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From "borking" to getting "kavanaughed": language, reputation, and the importance of a (male) name

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ABSTRACT

This paper considers how conservative media reported on the sexual assault allegations against Brett Kavanaugh which emerged during his 2018 confirmation hearing to the Supreme Court. Whilst the focus on the potential reputational damage to Kavanaugh was perhaps unsurprising, this paper is concerned with how the Kavanaugh name was mobilised to allow *Brett* Kavanaugh to stand in for his family, American men, and the nation more broadly, and contrasts this with the relative erasure of Christine Blasey Ford's narrative, that worked to paint her (and feminists who supported her) as an aggressive force attempting to destroy the lives of men. This was operationalised through moralistic conservative discourses that worked to privilege Kavanaugh's discursive victimisation, over Blasey Ford's material one. The message rang clear: tarnishing a man's "good" name is more perverse than sexual assault itself.

Introduction

On the 27th of September 2018, Professor Christine Blasey Ford testified that Supreme Court Nominee, Brett Kavanaugh, sexually assaulted her as a teenager. Millions of viewers worldwide (Serhan, Yasmeen 2018) watched as the Professor gave her account of the assault, and its impact on her life. Although her bravery in publicly addressing her trauma was widely acknowledged (Edwards Haley 2018), and most commentators were willing to accept she *had* been attacked (Werner, Erica 2018), some still insisted she was mistaken in identifying *Kavanaugh* as her attacker. This allowed him to condemn the confirmation process for being a "well-funded effort to destroy (his) good name" (Kavanaugh, Brett. 2018b). His account was mirrored in media commentary, which portrayed *both* Blasey Ford *and* Kavanaugh as victims.

This article is centrally concerned with how the arguments in Kavanaugh's defence – as articulated in conservative media outlets – centred on this purported threat to his "good" name. Specifically, I ask what *meanings* are attached to Kavanaugh's name, and contrast this to the more limited portrayal of Blasey Ford. It is important that we do not forget the

years of trauma Blasey Ford testified to experiencing (Kantor and Twohey 2019), and to acknowledge the corrosive effects of defamation on a person's life. However, it is also necessary to interrogate the ways in which Kavanaugh was defended, not because it is at all surprising, but because the arguments in his defence can tell us something about our contemporary culture.

This article explores the American conservative media's emphasis on the repercussions the hearing could have on Kavanaugh's "good" name. I argue that these media outlets adopted a "himpathetic" (Manne, Kate. 2018a) stance in which, Brett Kavanaugh's name functioned to afford him credibility and sympathy, while condemning Blasey Ford for attempting to ruin Kavanaugh's reputation. My analysis shows that Kavanaugh's name functioned as a representation of his individuality, his family, (white, American) men, and eventually his nation. I explain how this was operationalised through moralistic conservative discourses of crime (Boyle 2019), and injury (Banet-Weiser 2018) that worked to solidify Kavanaugh's discursive victimhood, and thus repaint Blasey Ford's testimony as a type of retributive speech. My findings highlight how a story about alleged sexual violation became a story about the victimisation of privileged white men. This builds on existing feminist literature on contemporary backlashes against feminism which presents white men as literally and metaphorically endangered (Banet-Weiser 2018, 2021; Boyle, Karen and Chamil. Rathnayake 2019). My analysis will highlight how tarnishing a man's "good" name is therefore considered more perverse than sexual assault.

The importance of a name

A name is a sign. It is made up from a combination of letters that serve as a linguistic representation of *the self*, used as a means of social organisation (Thwaites, Rachel. 2017). Names allow us to tell the world about ourselves. A big part of transitioning genders is to change one's name to something that signifies the gender one is transitioning to (Pilcher 2017). Therefore, a name goes beyond the ability to attach a mental image of the person to an identifying word, we attach emotional concepts and ideas about *who or what that person is and what they mean to us* (Thwaites 2017). A name not only functions as a representation of our gender, familial relations, or cultural and ethnic background; but of our achievements, actions, and *worth* (ibid). Thus, there is a connotational meaning behind our names. Barthes (1993) calls this *myth*. He explains, a sign sends a message about the "essential nature" of the person or thing it stands for, thus becoming a signifier for the *myth* of what that person or thing represents (ibid). A name functions in the same way, so that one's actions and achievements are understood as representative of one's reputation, which are then judged by the standards ascribed to that cultural milieu as being either "good" or "bad." Therefore, a reputation can be seen as the dominant "myth" of a person's character, which is represented by their "good" or "bad" name.

