Asia Argento and the Me Too Movement: A Complicated Pairing

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Abstract: In October 2017, producer Harvey Weinstein, one of the most powerful forces in the entertainment industry, was accused of decades of hidden sexual misconduct by The New Yorker and The New York Times. As a result of the Weinstein accusations, the Me Too movement began on a global scale. The Me Too movement was initially created by activist Tarana Burke in 2006, and then co-opted by actresses Asia Argento, Rose McGowan, and Alyssa Milano in the wake of Weinstein’s accusations. It successfully fought to promote awareness of sexual assault and harassment and connecting victims to resources that would help them heal from their trauma. Then, in August 2018, Asia Argento was publicly accused of sexually assaulting actor Jimmy Bennett five years prior. At the time of the assault, Bennett was 17 years old, and Argento was 37 years old. The two had shared a work relationship for years, with Argento serving as Bennett’s mentor. Suddenly, Argento’s role in the Me Too movement seemed much less clear. How could a movement against sexual misconduct be led by a perpetrator? What did this mean for Argento’s presence as a leader against sexual misconduct? For the greater Me Too movement as a whole?

The Me Too Movement’s Origins

The Me Too movement was initially founded on MySpace in 2006 by Black activist Tarana Burke. Burke began the use of the phrase “Me Too” to show support for primarily Black women and girls who identified as victims of sexual trauma. Burke founded the movement in response to the work she conducted through her organization Just Be Inc., which is devoted to promoting the wellness of teenage women of color (Snyder & Lopez 2017). Through her work, Burke had discovered that many of the young women she served had been sexually assaulted. For a little over a decade after its founding, the Me Too movement remained a relatively small grassroots movement, primarily confined to the Black community (Harris 2018). The Me Too movement’s under-the-radar status would change drastically with the Harvey Weinstein accusations of October 2017, when the movement became a worldwide phenomenon.

In October 2017, two major news stories revealed that dozens of women accused producer Harvey Weinstein of sexual misconduct. The New York Times published the first detailed account of nearly three decades of sexual misconduct allegations against Weinstein on October 5, 2017. According to the piece, in addition to being guilty of sexual misconduct, Weinstein also spent years paying off women who accused him of inappropriate behavior. He also pushed many women he assaulted and harassed to sign non-disclosure agreements,¹ legally binding them to silence about his actions (Perman 2018). Actress Rose McGowan, who starred in the Weinstein-produced

¹ A non-disclosure agreement, also known as a confidentiality agreement, legally obligates two or more parties to secrecy over specific information outlined in the agreement. In the wake of the Me Too movement, sixteen states have proposed legislation that limits the use of non-disclosure agreements in sexual misconduct cases.
Scream (1999), was one of the story’s most prominent accusers and an eventual leader of the MeToo movement alongside Asia Argento (Kantor & Twohey 2017).

The New Yorker published the second exposé on Weinstein on October 10th, 2017. In this piece, 13 more women accused Weinstein of sexual misconduct. Among these claims were more stories of inappropriate social encounters, outright sexual assault, and private investigators hired by Weinstein to collect data on journalists and victims he feared would expose his actions (Farrow 2019). Asia Argento provided one of the story’s most in-depth and headline-garnering accounts.

On October 15th, 2017, actress Alyssa Milano, an acquaintance of Weinstein, wrote a blog post detailing her disgust towards the accusations and sexual misconduct more broadly, saying, “While I am sickened and angered over the disturbing accusations of Weinstein’s sexual predation and abuse of power, I’m happy - ecstatic even - that it has opened up a dialogue around the continued sexual harassment, objectification and degradation of women. To the women who have suffered any form of abuse of power, I stand beside you” (Milano 2017b, n.p.).

Later that day, Milano tweeted a photo of the words, “Me too. Suggested by a friend: ‘If all the women who have been sexually harassed or assaulted wrote ‘Me Too.’ as a status, we might give people a sense of the magnitude of the problem.’” The caption accompanying this photo read, “If you’ve been sexually harassed or assaulted write ‘me too’ as a reply to this tweet” (Milano 2017a, n.p.). Over sixty thousand women replied. Scores of women across the world began to share their experiences with sexual misconduct accompanied by the hashtag #MeToo on various social media platforms.

