

Intersectional Analysis; Harvey Weinstein trial/case

Hollywood has been well known for its notorious enigmas surrounding the entertainment industry and its critically acclaimed individuals, such as those within high positions of power and influence, treating its individuals to further subordination and marginalization of their race, class, gender and sexuality and the way such enigmas has influenced the lives of those within the entertainment industry in anonymity and conspicuousness as to a regard based on the prevalent notion of agency and privilege.

Within the contemporary period, the intersections of race and privilege within the Hollywood entertainment industry has allowed for a 'racial' juxtaposition between women of colour and white women who work within the Hollywood entertainment industry. Racial privileges such as privilege over agentive control over the manner of women's sexual abusive experiences has been presented within the case of the Harvey Weinstein trial and the muted, unspoken voices of women of colour within the sexual abuse trial in contrast to white women who had more agentive control in speaking up against their perpetrator, Harvey Weinstein.

Historically, the Hollywood industry has seen to tokenise black men and women as the perpetrators and victims of the many alleged cases within the sphere of the entertainment industry and over the recent years, such claims has taken a shift in the racial axis of sexual abuse cases lodged against long-standing abusive men within the entertainment industry which has recently been exposed to the public for knowledge and understanding as to why such phenomena exists around white men specifically within the entertainment industry along with the allegations laid against these men within the realm of rape and sexual abuse discourse of women within the Hollywood entertainment industry. Prime instance of such understanding lies within Crenshaw's opening analysis of intersectionality (Crenshaw, 1991) in which she draws from the "strength of shared experience (Crenshaw, 1991, p. 1241)" in juxtaposition to the individual lived experience and within Crenshaw's context, the origins of Crenshaw's concept of 'intersectionality' (Crenshaw, 1991) illuminates the experiences of battering within women of color within shelter homes in Northern America. Drawing from the 'strength' of such 'shared' experience, experiences of battering and abuse that women have faced around the world has been shaped and transformed through Crenshaw's analysis and conceptualization of intersectionality. In understanding, intersectionality can be seen to be a criss-cross system of multiple oppressions within analysis of social relation and social identity with intersectionality helping us to understand the power relations within society, and governance of power relations in the individual and group experiences of given power relations which be examined and understood through the concept of intersectionality.

The large scale at which the incident within Hollywood regarding the Harvey Weinstein rape trial and sexual misconduct of multiple women who put forward multiple allegations against the white, heterosexual privileged man has openly left the discourse around the maltreatment of women within the entertainment industry at the hands of men like Harvey Weinstein, not only has this discussion been opened for critique, but too for the recognition and reconstruction of the perceived notions surrounding the entertainment industry and the role of women's experiences at the hands of abusive men such as Harvey Weinstein.

As (Crenshaw, 1991) illuminates, battering and rape was once a 'private' phenomenon done in the home of family orientated patterns and now such phenomena is to be discussed and broadcasted at the level of the public sphere of matters, directly linking to the instance of the Harvey Weinstein case in which women brought forward evidence of multiple allegations against Harvey Weinstein of rape and sexual abuse and misconduct. The misconduct conveyed by Harvey Weinstein was seen as an 'open' secret within the entertainment sphere of Hollywood. As such abuse that was once done in 'privacy' and kept private, it has now illuminated through the public sphere of knowledge, further contrasting to the way in which women voice their experiences of abuse at the hands of privileged men.

Crenshaw looks to align the theory of intersectionality not only with liberation and understanding but to also be the source of "social empowerment and reconstruction (Crenshaw, 1991, p. 1242)". The intersections for these women being the 'will of success and fame' at the hands of male abuse in contrast to the understanding of women's experiences of rape and sexual misconduct at the hands of privileged men.

The Harvey Weinstein Case was to be explored on October 5<sup>th</sup>, 2017 when The New York Times published an investigative report on Harvey Weinstein stating that "accusations of sexual harassment and misconduct against Weinstein reached back several decades. The film executive allegedly stuck to a pattern, he would invite women to his room to talk about a script, a role or another aspect of their career, and then he would undress and request massages or sexual favors. Weinstein's accusers include Ashley Judd and Rose McGowan. In addition, the investigation reveals that the executive allegedly paid off at least eight people to prevent them from making their accusations public and that employees at his companies were often complicit in his behavior (Leight, 2018)".

This thus became the basis for further investigation into the abusive behavior multiple women have faced at the hands of Harvey Weinstein, one of Hollywood's most notoriously acclaimed producers.