There is no shortage of research unpacking the various defences of men accused of sexual violence (e.g., Banet-Weiser 2021; Boyle 2019; Manne 2018a), including the many ways men's reputations are used to protect or defend them against these accusations (e.g., Boyle, Karen. 2018; Lindsey E. Blumell and Huemmer 2021; Leung and Williams 2019; Marghitu, Stefania. 2018; Strong and Rush 2018). However, these studies have often overlooked the way a name is operationalised in debates about reputation. As Banet-Weiser (2021) notes, a common component of public statements released by men

accused of violence is an emphasis on their "good names" which is also picked up in media reports centred on typically young, middle to upper class perpetrators that focus on them being otherwise "good" boys that therefore deserve our forgiveness and sympathy (Boyle 2019; Manne 2018a; Sela-Shayovitz 2015). That references to the myth of a man's reputation are commonplace in defences of his (alleged) actions, suggests that an analysis of reputation could benefit from an understanding of name. For example, Walters (2021) tracked how journalists dealt with celebrating former professional basketballer Kobe Bryant after his death, and whether they acknowledged that he was accused of rape in 2003. Walters found that most journalists opted for a cleansed narrative of redemption that made sure his reputation remained intact (ibid). One of the suggested reasons Bryant was able to overcome reputational damage from the accusation was because of his decision to "rebrand" himself professionally as The Black Mumba. As Bryant explained in an interview, by doing this "'Kobe' could deal with the personal challenges, while the 'Black Mumba' dealt with basketball" (ibid, p.11). This highlights how an inclusion of a focus on *name* and how it operates can enhance our understanding of reputation. Therefore, this article expands the research on reputation by focusing on the way in which a man's reputation is operationalised through a focus on his *name*, and the importance of maintaining a "good" one.

The importance of a "good" name, and the damage defamation may have on one, are ingrained into the foundations of American society. Benjamin Rush, a Founding Father, wrote that ignominy was universally recognised as "a worse punishment than death" (Rush, Benjamin. 1787, 8). As names are organised patrilineally, men's names are deemed *more* important, as they come to represent more than the individual. As such, a man's reputation means more *because* his name means more. This does not mean that a woman's reputation or name is not important, just that her reputation means something different, partly because the standing of her *name* means something different. Thus, misogyny works to protect men—especially white, privileged men—from ignominy, guilt, and moral condemnation, and instead it casts suspicion on the women who call into question a man's integrity. Kate Manne (2018b) calls this "*himpathy*," which she describes as "the inappropriate and disproportionate sympathy powerful men often enjoy in cases of sexual assault, homicide and other misogynistic behaviour." It works on the erroneous assumption that a person who commits sexual assault must be a monster, therefore when "good" men are accused it is considered unbelievable. As such, these men are generally exonerated by caricature, and the women who accuse them are recast as the true criminals (Manne 2018a, 199).

As Manne writes, the Kavanaugh case exposed how himpathy can devolve into gendered sociopathy: "a pathological tendency to feel sorry exclusively for the alleged male perpetrator" (Manne 2018b). Hence Kavanaugh being referred to as a "casualty of war" (Daniel Henninger 2018), and a victim of "Psychological Terrorism" (Simpson 2018). The damage done to Kavanaugh's name was framed as more abhorrent than the attempted rape he was accused of—even when his defenders believed he *had* tried to rape Blasey Ford (Darby 2018).

Below, I present an analysis of the way Kavanaugh's name came to represent not only himself, but his family, and his nation so that any reputational damage done to him could be read as equally damaging to his community and country. Therefore, I show how a focus on name can enhance an analysis of reputation, as in the case with Kavanaugh, where his

personal and discursive victimisation is read as an attack on his entire nation, thus privileging his discursive experience of "defamation" over Blasey Ford's material experience of sexual assault. The structure of the article follows this analysis and is divided into three parts: "Kavanaugh: The Individual;" "Kavanaugh: The Family;" and "Kavanaugh: The (American) Man."

Method & materials

My analysis covers three weeks during the 2018 confirmation process which includes three key dates: 16 September, the day Blasey Ford publicly voiced her account; 27 September, the day of the hearing; and 8 October, the day Kavanaugh was sworn into the Supreme Court. Media interest was most active during this period, offering an insight into the discourses that surrounded the case.

I drew from two main sources for my analysis. Firstly, Kavanaugh's testimony, which focused on his belief that the hearing was designed "to destroy (his) good name" (Kavanaugh 2018b). This narrative was picked up by the press and repeated in stories published at the time. Accordingly, his testimony plays an important role in showing how the "good" name discourse was an important aspect of the hearing, as well as demonstrating the pervasiveness of himpathy (Manne 2018a). Secondly, I was interested in the emphasis put on the repercussions the hearing could have on Kavanaugh's *name*, rather than on what happened to Blasey Ford. This required an examination of media focused on Kavanaugh's innocence and victimhood, not because there was no opposition to this (see Boyle and Rathnayake 2019; Manne 2018b), but because the focus on Kavanaugh-sympathetic reporting allowed me to interrogate how the "good" name discourse was used to garner support for Kavanaugh and condemnation of Blasey Ford. Therefore, I chose to analyse the conservative news media.

