assault are
perceived and dealt with, but they are not always consistent. Going forward, a necessary step
seems to be finding a way to look at accusations with consistency, respect and without making everything involves politicians political.

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