

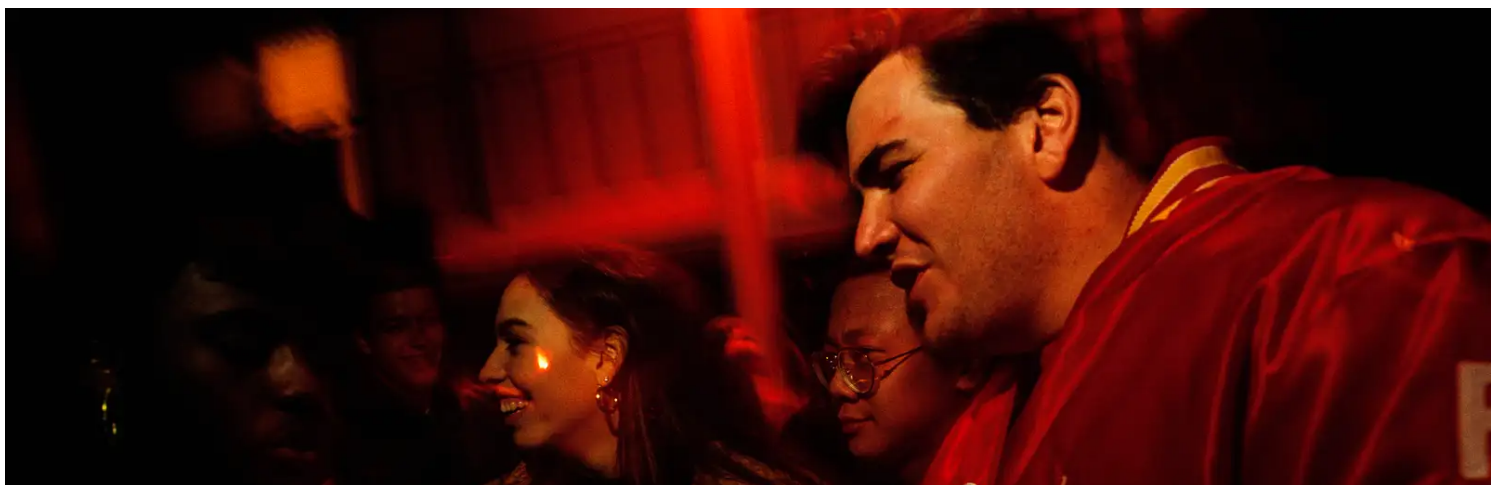


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IN DEPTH

'Himpathy' Is Making Colleges Suspicious of Women Students Who Report Sexual Assault

New research reveals alarming examples of how sympathy for men accused of sexual violence worked its way into one university's Title IX office.





A campus frat party in the '90s.

Photo: Mark Peterson/Corbis (Getty Images)

By Kylie Cheung Published September 6, 2023 | Comments (43)



In 2015, when Sage Carson was a sophomore, she went to her university’s Title IX office to report her sexual assault. There, she encountered a process so drawn out that it felt purposefully designed to wear her down until she withdrew her report and her assailant, a senior, graduated. Administrators she worked with emphasized that they “were really worried about possibly telling him he’s not going to graduate, how unfair that would be to him,” Carson recently recalled to Jezebel.

She wouldn’t learn the term “himpathy” until years later, but that’s what she’d experienced: gendered sympathy for men, specifically when they’re held accountable for their own mistreatment of women—as in, the [“himpathy” President Trump felt for Justice Brett Kavanaugh](#) when, during Kavanaugh’s 2018 confirmation hearing for the Supreme Court, Christine Blasey Ford accused him of sexually assaulting her when they were teens. “Himpathy” lives at the heart of campus Title IX offices, according to an academic [article](#) by Dr. Nicole Bedera published in the *Journal of Higher Education* in April, thwarting women students when they walk through the office doors to try to report their own assaults. And there are many who do so: Approximately [one in four women undergraduates](#) is victimized by sexual assault—an act perpetrated by [one in 10 male college students](#), according to one study.

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Through observation at one large public university's Title IX office between 2018 and 2019, and 76 interviews with Title IX administrators and students at the unnamed university, Bedera found that in most cases, Title IX administrators determined the trauma that women victims incurred was either too severe for the university to even try to remedy, or that the women were "hysterical." Sometimes administrators determined that neither party was lying when they had different perspectives on how a sexual encounter had transpired, with women saying they were harmed and men recounting a consensual encounter. But in such cases, men's proclamations of innocence were valued above women saying they were violated. An attitude that assailants are unfairly punished for engaging in typical "boys will be boys" behavior also prevailed. At the time, MeToo had just entered the cultural mainstream, and with it came significant backlash led by men's rights activists. "Universities became very interested in trying to prove men's rights activists wrong, in saying they were unfair toward men," Bedera, a sexual violence researcher and doctoral candidate at the University of Michigan, told Jezebel.