I was interested in the wider conservative narrative around Kavanaugh's innocence, as such I selected three news organisations that differed in medium, style, and tone. The first choice was an obvious one: *Fox News* is the most popular conservative news site in America (O'neil 2019). Foxnews.com typically gets over 300 million views monthly (SimilarWeb 2020a). However, it is a polarising news agency. Its viewership leans toward the "far right," its credibility as a news source is questionable, and it is rated as having right leaning political bias (Media Fact Check Bias 2020b).

The second agency, *The Federalist*, is mostly similar. It is an online magazine receiving over 4 million views monthly (SimilarWeb 2020b). *The Federalist* is considered influential within conservative circles, with *Fox News* contributors often writing for the magazine, and is rated as having a right bias (Media Fact Check Bias 2020a). However, both above news organisations have a "mixed" rating in terms of factual reporting (Media Fact Check Bias 2020a, 2020b). Thus, for my final source, I chose *Wall Street Journal*.

The *Wall Street Journal* is a subscription-based newspaper that is popular amongst conservatives and rated as having "mostly factual" reporting (Media Fact Check Bias 2020c). This is where Kavanaugh chose to publish his op-ed after backlash from the hearing (Kavanaugh, Brett. 2018a). It is available digitally and in print, with nearly 2.5 million subscribers (Aditi Sangal 2019). It typically receives around 50 million views monthly (SimilarWeb 2020c) and is rated as "right-centre" in its political bias (Mediabiasfactcheck.com 2020c). Thus, this selection of news sources, that appeals to

centrist as well as "far right" conservative consumers, gave an indication of how the himpathetic discourse developed.

By searching the online archives for each website, I collected all articles that mentioned the keyword "Kavanaugh" between 16 September and 8 October, giving a total of 799 articles. From there, I manually selected articles that included one or more of the following keywords and phrases: "good name;" "character;" "reputation;" "American justice;" "family" and articles that pertained to American libel laws and morals: leaving 151 for analysis. In these outlets, then, around 19% of the articles about Kavanaugh dealt with the themes relevant to this study. However, the original 799 articles included both update articles and segments on the hearing, as well as opinion pieces and analysis. Therefore, whilst the issue of Kavanaugh's "good" name was not the dominant discourse, it did play a significant role in the broader discussions surrounding the hearing that is worth examining further.

Kavanaugh: the individual

Part of the himpathetic discourse around the Blasey Ford—Kavanaugh hearing was focused on distinguishing Kavanaugh as an individual to differentiate him from similar narratives and (other) perpetrators. For instance, Robert Tracinski's article in *The Federalist*, explicitly titled, "Brett Kavanaugh is Not A Generic White Male. He's An Individual" (2018). Tracinski argued that "the left" were using Kavanaugh as an archetype and were thus condemning him on those grounds—for who he *is* – rather than for what he had, or had not, done. These arguments, which also worked to distinguish Kavanaugh from serial offenders like Harvey Weinstein (Fox News 2018d), shift the focus from interrogating the prevalence of men's sexual entitlement to women, and instead focus on what implications this may have for *men* (Boyle 2019). The conservative defence of Kavanaugh was grounded in these arguments, which focused on developing the myth of Kavanaugh's "good" name, at least in relative terms, to individualise and moralise him, and thus grant him discursive victimisation.

Three days before the hearing *Fox News* aired an interview with Brett Kavanaugh and his wife, Ashley Estes Kavanaugh, where he disclosed that he never had "sexual intercourse" in high school (Fox News 2018c). His interviewer, Martha MacCallum (ibid), picked up on that "So you're saying that . . . through all these years, that are in question, you are a virgin?," insinuating that it would be unthinkable to assume a virgin could be capable of attempted rape. The lines between the denotative definition of a virgin being someone who "has never had sexual intercourse" (Simpson and Weiner 2019a; Stevenson, Angus 2011a), and the connotative ideas the word invokes, such as innocence, purity, and moral decency, are blurred in this inference—suggesting that as Kavanaugh was sexually innocent and pure, he must have been a "good" man, and thus incapable of rape. Furthermore, it is interesting that Kavanaugh's comment on *intercourse*, was picked up and read through an understanding of *virginity*. With the statement that he abstained from sex in high school, Kavanaugh's sexual *morality* was emphasised.