A day after her initial tweet, Milano realized that the phrase “Me Too” in regard to sexual misconduct had initially been created by aforementioned Tarana Burke. In fact, the MeToo movement had existed for years. To her credit, Milano credited Burke for this when she discovered this overlap, tweeting, “I was just made aware of an earlier #MeToo movement, and the origin story is equal parts heartbreaking and inspiring,” with a link attached to Burke’s organization Just Be Inc. (TheGrio 2017).

Following the Weinstein accusations, global public discourse began to more openly broach the topic of sexual assault and harassment, and the effect it has on its often women-identifying victims. This global trend of speaking up about sexual assault and its impact became known as the “Weinstein effect” (USA Today 2020), with many cultures creating their own equivalents to the #MeToo hashtag, such as the French hashtag #BalanceTonPorc (Donadio 2017), the Arabic hashtag #Ana_Kaman (Basch-Harod 2018) and the Mandarin hashtag #我也是 (South China Morning Post 2018). Hundreds of victims of Weinstein and other influential men came forth to the public with their stories. In the immediate aftermath of Weinstein’s accusations, public focus primarily confined itself to men holding white collar jobs in media, sports, and politics. Among these men were aforementioned producer Harvey Weinstein, actor Kevin Spacey, comedian Louis C. K., Senator Al Franken, CBS host Matt Lauer, and Olympic doctor Larry Nassar (Carlsen et al. 2018).

On January 1st, 2018, in response to the Me Too movement, Hollywood celebrities joined together to form the #TimesUp movement. #TimesUp focused on eliminating sexual harassment, discrimination, and assault in the workplace. When founded, the movement announced an established $13 million legal defense fund to assist low income victims of sexual misconduct, support for legislation penalizing companies that fostered unsafe environments, and urged

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2 #BalanceTonPorc translates to “rat out your pig.”
3 #Ana_Kaman translates to “me too.”
4 #我也是 translates to “so do I.”

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celebrities to wear black to the 75th Golden Globe Awards in order to show support for the cause. This last feature of #TimesUp was widely criticized, and even the Me Too movement’s Argento herself called it a “feel-good PR opportunity” for celebrities (Mack 2018, n.p.). However, many others welcomed the addition to the Me Too movement, heralding #TimesUp especially for its focus on supporting low income women.

**Criticism of the Me Too Movement**

Much like the #TimesUp movement, the Me Too movement also received some fair criticism. People of many different ideological perspectives wondered: how many women were really benefitting from the movement’s effects? Some argued that the Me Too movement—despite being initially created to serve Black women—had become exclusively beneficial to predominantly white women. The stories of women of color did not receive the same amount of press as the stories of white women. Sometimes, the stories of women of color were even publicly doubted by the white women who simultaneously claimed to support Me Too’s endeavors.

Exemplifying this concern, white actress Lena Dunham, who publicly uplifted the Me Too movement, dismissed accusations of sexual assault made against Murray Miller, a writer of her television show *Girls*, by Black actress Aurora Perrineau. Dunham and her *Girls* co-showrunner, Jenni Konner, released a statement, saying, “During every time of change there are also incidences of the culture, in its enthusiasm and zeal, taking down the wrong targets. We believe, having worked closely with him for more than half a decade, that this is the case with Murray Miller” (Stedman 2017, n.p.). The two eventually apologized amidst public backlash, but their actions epitomized critics’ concerns that the Me Too movement’s scope was contained to white women.

The Me Too movement’s inclusiveness was further questioned in regard to its service to low income victims. Most men affected by accusations were in white collar, high income jobs that could more easily invite public scrutiny. Critics noted that the stories of women abused by men in less visible, less highly paid jobs were not often the center of public conversation, although low income women are statistically 12 times more likely to be assaulted (Bureau of Justice Statistics 2018). “My concern is that if we don't tackle the issues that low-wage women workers face ... they're going to continue to be left behind by this movement,” said California Assemblywoman Lorena Gonzalez, whose political work focused on supporting women in blue-collar jobs affected by sexual misconduct in the workplace. According to Gonzalez, “When you have workers that, quite frankly, people don’t care as much about. And you have employers that nobody’s heard of, or supervisors and companies that nobody’s heard of. It just doesn’t have the same … appeal for the broader media” (Jones 2018, n.p.).