Professor Christine Blasey Ford, who accused U.S. Supreme Court nominee Brett Kavanaugh of a sexual assault in 1982, is sworn in to testify before a Senate Judiciary Committee confirmation hearing for Kavanaugh on Capitol Hill, September 27, 2018 in Washington, DC. Photo: Jim Bourg-Pool (Getty Images)

To Carson, who went on to advocate for campus survivors through Know Your IX, “himpathy” is also a reaction to girls failing to just be girls: “There’s this puritanical aspect of it that tells us ‘good girls forgive’—that if you are filing complaints against him, you’re not a good girl, you’re not fitting within your gender norm,” she said. “Because you should be forgiving. You should be kind. And if not, you should be punished.” She’s come to see “himpathy” ultimately as a tool of gender role enforcement on college campuses.

“You can feel icky about it, but that also doesn’t mean you have to be mad at someone else”

Title IX offices are tasked with addressing gender-based discrimination, including sexual violence, on university campuses. But Bedera encountered jarring beliefs about victims and even disinterest in doing the job among employees at the Title IX office where she conducted her research. In her article, “I Can Protect His Future, But She Can’t Be Helped: Himpathy and Hysteria in Administrator Rationalizations

of Institutional Betrayal,” she writes that administrators “complained” that their jobs felt like unnecessary “oversight of students’ dating lives” and “wished that students would just ‘manage these problems on their own.’” An administrator identified as Kim told Bedera about a male student accused of sexual assault whom she sympathized with, as he was forced to stop pledging a fraternity.

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Title IX administrators explained to Bedera that assaults were often misunderstandings—one reduced victims’ trauma to “icky feelings”: “If you feel icky about it, you can feel icky about it... But that also doesn’t mean you have to be mad at someone else,” they said. Another administrator cited a victim she believed was only reporting her assailant as “revenge” for his infidelity, seemingly ignoring a death threat the assailant had sent the victim. And if a reported assault was too overtly violent for administrators to minimize, Bedera observed that administrators would pivot to language about how sanctions were bandaids anyway: “[A punishment] doesn’t fix it,” one administrator told her. He continued: “A lot of times, I end up feeling bad for everyone, right? Because people get kicked out of school and then they’re going to go work at Burger King and sexually harass people at Burger King. [Laughter.]” A “good outcome,” the best outcome, another administrator reasoned, was for all parties to walk away from the Title IX office unsatisfied.

Carson spoke to one survivor through Know Your IX who recalled asking her university for a no-contact order against her assailant to prohibit him from being in her classes or organizations. But when her assailant complained about the no-contact order, it was withdrawn, and he promptly began showing up at her dorm and club meetings.

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LONGER SEE IT AS ALARMING.

In the Title IX office Bedera observed, there was no feminized version of “himpathy.” Women are rarely on the receiving end of Title IX reports—Bedera’s research includes three incidents of Title IX cases brought against women—but when they are (often as retaliation for reporting their assailants), Bedera told Jezebel no consideration is given to how consequences will “ruin their lives.” And in schools across the country, when men do report experiencing sexual violence, they can face mistreatment and disbelief, as well.

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In one case, a male student being investigated for intimate partner violence retaliated by reporting *his partner* for fighting back. Per Bedera’s article, “rather than dismissing these claims, [university staff] empathized with the man making them and tried to meet his demands.” In another case, a female employee at a university had her tires slashed by an ex; when he was interviewed, he claimed that she’d raped him. She was fired without further investigation. Bedera wrote: “There was no concern about how she would pay her bills or how the termination would affect her future employment prospects.” The contract worker was eventually rehired after her ex admitted he’d lied, but only after he “consented to her rehiring and the two signed a no contact directive to protect *him* from *her*.”

And in another case, an altercation ensued between a white male college student and a 17-year-old, Black, female student. He used racist and sexist slurs, so she slapped him, prompting him to physically attack her. The female student was then pressured by Title IX administrators to “voluntarily” leave the school, while the male student—who proudly spoke about his “white chauvinist” beliefs—received additional resources from the university, Bedera wrote. One administrator explained to Bedera that the male student’s family had been struggling financially, “so we were able to rally around him with supports to help him address those things.”