Kavanaugh made frequent references to his religious nature as a devout Catholic (Kavanaugh 2018b). His comments about intercourse seem to be playing into this religious morality that often preaches no sex before marriage. This is furthered by Kavanaugh's emphasis on his relationship with his wife, who was present in this interview

and was seated behind him during the hearing. Comparing and tying Kavanaugh to the women in his life was another trend in the conservative media's defence of him. Articles focused on Kavanaugh's role as coach to his daughters' basketball teams (Andrea G. Bottner 2018; Darrah and Schallhorn 2018), and Kavanaugh himself emphasised his love and respect for the many women in his life in his testimony and in his op-ed for *Wall Street Journal* (Kavanaugh 2018b, 2018a). This was furthered by the conservative community's promotion of women who supported Kavanaugh (Boyle and Rathnayake 2019), and their framing of Kavanaugh's "respectful" treatment of Blasey Ford, as one reporter noted, "You could see he wants to defend his name but he doesn't want to go after her . . . unlike the way the Democrats are treating (him) . . . dragging his name through the mud" (Mark Thiessen in *Fox* News 2018b). Framing Kavanaugh in this light, acted as a moral alibi form him. The fact that he *could* "go after" Blasey Ford but chooses not to reinforces his respect for women, even to the detriment of his own name. The focus on his name highlights his discursive victimisation and furthers the myth of his "good" name and that he is a "good" man who therefore could not have done what Blasey Ford accused him of.

A large part of the himpathetic discourse focused on Kavanaugh as a victim of *defamation*. Kavanaugh himself draws on this narrative in his testimony, calling the reports levelled against him a "grotesque . . . character assassination" and a "well-funded effort to destroy (his) good name" (Kavanaugh 2018b). A conservative journalist warned the senate against letting Kavanaugh get "Mauled" by the "Ambush" (Mill, Adam. 2018b); and Sean Hannity accused the Democrats of "bludgeoning" Kavanaugh, adding "where does he go to get his good name back?" (Sean Hannity in Fox News 2018b). This rhetoric was reiterated in the conservative media's fixation with #MeToo and its effects on *men*. One journalist named it a "#MeToo Ambush" (The Editorial Board 2018a); another a "Terrible Revenge" (Mill 2018a). Karen Boyle calls this a language of violation (Boyle 2019), that works to reframe #MeToo as an aggressor. This ties in with Rush's quote claiming that being publicly shamed is "worse than death" (Rush 1787, 8).

The *injury* to Kavanaugh, which is centred on the "destruction" of his "good name," is repeatedly described in very physical and affective terms. For example, this article titled, "How It Feels To Be Falsely Accused: My high-profile clients know the *painful* personal costs of defamation" (emphasis added). Libby Locke (2018b) describes "the gut-wrenching trauma" she believes Kavanaugh must be experiencing due to this "reputational attack" (ibid). The accompanying photograph of Kavanaugh wiping his face with a tissue, along with the caption "Kavanaugh wipes a tear before the Senate" drives the himpathetic message home by highlighting his emotional vulnerability.

The final tool used for solidifying Kavanaugh's individual victimisation was centring the conversation around a discourse of *crime*. Boyle (2019) explains that much of the public conversation around sexual violation has been complicated by the undertones of justice and crime. This was demonstrated in the Blasey Ford—Kavanaugh case through the emphasis on "due process." However, the confirmation process is not set in a criminal context. There was no risk of Kavanaugh being found guilty (or innocent), the purpose of these hearings was merely to decide if he was worthy of such a prestigious position. Yet, conservatives labelled the hearing a "miscarriage of justice" (Hemingway 2018a), a "truly evil" "smear-campaign" (Hemingway, Mollie. 2018b), even Kavanaugh condemned the hearing for replacing "advice and consent with search and destroy" (Kavanaugh 2018b). He later reiterated, "Due Process means listening to both sides" (ibid), which the Senate

was doing by allowing *both* Blasey Ford *and* Kavanaugh to testify. The rhetoric of due process works within the discourse of crime to set Kavanaugh up as the victim of a type of moral righteousness. A good example of this was an article for *Wall Street Journal* titled, "The Presumption of Guilt" (The Editorial Board 2018b). The title implies that the legal principle that one is innocent until proven guilty has been discarded, which is furthered by the subheading, "The new liberal standard turns American due process upside down" (ibid).

The crime discourse works to derail any meaningful discussions on the prevalence of sexual violation into a concern over re-positioning "good men" as criminal (Boyle 2019). All this hinges on the notion that if you believe the accuser, you condemn the accused—a fallacy often repeated in conservative discourses. Even when writers consider that Blasey Ford *might* be telling the truth, they still found a way to exonerate Kavanaugh (Cleveland 2018). The more extreme side of it, argued that *even if he is guilty*, he should still be confirmed. As "it is better that one guilty person is put on the court" than an innocent one kept off it (Midgley 2018).