The Me Too movement also provoked a feminist ideological split. Some feminists believed that the Me Too movement infantilized women and did not treat them as capable of saying “no.” Bari Weiss, columnist for *The New York Times*, argued, “The insidious attempt by some women to criminalize awkward, gross and entitled sex takes women back to the days of smelling salts and fainting couches. That’s somewhere I, for one, don’t want to go” (Weiss 2018, n.p.).

Self-described feminist Daphne Merkin echoed this idea, writing for *The New York Times*, “Perhaps even more troubling is that we seem to be returning to a victimology paradigm for young women, in particular, in which they are perceived to be—and perceive themselves to be—as frail as Victorian housewives” (Merkin 2018, n.p.). Further, Merkin believed the Me Too movement overstepped in its classification of predatory behavior. “‘Grow up, this is real life,’ I hear these same feminist friends say. ‘What ever happened to flirting?’ and ‘What about the women who are
the predators?’ Some women, including random people I talk to in supermarket lines, have gone so far as to call it an outright witch hunt” (Merkin 2018, n.p.).

Perhaps one of the most incendiary feminist critiques of the Me Too movement came from Margaret Atwood, author of *The Handmaid’s Tale*. “My fundamental position is that women are human beings,” Atwood wrote for *The Globe and Mail* (Atwood 2018, n.p.). Atwood went on to state:

Nor do I believe that women are children, incapable of agency or of making moral decisions. If they were, we’re back to the 19th century, and women should not own property, have credit cards, have access to higher education, control their own reproduction or vote. There are powerful groups in North America pushing this agenda, but they are not usually considered feminists (Atwood 2018, n.p.).

Surveys found that many men shared critical sentiments of the Me Too movement. According to a poll by *NPR-Ipsos*, 4 in 10 men felt the movement was “going too far,” although what “too far” meant remained undefined (Smith 2018, n.p.). A vocal proponent of this belief was President Donald Trump, who said, “It’s a very scary time for young men in America…somebody could accuse you of something and you’re automatically guilty” (The Guardian 2018, n.p.). Echoing these concerns, a movement entitled #HimToo became popularized on social media by conservative activists, calling attention to the apparent rampant social issue of men being falsely accused of sexual misconduct (Morris 2018).

Did these critiques have merit? Or were they another way to silence victims? Regardless of the answer, the Me Too movement maintained a relentless pursuit of its mission to fight for victims of sexual assault, thanks largely to one of its most passionate leaders, Asia Argento.

**Asia Argento’s Origins**

Asia Argento did not have the origin story of the typical political activist. Born in Rome, Italy in 1975, Argento was the daughter of famous Italian horror filmmaker Dario Argento and actress Daria Nocolodi. Argento stated that she had an unhappy childhood because of her parents’ constant absence as a result of their work. She maintained a poor, distant relationship with Dario Argento especially, stating that she only began acting to gain her father’s approval. She said:

I never acted out of ambition. I acted to gain my father's attention. It took a long time for him to notice me – I started when I was nine, and he only cast me when I was 16. And he only became my father when he was my director. I always thought it was sick to choose looking at yourself on a big screen as your job. There has to be something crooked in your mind to want to be loved by everybody. It's like being a prostitute, to share that intimacy with all those people (Ashurst 2015, n.p.).

Argento’s complicated relationship with acting began at 9 years old, in which she had a small part in the film *Demons 2* (1986). She finally succeeding in winning father Dario Argento’s attention at 19 years old, starring in his film *Trauma* (1993). Following this, her career quickly became incredibly successful. At the age of 19 years old, Argento received the David di Donatello, Italy’s version of an Academy Award, for the film *Perdiamoci di vista* (1994), and then again at

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5 *Perdiamoci di vista* translates to “let’s get out of sight.”

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Argento maintained artistic aspirations outside of acting as well. In 1994, the same year she received her first David di Donatello, Argento began testing the waters in directing the short films *Prospettive*⁷ and *A ritroso*⁸. In 2000, Argento released her first official full-length film, co-produced with her father, entitled *Scarlet Diva* (Crawford 2018). She went on to write stories for magazines such as *Dynamo* and *L’Espresso*, published her first novel *I Love You Kirk* in 1999, and released her debut album, *Total Entropy*, in 2013 (IMDb 2020). In 2014, Argento publicly announced her retirement from acting in favor of focusing on directing, saying at the time, “I’ve had enough of that, I’ll tell you, for a lifetime. I was uncomfortable with that and it is against my nature” (Smith 2014, n.p.).