An estimated 34% of campus sexual assault survivors are forced to drop out of their schools, according to one study. Those who report their assaults can face costly defamation suits from the men they report. In a case Carson uncovered through Know Your IX, one student's troubles had only just begun when her assailant was expelled: Her assailant launched a "four-year smear campaign" against her, Carson said, including a defamation suit that followed her for the rest of her college career. Through the lawsuit, he was able to "access her medical records, school records, even her sexual history." His retaliation eventually forced the student to transfer schools, delay her graduation, and spend over \$100,000 trying to protect herself from his attacks. Even when the survivor "won" her Title IX case, she still lost.

Bedera told Jezebel she saw a "paradox" in the callousness of the administrators she interviewed. "College sexual assault, in the eyes of administrators, is so common they no longer see it as alarming," she said. "This is the exact opposite of how we'd hope they'd see it—when sexual violence is such a predictable part of the college experience for women and LGBTQ students, we'd hope they'd take it *more* seriously."

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"They're looking for the most bulletproof case to protect themselves"

At the university Title IX office Bedera observed, a staffer named Nya told Bedera her co-workers avoided hiring employees who empathized with survivors as they were deemed biased, while employees who expressed sympathy for assailants were perceived as "neutral" and level-headed. Nya was a survivor herself and said she'd accepted her position hoping to enact change from within the system, only to find she was the only one in her workplace with this goal. Her experience in the office changed shortly after she revealed that she was a survivor in response to "someone talking about how the MeToo movement was bogus." She left her job after a year.

Brock Turner leaves the Santa Clara County Main Jail in San Jose, Calif., in 2016 after serving 3 months of his 6-month sentence for the sexual assault of an unconscious woman. He received “himpathy” during the trial. Photo: Dan Honda/MediaNews Group/The Mercury News (Getty Images)

This same Title IX office was staffed primarily with people who had no background in victim services; most sought their positions because they were drawn to the employment benefits. Bedera told Jezebel that these administrators’ “himpathy” seemed rooted in a fundamental inability to comprehend privileged, affluent, typically white, male college students as perpetrators of crime, let alone sex crimes. One administrator told her he “always had this perception that [sexual assault] only happens with a creeper in the bushes that jumps out,” and that many of the cases he’s worked on involve “bad behavior” but were “perhaps not predatory.” This “stranger danger” framing around sex crimes emerged in the 1970s “tough on crime” era, mischaracterizing sexual assailants exclusively as men of color and strangers to justify further investments in policing. In reality, the majority of sexual violence is committed by people the victims know—but in the Title IX office, victims who have relationships with their perpetrators are rendered less credible, Bedera found.

“I was struck by just how unprepared administrators are to manage any case involving intimate partner violence, where they had virtually no training on the topic, they didn’t know how to parse really basic things like who was the victim and the perpetrator,” Bedera said. She compared the perceived ineptitude of Title IX staffers to the general public’s cruel response to Amber Heard during her 2022

defamation trial against Johnny Depp, which saw Depp respond to Heard's abuse allegations by accusing her of abuse. "If the [student] perpetrator used DARVO tactics, the administrators just went with it." (DARVO—or "Deny, Attack, and Reverse Victim and Offender"—is a common tactic used by abusers to confuse and blame their victims.)

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Bedera also told Jezebel that in her research, she found women of color were decisively a minority at the university she observed but comprised more than half of the reporting parties. Of the Title IX office staffers Bedera spoke with, some identified as "liberals" and "feminists" who feared how "false accusations" could harm men of color; she said their "shallow understanding of racism" overlooking the harm inflicted on victims of color.

In 2021, Know Your IX published a landmark survey that found "a massive failure on the part of schools to fulfill their obligations under Title IX," with nearly 40% of respondents experiencing "substantial disruption in their educations" after they reported sexual violence to their schools. There's a calculated callousness to universities' mindsets about these reports. "With each report, school administrators are doing a risk assessment based on: If they find the reported student responsible, is the case strong enough that if [the reported student] files a lawsuit against us, we feel 100% certain we can defend it?" Carson said, emphasizing that the rise of men's rights activism in recent years has injected new legal risk into any action universities might take to protect survivors. (One database claims more than 800 Title IX-related lawsuits against schools have been filed since 2013, though it's not clear how many have been thrown out or privately settled.)

Of course, mistreatment of campus sexual assault victims is endemic when universities are concerned by the financial, legal, and reputational ramifications that can come with supporting them—and when Title IX offices are staffed by employees who are apathetic or even hostile to victims’ experience. But as students return to campus or begin as college freshmen this fall, this is the reality they may face: Title IX administrators whose “himpathy” has made them innately suspicious of women. “What administrators end up looking for is the ‘perfect assault,’ the ‘perfect victim’ that doesn’t exist,” Carson said. “They’re looking for the most bulletproof case to protect themselves, even though gender violence isn’t that simple and clean-cut.”

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