(Crenshaw, 1991) illuminates the axis upon which women around the world fall upon within an intersectional understanding along such axis, with women of color occupying both physical and cultural positions of marginalisation, with such positions of marginalization within the Harvey Weinstein case, women of color were primarily targeted by Harvey Weinstein, for his own sexual pleasure but also for a means of excuse as he knew many of these women would not speak up against him due to his status as an infamous white producer. If allegations were to come forward as in this case, women of color are seen to have a disincentive to approach their perpetrators since they don't have the similar emotional supportive network that white women have, especially within the entertainment industry of Hollywood and such impact had been illuminated by the Harvey Weinstein case as women of colour felt “discredited” that if they came forward against Harvey Weinstein they would be at further position of subordination and marginalization, this time at the hands of the industry as a whole.

The juxtaposition framework of marginalization and subordination within women of color appears to allude to white women who tend to appear there for one another, as opposed to not really being there for women of color in support against sexual abuse. It is within such framework that (Crenshaw, 1991) highlights that women of color "suffer from the effects of multiple subordination due to the fact their cases are less likely to be pursued by the criminal justice system in comparison to white women (Crenshaw, 1991, p. 1251)". The privilege portrayed by white women seems to eradicate women of color from the discourse surrounding sexual abusive misconduct within the entertainment industry and allows for further maltreatment of women of color who are muted in voicing their experiences of sexual abuse at the expense of privileged others.

In understanding, Harvey Weinstein's positionality as a heterosexual white male within the process of the trials laid against him (Connell, 1998) conceptualized masculinities through multiple lenses in which a presenting ‘hegemonic masculinity’ had emerged and has been central to the theory of gender within the social sciences. Hegemonic masculinities have been used to describe the “reproductive area (Connell, 1998)” in which men operate on the basis of ‘male domination and female subordination’. It is at this level of large-scale social institutions in which hegemonic masculinities flourish and become natured within society, such as the large-scale institutions such as the Hollywood entertainment industry itself in which Harvey Weinstein has been an acclaimed character and prestigious member of for many years.

It is rather the possession of a hegemonic masculinity that has infiltrated the industry that has caused such adverse effects towards women and such masculinity expressed by Harvey Weinstein that has thrived upon.

In oppose to a ‘certain set of characteristics’ embodied by Harvey Weinstein (Connell, 1998) argues in opposition to the individualistic set of traits of a hegemonic masculinity. It is in such social practices such as rape and the abuse of women that the collective embodiment of hegemonic masculinities thrives upon. Harvey Weinstein illuminates (Crenshaw, 1991) understandings of the political intersections of rape surrounding the “articulation of racism and patriarchy (Crenshaw, 1991, p. 1265)” through his embodiment of a hegemonic masculine character within the entertainment industry. Such intersection of racism and patriarchy intersects with the social identity as of a white privileged male in contrast to a woman of color looking to strive within the entertainment industry as women of color are seen as both culturally and physically marginalized and in such, extremely subordinated within a white hegemonic dominated industry such as the Hollywood entrainment industry, women of color are seen as vulnerable targets for perpetrators such as Harvey Weinstein.

Patriarchal works and imagery dominate within the framework of the entertainment film industry; the film industry has dependably been a male-dominated field. It has its foundations in an arranged matrix where preparations surrounded men with regular sexism being moved towards standardization throughout the years especially within the stigmatized and generalized notions of women within the film industry whilst aided by the fact that historically, women acknowledged this sort of separation and badgering, compliantly and undoubtedly within the film entrainment industry. Only recently have women been awed that they have been incorporated into this uncommon world of male abusive behavior within the film industry and through this illumination (Crenshaw, 1991) explains that a unity of women within intersectionality is to be further highlighted and explored. As such, the imagery of women portrayed within male-centric structures such as the film industry should rather not be concealed by these messages of subordination; in which women fall under the façade of female strengthening and autonomy and such imagery is perpetuated by producers such as Harvey Weinstein throughout his films that women are subordinative to male domination. It is through such an industry that has allowed Harvey Weinstein for years to benefit from such sexual misconduct toward women.

Once the allegations towards Harvey Weinstein were made public, the perpetrator himself handed himself into the New York Police Department on the 25<sup>th</sup> of May 2018. Where he was “granted bail at one million US dollars (Alexander, 2018)”. The instance of such a manner in which a man can hand themselves in with sufficient evidence of rape and sexual abuse and be able to walk free further illuminates the gap in the way which men are treated and prosecuted after their crimes by the criminal justice system in the United States. And at such level of privilege over the justice system. It is through the lack of communication of the criminal justice system and the infamous individuals such as Harvey Weinstein that the gap between privilege and inequality becomes illuminated.