Argento’s first major foray into worldwide politics came with her role in the bombshell story of Harvey Weinstein’s sexual misconduct. Argento served as one of the first and most prominent accusers in *The New Yorker* article of October 2017 (Farrow 2019). Within the article, Argento stated that she was assaulted by Weinstein at the 1997 Cannes Film Festival at the age of 21 years old. According to Argento, Weinstein’s producers invited her to a party hosted by Miramax Films at the Hôtel du Cap-Eden-Roc, located alongside the French Riviera. After being escorted by one of Weinstein’s producers to the location in which the party was apparently held, Argento found an empty hotel room with only Weinstein inside. As Argento recalled, “I’m, like, ‘Where is the fucking party?’” (Farrow 2019, n.p.). The producers then left her in the hotel room, alone with Weinstein. Weinstein initially complimented Argento on her work, and then left the room, only to return in a bathrobe with a bottle of lotion. According to Argento, “He asks me to give a massage. I was, like, ‘Look, man, I am no fucking fool’… But, looking back, I am a fucking fool. And I am still trying to come to grips with what happened” (Farrow 2019, n.p.).

After Argento reluctantly agreed to give Weinstein a massage, he forcibly performed oral sex on her. Although she initially expressed repeatedly for him to stop, she eventually began to fake pleasure in hopes it would make the assault end faster. She did not attempt to physically fight Weinstein off, a choice that she said still haunts her. “The thing with being a victim is I felt responsible,” she said. “Because, if I were a strong woman, I would have kicked him in the balls and run away. But I didn’t. And I felt so responsible” (Farrow 2019, n.p.). Following the assault, Argento and Weinstein remained in contact, even growing close enough for Weinstein to introduce Argento to his mother. They also continued to have sexual relations, which Argento described as one-sided. She feared career ruin if she did not acquiesce to his advances (Farrow 2019).

Argento’s story in particular exposed the complicated reality of sexual assault and its consequences. Like Argento, many victims maintain contact with—and even grow close to—their assailters, as Argento did after her assault. However, she did publicly express an acknowledgement of the assault simultaneously: her 2000 directorial debut, *Scarlet Diva*, included a scene where a movie producer sexually assaults a young actress (Crawford 2018).

Argento went on to claim that *The New Yorker* article did her story injustice, saying that it “did a huge disservice to me and to my truth by simplifying all this” (Shanahan 2018, n.p.) although she did not explain how. Despite this, following the article’s release, Argento was still able to use

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⁶ *Compagna di viaggio* translates to “travel companion.”
⁷ *Prospettive* translates to “perspectives.”
⁸ *A ritroso* translates to “backwards.”
her story to position herself as leader of the Me Too movement alongside Tarana Burke, Rose McGowan, and Alyssa Milano.

Unfortunately, in the wake of the article’s release, Argento felt forced to flee her native Italy and relocate to Germany, a move that she claimed was a result of Italian public shaming and victim-blaming. “It was worse than the rape, the revictimization,” Argento recalled about Italy’s response to her activism. “The reason why the movement started [in the States] is because people were ready for it. The door was ajar, and we gave it a little push. In Italy, it’s impossible. There are a thousand locks we have to break to open the door” (Shanahan 2018, n.p.).

Despite Italy’s intense disapproval of her activist work, Argento continued to make appearances as a champion of the Me Too movement at speaking engagements such as the Women in Media Conference at Harvard University and major entertainment events such as Cannes Film Festival (Silva 2018). On continuing her work despite constant public scrutiny and criticism, Argento said, “Speaking to other victims, this is what saved me. Talking to other women. It was like a spiritual moment, in the best sense” (Shanahan 2018, n.p.).

**Sexual Assault Allegations Against Asia Argento**

On August 19th, 2018, *The New York Times* published an article detailing legal documents it received from an anonymous encrypted email regarding allegations of sexual assault against Asia Argento (Severson 2018). These documents included a November 2017 notice of intent to sue Argento from actor Jimmy Bennett. The notice of intent regarded monetary compensation for the traumatic effects of a sexual assault Bennett claimed was perpetrated on him by Argento in May 2013. The documents also included subsequent arrangements for payment from Argento. According to the documents, the assault took place on May 9th, 2013 between then 37-year-old Argento and then 17-year-old Bennett. The assault occurred in a hotel room in the Ritz-Carlton Hotel in Marina del Rey, California, a state in which the legal age of consent is 18 years old.

