

## A benefit for rape

*by Susan\_Estrich*

What's Bill O'Reilly doing at a benefit for rape victims and their families?

Helping them raise money. Last time I checked, that's a good thing.

I disagree with much of what Bill has to say on most subjects. I think he feels the same way about me. That's fine. But he happens to have a huge following.

Many people agree with him, respect him and might even give more money because of him to a foundation that provides financial support so that the families of rape victims can be with their loved ones during the investigation and trial of the criminal case — which is what the foundation he was supporting in Florida does. When you tell O'Reilly he's not welcome, you're also telling all the people who watch him every day that you're not so sure about them, either.

On the other hand, having him, and them, on your side can be a major help if you're trying to get something passed almost anywhere in the United States other than Berkeley and Cambridge.

So why exactly is it that we shouldn't let him help us? How is it that you get stronger by excluding people?

I tried to ignore this one for as long as I could. Were people really angry that O'Reilly spoke at a lunch for donors to a foundation that helps pay family hotel bills so daughters, sisters and wives don't have to go through rape trials alone?

Part of the to-do has just been ratings silliness: If ratings go up by attacking the other guy, what are you going to do? Another segment on where he didn't belong. But some of the outrage is coming from people I respect, who jumped into the fray.

I've been fighting for rape victims for longer than I've been fighting with O'Reilly. I wish the movement were so strong and my certainty that we had all the answers so great that it could be afforded the luxury of exclusivity. It can't. We don't.

Thanks to the work of many, including the foundation O'Reilly supported, women who are raped have more

people to look to for help in the search for justice. But for the overwhelming majority who are raped by men they know, the trip is not fundamentally different from how it's always been. These are not cases that the criminal justice system can punish: Consent is still "he said-she said," which is not something you can determine beyond a reasonable doubt, especially not when you're dealing with people who were drunk or stoned, started the night on a date, and are now disagreeing as to when, if at all, the date ended.

I don't believe in "blaming" the victim. I find blame a pretty useless emotion in all of this. My point is only that if the criminal justice system can't punish these cases, it's not going to be much of a deterrent, either. Are boys going to start respecting female autonomy "even when the young woman doesn't respect her own enough" and only take "yes" for an answer because they have reason to fear a rape charge by the soused woman they're making out with? Not unless she uses those exact words to explain it to him.

I have always believed that women need to learn to say "no" very clearly. Not in jest I say to them, "Don't say no, say rape." My daughter has convinced me that girls need to learn self-defense to give them the power to stand up for themselves not against armed rapists but against guys who come with an invitation. We need to teach girls to protect themselves, to stand up for themselves, not because they're to blame when they don't, but because they will pay the price.

O'Reilly and I don't agree on much, but he's not wrong to hold up a mirror for us, to focus us on what we need to teach our daughters, as well as our sons. And I would definitely take his money.

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