Of the 17 articles referenced in this section, only five mention any details of Blasey Ford's account of the event. Conservative reporters referred to her account as an "allegation" or a "sexual assault," not providing any detail of what she testified happened that day. When articles did reference her experience, they were either framed sarcastically, "Maybe Brett Kavanaugh is a gang raping attempted murderer . . . Maybe the devotion to his wife and two daughters, his respect for countless women and their careers . . . are parts of an elaborate plot to get away with it." (Hemingway 2018b); or Kavanaugh's actions are severely downplayed, such as the *Wall Street Journal* writing that the Professor was "pawed" at until she was able to escape (The Editorial Board 2018a). The latter is particularly interesting considering that what happened to Kavanaugh was described as a "bludgeoning" and a "mauling" (Fox News 2018b; Mill 2018b). Although this is not emblematic of *all* the conservative coverage of the Blasey Ford—Kavanaugh hearing, it is interesting to note that when the focus was on defending Kavanaugh's "good" name, the details of her account were omitted.

The conservative media's choice in de-amplifying the details of Blasey Ford's account worked to minimise the seriousness of the situation, framing the liberal reaction to the report as an overreaction. Furthermore, although most sources did explicitly name Blasey Ford in their reporting, it is interesting to note that a handful of sources referred to her as "the accuser" or "Kavanaugh's accuser" (Locke 2018b; Mill 2018b; Tracinski 2018), erasing her individuality and defining her only by her connection to Kavanaugh. Thus, the conservative defence of Kavanaugh turned into a type of gendered sociopathy (Manne 2018a), that focused almost exclusively on the plight of Kavanaugh, to the near total exclusion of Blasey Ford's experience, and at times, her name.

The attack on Kavanaugh's character is described as "truly evil" (Hemingway 2018b), a "bludgeoning" (Fox News 2018b), "painful" (Locke 2018b) and thus more damaging than the attack on Blasey Ford that is downplayed as something unthreatening and not serious. This is only possible because Kavanaugh is deemed more important. The patriarchy is built on moral standards that work to protect historically privileged men from "moral downfall" (Manne 2018a, p.xiv). Misogyny, as Manne writes, is the system that works to enforce these standards, therefore protecting men from shame (ibid). However, part of the reason Kavanaugh is deemed more important, is because of the symbolic value

attached to his *name*. As I explained above, because names are organised patrilineally, men's names are deemed *more* important as they represent more than the individual. Blasey Ford's experience is therefore seen as less serious as the character assassination of Kavanaugh because what happened to Blasey Ford only affects her. Whereas the attack on Kavanaugh's name affects more than just him, it also affects his family.

Kavanaugh: the family

Another trend in the conservative defence of Kavanaugh moved from focusing on his individual identity, to his *familial* one. This shifted emphasis from *Brett* Kavanaugh, to *the* Kavanaughs in an effort to further the (former) Judge's discursive victimisation: Blasey Ford was no longer solely destroying Kavanaugh's life with her accusation, but his whole family's lives too. Donald Trump demonstrated this thinking in his speech during Kavanaugh's swearing in ceremony, noting, "What happened to *the Kavanaugh family* violates every notion of fairness, decency, and due process" (Trump in Gregg, Re 2018, emphasis added). Interestingly, this change in focus is present in Kavanaugh's own defence, as he switches from wanting to "clear his name" in his *Fox News* interview (Fox News 2018c) to wanting to "defend his family" in his op-ed (Kavanaugh 2018a).

The idea that Kavanaugh's own reputational damage should be read as shameful for his entire family is rooted in a misogynistic system that centres stereotypical gender roles and a man's place in a family (Manne 2018a). Manne explains this thinking in her writing on family annihilators: men that have suffered a public downfall and react by murdering their family (ibid). This reaction to shame is based on an understanding that if the patriarch is shamed, his *whole family* must be shamed as well.

While there is clearly no insinuation here that Kavanaugh falls under the rubric of "family annihilator," this type of thinking is present in the conservative reporting of the confirmation process. For example, writing in *The Federalist* Payton (2018) defends Kavanaugh's infamously fervent testimony as "courageous," stating that "Kavanaugh had the burden of saving his family's name." She argues, "his defence would determine whether his family lives in shame or carries their heads high" so, she says, he was right to be angry (ibid). The language used here is embedded in the idea that *the* Kavanaughs' reputation as a family, is determined by *Brett* Kavanaugh's reputation as an individual.

The fact that Kavanaugh's reputational damage is read as equally shameful for his family as it is for him, is based on the concept of a "family name." As Thwaites (2017) argues, much of our social understanding of "the family" is centred around the existence of a shared name. A woman's family line "dies" with her marriage and adoption of a new name, even though she is contributing genetic material to this family (ibid). As the traditional naming system in the West is patrilineal, this sets up an understanding of the man as the head of the household: as his family is defined by him, and *by his name*. Thus, if Kavanaugh has a "bad" name, his whole family has one too. However, the reading of (Brett) Kavanaugh as the patriarchal head of the family is complicated by the fact that his father, Ed Kavanaugh, is still alive.