Bennett and Argento met in 2004 while starring in the film *The Heart is Deceitful Above All Things*. Argento played Bennett’s drug addicted, sex worker mother, who dressed him in feminine clothes to attract potential clients. Bennett was 7 years old when they initially met, and according to Bennett’s initial notice of intent, Argento served as Bennett’s “mother figure” in subsequent years. They often referred to each other in interviews and over social media as “mother and son” (Severson 2018). According to Bennett, prior to their 2013 meeting, Argento emailed him about a potential role in a film she was proposing.

On May 9th, 2013, a family member drove Bennett to the Ritz-Carlton Hotel to meet Argento. Upon his arrival, Bennett’s notice of intent details that Argento asked if she could spend time with him alone. She gave him alcohol and showed him a series of notes written to him on hotel stationary. She then began to kiss him, pushed him onto the hotel room’s bed, performed oral sex on him, and had intercourse with him. Following this, Argento asked Bennett to take photos of the two of them unclothed, which were included in the notice of intent. Afterwards, the two had lunch, and Bennett returned home.

Later that day, Argento posted a now deleted photo of the two of them on Instagram, captioning it, “Happiest day of my life reunion with @jimmymbennett xox…jimmy is going to be in my next movie and that is a fact, dig that jack.” On June 8th, 2013, Bennett messaged Argento on Twitter, saying, “Miss you momma,” with a photo of an engraved bracelet she had given him attached (Severson 2018, n.p.). Later that month, he confronted his parents for misappropriating $1.5 million of his earnings and leaving him broke. He settled a case with his parents in December 2014, the terms undisclosed.
According to Bennett’s notice of intent, the resulting trauma from the sexual assault severely affected Bennett’s mental health, and therefore his work and income. Following assault, Bennett’s income dropped from $2.7 million in the previous five years to $60,000 per year on average. Bennett claimed that he sent the notice of intent in November 2017, a month after Argento became a leader against sexual assault in the Me Too movement, because his silence over the incident became too much to bear (LA7 2018).

According to subsequent arrangements for payment, Argento and Bennett agreed to a settlement of $380,000, which would be paid out over the duration of a year and a half. The settlement required Bennett sign a non-disclosure agreement, much like the way Weinstein silenced his victims with non-disclosure agreements. Argento issued her first payment of $200,000 to Bennett in April 2018. On August 21st, 2018, Argento denied the accusation, releasing in a statement, “I am deeply shocked and hurt by having read news that is absolutely false. I have never had any sexual relationship with Bennett.” Instead, she stated that her boyfriend at the time of the lawsuit, celebrity chef Anthony Bourdain, agreed to pay Bennett to avoid negative publicity and “deal compassionately with Bennett’s demand for help” (Nevins 2018, n.p.). Her agreement to the settlement was not an admission of guilt, but a way to “help Bennett economically” (Nevins 2018, n.p.).

On August 22nd, Bennett publicly reaffirmed the claims he had made in his notice of intent, saying in a public statement, “I tried to seek justice in a way that made sense to me at the time because I was not ready to deal with the ramifications of my story becoming public… I would like to move past this event in my life, and today I choose to move forward, no longer in silence” (Severson 2018). Later that day, TMZ released incriminating texts and photos, exposing that Argento’s denial of sexual relations with Bennett was untruthful. The materials released included a photo of Argento and Bennett topless in bed, and screenshots of texts between Argento and an unknown person, later revealed to be model Rain Dove (Kacala 2019), partner of Argento’s co-activist Rose McGowan. In the texts, Argento admitted to sexual relations with Bennett. Argento stated, “I had sex with him it felt weird. I didn't know he was a minor until the shakedown letter” (TMZ 2018a, n.p.).

On September 4th, Argento changed her story. She admitted to a sexual relationship with Bennett and claimed that Bennett had actually sexually assaulted her. Her lawyer, Mark Jay Heller, told TMZ:

Asia chose at the time not to prosecute Bennett for sexually attacking her… Asia does not intend to prosecute Bennett for his conduct and recognizes that his unfortunate past, his stalled acting career, and a lawsuit against his own parents for allegedly misappropriating more than a million and a half dollars from his account might explain his desperation to seek money from Asia and Bourdain for this falsely alleged incident that took place more than 5 years ago (TMZ 2018b, n.p.).

