

Weaponizing Legitimate Suffering for Revenge

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By Noelle Mering

VENTURA, Calif.—A strange, but very human, side of suffering is that we can react to it in exactly the wrong ways.

We can hold our traumas tightly, perpetually nursing them, and in so doing elevate ourselves to a special status where only we, who've suffered mightily, might enter. Our trauma can become both trophy and weapon.

Reading and hearing the litany of personal testimonies of abuse being recounted in response to the Kavanaugh hearings has been heart-wrenching.

In Christine Blasey Ford, survivors see an everywoman wounded, wronged, and fearful. In Brett Kavanaugh they see their abuser, in his skin color, his privilege, and his manner.

Emblematic of this phenomenon of identification is the recent *Washington Post* article, "We are all Christine Ford. Or Brett Kavanaugh." The problem is, well, no. We are not.

- This is exactly the wrong way to think and speak if we're concerned with justice.
- Your painful experience, grievous as it may be, tells us exactly nothing about Kavanaugh or the accuracy of Ford's accusation.
- If we were to hear hundreds of stories of men recounting having endured false and defamatory accusations, would we then have to side with Kavanaugh? Of course not.
- Other people's experiences are not evidence of an unrelated individual's guilt. Other people's experiences are just that.

If we want to talk about personal stories for the sake of growing in empathy or identifying and remedying a pattern of abuse in our society, then let's do that, but it needs to be outside of this context.

- It's a grave miscarriage of justice to apply a statistic or societal pattern to an individual in an effort to heap condemnation upon him.

A thought experiment: An African-American man from an inner city with a high crime rate is accused of a crime by a woman. There's no evidence and no corroboration, but there's a sincere-sounding accusation and compelling statistics of this type of crime from other men who fit his profile.

He has flashes of anger as he defends himself. Soon stories start flooding social and other media from other women about their traumatic experiences with men from inner-city backgrounds who sound a lot like this particular man. They claim they see in this man a representation of their own assailant. They see themselves and their own pain in the accuser. He represents to them the scourge of inner-city aggression.

To not condemn him, they say, would be a slap in their faces, and would reveal an unconscionable contempt for what they've endured. They storm the courthouse shouting stories of their pain and demanding this man bear the shame of it.

Would these stories at all be relevant to the question of his guilt or innocence?

Wouldn't we be horrified if the African-American man were condemned, even if just in the court of public opinion, based not on the evidence of an allegation but rather based on the mere fact of an accusation compounded with sympathetic testimonies of people recounting their traumatic experiences with assailants with similar profiles?

Wouldn't we find it sad but irrelevant that they'd had awful things happen to them, but also view it as quite prejudicial that their pain was being trotted out in order to convince people to rebuke this particular man whom they'd never known?

"But! But!" one might protest. "That would be offensive because black men have a privilege deficit!" That might be true, but first and foremost it's offensive because a basic principle of justice is that we don't determine an individual's guilt based on group identity, be it through societal patterns, statistics, or others' enumeration of the painful stories. We don't remedy irrational discrimination with more irrational discrimination.

Still, a recent *New York Times* article states: "After a confirmation process where women all but slit their wrists, letting their stories of sexual trauma run like rivers of blood through the Capitol, the Senate still voted to confirm Judge Brett M. Kavanaugh to the Supreme Court . . . Meanwhile, Senator Collins subjected us to a slow funeral dirge about due process and some other nonsense I couldn't even hear through my rage headache as she announced on Friday she would vote to confirm Judge Kavanaugh. Her mostly male colleagues applauded her."

- In other words, the experiences of women who are wholly unconnected to this accusation are sufficiently relevant, due process is nonsense, and Sen. Susan Collins's reasonable words are to be dismissed because of the sex of those who applauded her. Identity politics will not tolerate reason.
- To associate justice for the individual with the collective is to abandon justice entirely.

■ Justice doesn't praise or condemn people or evaluate their honesty or complicity based on being part of a group, or having a certain skin color, or being of an economic class, or being a woman or a man.

■ If we're concerned about justice, we need to apply just principles—otherwise the price of being woke is that our eyes are wide open, but our minds are fast asleep.

That Kavanaugh has been confirmed isn't a slap in the face of all survivors of assault. He isn't confirmed because sexual assault doesn't matter, or because Collins is anti-woman.

He is confirmed because by any standard of justice one person's uncorroborated accusation unaccompanied by evidence ought to be insufficient to destroy or derail another person, of any color, sex, or background.

If we want our stories of pain, no matter how numerous and severe, to become evidence of another's guilt, then what we want isn't justice but vengeance.

What we want isn't a societal remedy but a scapegoat. And what we are guided by looks less like principle and more like fanaticism.