Traditionally, as Ed Kavanaugh is the eldest living "heir" to the Kavanaugh name, *the* Kavanaughs should be defined by *him* and not by his son, Brett. Therefore, it is interesting to note that—although Kavanaugh's mother, wife and daughters, were often referred to in reporting—I found no references to Ed Kavanaugh in my source material. Furthermore,

Brett Kavanaugh himself only mentioned his father by name twice: Once in his testimony "I am the only child of Martha and Ed Kavanaugh," and once in his op-ed "My mom, Martha . . . sat in the audience with my dad, Ed." (Kavanaugh 2018b, 2018a). The discursive erasure of Ed Kavanaugh worked to reframe *Brett* Kavanaugh as the true head of the family, and so *the* Kavanaughs can be victimised by *Brett* Kavanaugh's reputational damage.

Unlike Ed Kavanaugh, Ashley Estes Kavanaugh was a strong feature in conservative news media and was often framed as a victim. For example, *Fox News* published an article discussing the threats Blasey Ford and the Kavanaughs had received titled, "Brett Kavanaugh, wife, and Christine Blasey Ford all receiving death threats" (Darrah 2018). Estes Kavanaugh is reduced to the label "wife," whereas the other two are mentioned by their full names. This was an interesting choice, as Estes Kavanaugh was the *subject* of the article.

The way in which Estes Kavanaugh was discursively linked to her husband in news segments not only worked to victimise both the Kavanaughs, but to frame Estes Kavanaugh as a moral alibi for her husband. A *Fox News* segment titled, "'Feminists' Attack Ashley Kavanaugh" is an example of this (Fox News 2018a). The segment, reported by Allie Beth Stuckey, focused on criticising the feminist phrase "believe survivors" coined to counter the common reaction to disbelieve women who come forward about being sexually abused. Stuckey argued that as Estes Kavanaugh is a woman, feminists should believe her when she defends her husband—an obvious misrepresentation of the phrase.

Estes Kavanaugh's role in enhancing Kavanaugh's innocence is furthered with her presence in his interviews and the hearing. This falls into what Maushart (2001) calls "wifework" where her presence is seen as a form of emotional cheerleading for her husband. There has been surprisingly little research into the role of the "political wife" in situations such as these (Adcock 2010). However, Charlotte Adcock has argued that these women are often depicted as loyal secondary figures in their husband's lives as a means to make their husbands appear more "normal" and likeable to the public (ibid). Estes Kavanaugh was placed right behind her husband during the hearing, as a result she often appeared in the images of him testifying. The effect this had on Kavanaugh's image is interesting. Estes Kavanaugh is the picture of the loyal devoted wife Adcock is describing. She was generally seen as being visibly upset while watching Kavanaugh give his speech, which worked to "soften up" Kavanaugh's, self-admitted, overly aggressive testimony.

The role of Kavanaugh's family in the conservative media worked to establish him as the head of the Kavanaugh household (and name), and thus discursively link him to his family members. A name is meant to function as a means of individualisation. Yet this is only true for *some*. Although the name "Kavanaugh" is a shared surname, its main representation is the individual *Brett* Kavanaugh. Brett Kavanaugh *owns* his name. The others are merely borrowing it, meaning their societal worth is determined by *his*.

Kavanaugh: the (American) man

Much of the conservative discourse centred on the hearing focused on men's supposed vulnerability to false accusations of sexual violation. In an article for *The Federalist* titled, "If Men Don't Want To Get Kavanaughed, They Should Follow The Pence Rule" Garbarino,

Collin. (2018) refers to the controversial decision Vice President Mike Pence made to never eat alone with a woman who is not his wife (Turner 2017). Garbarino argues that this is now the only option men have to protect themselves from "a woman's word" (Garbarino 2018). The use of the gendered term "men" connotes that this is not just Kavanaugh's issue, but a problem that *all men* are facing, thus *all men* need to take protective measures (ibid). Furthermore, Garbarino uses Kavanaugh's name as a verb, "kavanaughed," connoting a type of male victimisation - harking back to Robert Bork's failed Supreme Court nomination in 1987.

In his career as a conservative federal judge, Bork opposed civil rights laws, and Supreme Court decisions on gender equality (Totenberg 2012). Democrats strongly opposed his nomination, which was eventually defeated (ibid). Bork became a tragic hero of sorts to Republicans, who were so incensed by his defeat that Bork's name became a verb (ibid): to "bork" someone is defined as "obstruct (someone, especially a candidate for public office) by systematically defaming or vilifying them" (Stevenson 2011b). Garbarino furthers this idea with his neologism, "kavanaughed." Where "borking" is mostly limited to a person running for office, getting "kavanaughed" seems to extend to the wider (male) population. Thus, the link between Kavanaugh's name and the connotations of male victimhood and vulnerability, are solidified. Indicating that himpathy is—at times literally—written into our language.