In the immediate aftermath of the allegations, Argento’s professional endeavors were halted. Argento chose to leave a role curating a Dutch art festival, ceased attending speaking events, and was removed from her spot as a judge on X-Factor Italy (Desta 2018).
Epilogue

Alongside intense public scrutiny, Argento’s actions faced criticism from her co-leaders of the Me Too movement. Tarana Burke and Alyssa Milano chose to distance themselves from Argento, but also used the situation to attempt to dispel the myth of the “perfect victim.” Burke tweeted, “There is no one way to be a perpetrator… and there is no model survivor. We are imperfectly human and we all have to be accountable for our individual behavior” (Strause & Parker 2018, n.p.). Milano followed suit, calling attention to the phenomenon that those who have been sexually abused can also commonly sexually abuse others. “People who have been abused can also be abusers,” Milano said. “And that’s a sad fact” (Vagianos 2018, n.p.).

In contrast, Rose McGowan’s response to Argento’s allegations led to an incredibly public, convoluted conflict between herself and the disgraced Me Too leader. On August 20th, 2018, McGowan initially seemed to respond to the allegations with a defense of Argento, tweeting, “None of us know the truth of the situation and I’m sure more will be revealed. Be gentle” (The Hollywood Reporter 2018, n.p.). Within hours, McGowan backtracked on this statement after facing intense public backlash, deleting the tweet and issuing a new one: “Oh for fuck’s sake I’m not defending” (The Hollywood Reporter 2018, n.p.). On August 27th, McGowan tweeted another lengthier statement more pointedly addressing Bennett’s allegations towards Argento that read in part, “Do the right thing. Be honest. Be fair. Let justice stay its course. Be the person you wish Harvey could have been” (Patten 2018, n.p.).

On September 17th, Argento announced that she was suing McGowan for libel if McGowan did not take back her statement within a 24-hour deadline. She tweeted, “Dear @RoseMcGowan. It is with genuine regret that I am giving you 24 hours to retract and apologise for the horrendous lies made against me in your statement of August 27th. If you fail to address this libel I will have no option other than to take immediate legal action” (Hayes & Wiseman 2018, n.p.).

On September 27th, long after Argento’s 24-hour deadline had passed, McGowan tweeted a press release apologizing to Argento, saying in part that she had “misunderstood the messages that Asia exchanged with my partner [Rain Dove]” (Evans 2018, n.p.). But the damage was already done. Argento tweeted in response, “Although I am grateful to @rosemcgowan for her full apology following her groundless allegations about me, if she had issued it earlier, I may have kept my job on X-Factor and avoided the constant accusations of paedophilia which I have been subjected to in real-life and online” (Evans 2018, n.p.).

Argento’s actions cast an immense amount of doubt on the Me Too movement’s legitimacy and credibility. But in turn, they provoked necessary explorations of the long-term ramifications of sexual abuse on victims, the way society likes to profile victims in unrealistic, confining ways, and sexual misconduct as a whole. Did Argento allow her status as a successful leader in the film industry to corrupt her? Or were Argento’s actions towards Bennett emblematic of a common pattern with sexual assault victims in general?

Many took the allegations against Argento as an opportunity to entirely discredit the Me Too movement. However, the movement’s leaders appealed to the public to continue supporting the movement’s work, with Milano writing for The Wrap, “It is sad and infuriating to say the least, but one victim’s alleged horrid behavior does not nullify an entire movement” (Milano 2018, n.p.) and Burke tweeting, “People will use these recent news stories to try and discredit this movement - don’t let that happen. This is what Movement is about. It’s not a spectator sport. It is people generated. We get to say ‘this is/isn’t what this movement is about!’” (Saperstein 2018, n.p.).

However, the allegations against Argento brought forth many challenging questions about the present and future states of the Me Too movement, despite the movement’s leaders’
unwavering desire to project a united front. The public openly wondered: what was Argento’s place in the movement after this event? And more importantly, how could a movement against sexual assault led by a perpetrator be taken seriously?
References


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Appendix A: Photo of Asia Argento and Jimmy Bennett on the date of the assault (TMZ 2018a)