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With over 50 allegations made towards Harvey Weinstein, his trial date has not been set yet. Previously he pleaded not guilty for the sex charges originally laid against him. Following the 22<sup>nd</sup> of August, “Harvey Weinstein is facing new allegations of sex trafficking and rape. A German actress, using the pseudonym Emma Loman, filed a federal lawsuit in Los Angeles on Monday, alleging that Weinstein raped her during the Cannes Film Festival in 2006. She is suing Weinstein for violation of human trafficking laws, assault, battery and false imprisonment, according to court documents obtained by CNN” (Melas, 2018).

With repercussions made towards the women who suffered at the hands of Harvey Weinstein with him losing all linkage to the multimillion-dollar corporation ‘The Weinstein Company’ such repercussion is not enough to fix the wrongdoings of the sexual predator himself as “advocates against gender violence say the Hollywood producer's arrest is a major symbolic victory, but just the start” (Bautista, 2018).

The intersections of race and privilege play here against and in favor of Harvey Weinstein as a privileged white man causing a paradoxical contrast. Whereas if such was the case with a critically acclaimed black director, the charges would potentially have been harsher and all allegations would have been taken into account on the basis of the perils of sex between black men and women. It is through such racism and sexism written into sexual abusive narratives, that precludes existing conditions of privilege and class with such conditions of privilege on the basis of race and class to be exploited and expressed through sexualized imagery of women within the film industry, a condition Harvey Weinstein looked to manipulate and abuse to every extent and had gotten away with for years.

(West & Zimmerman, 1987) exploration of gender as portrayal of interaction through socially organized achievements and performance is of importance within Harvey Weinstein’s case as the socially constructed notion of a successful white male eluded the vision’s and perceptions of societies individuals for years and Harvey Weinstein passed as a successful white man, while perpetuating numerous sexual predatory acts in ‘open’ (Mandell, 2017) secret from an entire corporation which is fixated on sexualized imagery.

As of (West & Zimmerman, 1987) understanding, the actions perpetrated by Harvey Weinstein could be seen as an act of ‘misdoing’ gender in all forms and mite, aiding to perceived notions of ‘standardized’ social occasions between men and women which Harvey Weinstein has taken advantage of through hegemonic belief. Through such ‘standardized notions and social organizations’ (West & Zimmerman, 1987, p. 137) Harvey Weinstein lured women into his rooms and offered them luxury in repayment for sexual conduct and on the basis of ‘doing gender’ such action constitutes as manipulative and predatory tactics in aid for male sexual pleasure.

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The intersections of white male privilege had allowed Harvey Weinstein to reach various settlements with a number of the women who had accused him of sexual misconduct, through such understandings of monetary value, it seems as if monetary value has the ability to exceed the human physical understanding of agency and the right of consent within a multi-billion-dollar corporation.

This statement by Harvey Weinstein “I appreciate the way I’ve behaved with colleagues in the past has caused a lot of pain, and I sincerely apologize for it. Though I’m trying to do better, I know I have a long way to go” (New York Times, 2017). This statement, however, does not create room for any justification for his doings. What he has done has been fixated on the vulnerability of his victims and the manipulation of his status as an acclaimed producer within a male-dominated industry.

The exuberated notions of power relations between men and women is highlighted by the way in which Harvey Weinstein has navigated through the accusations put forward against him instead of facing the repercussions that another male would face, certainly if a black producer were to face the claims Harvey Weinstein faces, the black male would be prosecuted and given little to none opportunity to navigate the claims in manner which Harvey Weinstein has done so, as black men are perceived as “stereotyped as uncontrollably violent” (Crenshaw , 1991, p. 1253) towards women.

Navigating back to the originality of Crenshaw’s intersectional understanding and in context of the Weinstein case. Harvey Weinstein manipulated the plight of women of color within his abusive practices. The manner in which women of color were treated by Harvey Weinstein through subjective and objectory measures were of extreme measure as Harvey Weinstein was present with the knowledge of the extent to which he could manipulate these women without them saying a word, based on the narrative of him being a white successful critically acclaimed producer within a homogenous white community in which the primary beneficiaries of policies within the entertainment industry; benefit white women as opposed to women of color and this is well illuminated in the cases of women who have decided to stand up against the maltreatment faced by Harvey Weinstein. Such rhetorical strategies induced by men in positions of power, leaves women of color at a disadvantage to white women in the context of rape, privilege, power, and class and further intersects with the autonomy of the individual and understanding of free-will in which Durkheim overserved in the *Elementary Forms of Religious Life (1912)*; that the level of the individual, largely intersects in contrast with relation to the individual’s setting and placement within social structures.

(2774 words)

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