Garbarino, like Stuckey above, argued that the desire to believe women is putting men in danger, as a woman's "false" accusation is believed over a man's denial (Garbarino 2018). This rhetoric plays into the idea that Kavanaugh, and thus all the things he comes to represent, are being victimised by the feminist movement. Banet-Weiser explains that these "battles" between the feminist and misogynistic discourses generally revolve around the themes of confidence, competence, and shame (Banet-Weiser 2018, 4), which played a major role in the conservative media's framing of Kavanaugh as a victim. Banet-Weiser explains that these themes are based on the logic of twin discourses of injury and capacity (ibid). Both popular feminism and popular misogyny, rely on a neoliberal understanding of "capacity" for success, and both see "injury" as a reason for why they cannot succeed. For feminism, the injury is sexism. For misogyny, the injury is feminism (ibid). Garbarino's interpretation of "believe all women" plays into this, as the feminist phrase is now seen as a type of injury to men, preventing them from feeling safe around women. Thus, this discourse produces social knowledge on the vulnerability of men in this new #MeToo era.

Much of the conservative discourse around the confirmation process focused on the comparison of Kavanaugh to various African American men as a means of furthering his victimisation (Boyle and Rathnayake 2019), in particular, Justice Clarence Thomas. Like Kavanaugh, Thomas was in the throes of his confirmation process when Professor Anita Hill's report of sexual harassment was made public (Totenberg 2018). Thomas was also accused by multiple women, yet, like Kavanaugh, was confirmed to the supreme court regardless (ibid). Although an in-depth comparison between these two cases is beyond the scope of this paper, there are important similarities between them. For example, the emphasis put on Thomas's "good" name and Senator's condemning the tarnishing of it (Hill 2021, 46), and the idea that Thomas needed to be confirmed for the "greater good" (Crenshaw, Kimberlé. 2021). Furthermore, like Kavanaugh, an attack on Thomas was presented as an attack on *more than the individual*. Thomas came to represent his entire

race—never mind that Hill was also part of that race or that Thomas, a staunch conservative, had done much to *disadvantage* the community he was taken to represent (Crenshaw 2021; Boyle 2019). This says something to the symbolic value attached to male figures that warrants further investigation. However, there were important differences between these two cases.

Race played a *major* role in the Hill—Thomas hearing and was used by Thomas to subvert the authenticity of Professor Hill's testimony, with his now infamous line describing the hearing as a "high-tech lynching" (Crenshaw 2018; Morrison 1992). The comparison of these two hearings in the media was disingenuous, as it completely ignored the other major aspect of this case: the misogynoir that Hill, an African American woman, was subjected to (ibid). However, the surface level comparison was still made to twist the narrative about race into a victimisation and vulnerability of *white* men.

Hirschauer (2018) wrote an article titled, "Kavanaugh Hearing Shows Any White, Male Scalp Will Do For Progressives." Hirschauer commented on what he believes to be a new-found vengeance in liberal-minded America to punish white heterosexual men for the sins of the past, stating "That justice demands we pillory Kavanaugh's reputation and good name on the basis of historical redress—sets a horrifying precedent" that Hirschauer refers to as "high-tech reparations" (ibid) an appropriation of Thomas's infamous line. His article highlights the importance conservatives place in a man's "good" name, as well as the racist undertones found in conservative discourses that plays back into the language of violation (Boyle 2019) once again equating a discursive victimisation with a material one.

These sentiments were echoed in much of the conservative coverage of the Blasey Ford—Kavanaugh hearing. In an op-ed for *Fox News*, McCarthy (2018) drew comparisons between Kavanaugh, Bork and Thomas, three men whose "good names" have been "ruined." Recalling their "muggings" by democrats, McCarthy writes, "we . . . have reached the metaphorical end of civilisation . . . when Republicans are disqualified based on unprotected, unprovable, and largely unremembered misconduct" (ibid). There is a notable shift in the language here: it is not just *men* but *civilisation* in general, as represented by Republicans in particular, which is under threat.

McCarthy was not alone in his reactionary prophesising. Kavanaugh stated that he "feared for the future" of the country considering how the hearing was handled (Kavanaugh 2018b). An article in the *Wall Street Journal* stated that the smear campaign against Kavanaugh, "would be unworthy of a Third World country" (Rove 2018). Another declared the hearing was "Un-American" and warned that "all Americans should be fearful" (Locke, Libby. 2018a). It is no longer only (white/straight) men that need to worry about getting "kavanaughed," but in fact the *entire nation*.

One of the most inflammatory arguments in this line of thinking came from Morabito's (2018) article in *The Federalist*, in which she compares Kavanaugh's character assassination to gang rape. Morabito, too, references the "smearing" of Thomas and now Kavanaugh, as examples of a pattern of behaviour in liberal politics that she calls "ritual defamation," noting "Perhaps an apt metaphor for ritual defamation is the gang rape of one's character and good name" (ibid). She calls the American republic "seriously sick," warning that if the "infection" is not stopped, American society will derail into "lawlessness" (ibid). To Morabito, Kavanaugh is not just a representation of the vulnerability of men, but of the

entire American population. "ritual defamation" is so immoral, that it can be seen as gang rape.

Morabito claims Kavanaugh is being slandered for his "violation" of the liberals so-called "taboo on sexual abstinence" (ibid). She refers to his family, in particular his daughters, and how they must be suffering from this experience (ibid), once again using Kavanaugh's relationship with his family as a moral alibi. Thus, Kavanaugh is cast in the role of the moral citizen.

The labelling of this "ritualistic defamation" as a *sickness*, that every American is capable of catching, originally seems to be implying that every American is at risk of having *their* good name's "raped" too. However, the language used in Morabito's warning about America declining into a "lawlessness" is indicative of a different threat: *a threat of contamination.*

There is a shaming quality in Morabito's writing that was echoed in the labelling of the process as "Un-American" (Locke 2018a), that works to shame readers into supporting Kavanaugh. Sara Ahmed (2014, 108) writes that national shame is often used as a means of acknowledging a society's wrongdoing so that it can reconcile the past, thus acting as a "narration of reproduction." Much of the above seems to play into this idea. Shame is based on a moralistic system of principles that come together to create the "ideal image" of a nation (ibid). This system produces social norms that everyone must conform to, to be accepted by the group. Thus, our moral development is influenced by this "ideal" national image and the norms it produces (ibid). We live in a patriarchal society. Misogyny is entrenched within certain social norms. Thus, some of the morals that make up the "ideal image" of a nation are based in misogyny. However, societies are constantly changing, and the social contract is always being renegotiated. Reactions to these changes can be hostile, as some groups are watching the social norms they value, get dismantled (Manne 2018a).

Feminism has profoundly unsettled the conservative social order that is built on a patriarchal understanding of the world. Yet, to certain people the misogynistic social environment *makes sense*, and thus their disdain for feminism and women like Blasey Ford is a reaction to the ideals and morals that they uphold in society being destroyed (ibid). Therefore, national shame is at times used *deliberately*, as a means of restoring the nation's conservative ideals and morals (Ahmed 2014). Thus, the treatment of Kavanaugh becomes a representation of national shame. This framing was emphasised by Donald Trump who apologised to Kavanaugh "on behalf of the nation" (Trump in Gregg 2018). His words demand that the entire nation—which includes Blasey Ford—feel ashamed for what happened to Kavanaugh and his name.

Conclusion

Through an analysis of Kavanaugh's name and the meanings and significance that are attached to it (Kavanaugh as an individual, a family, and an American man) I have shown how a man's reputation means more *because* his name means more. Thus, any aspersion cast against his name is considered an attack not just on him, but his entire community, rendering the assault on Blasey Ford, and women like her, as less significant. The importance of a name is further highlighted by Kavanaugh's, and Robert Bork's, names being used as verbs, from "borking" to getting "kavanaughed," solidifying the link

between their names and an understanding of male victimhood and vulnerability. As such, the research presented in this article makes a distinct contribution to the debates about the cultural value of reputation by linking it to the gendered function of a name.

This article is centrally concerned with how stories about alleged sexual assault which centre accused men can therefore become stories about entirely different issues such as national identity, political allegiance, and family values. By expanding on previous feminist scholarship on reputation (Boyle 2018, 2019; Marghitu 2018), I have demonstrated the symbolic value given to the myth of men's "good" names and how that is operationalised through moralistic conservative discourses of crime (Boyle 2019) and injury (Banet-Weiser 2018) that work to privilege a man's discursive victimisation over a woman's material one.

This study also highlights areas of further research, such as the ways in which Clarence Thomas's name was operationalised in media reporting at the time or comparing the treatment of a woman and man's name in cases involving sexual violence, and how reputation is managed in the absence of a name. Our contemporary culture values men's names, thus an attack on a man's reputation can be seen as more damaging than a physical attack on a woman's body. In the instance of the case in question, the physical attack on Blasey Ford was therefore seen as less damaging than the discursive attack on Kavanaugh's name because his name is representative of so much more than just one person. Perhaps this is why, in "he said/she said" cases, "he" is more likely to win. After all, "he" represents his entire nation, where "she" only represents herself.

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Disclosure statement

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