



*Justice does exist. Survivors across the world have asked where it is. I say, it's in the palm of your hands! Those of us who have endured such atrocities are not the weak; those rapists are the failures of society. The rapists are the predators, and such people should pay dearly for what they have chosen to do!*

AAREFAH MOSAVI

The rapist, the college administration, and the judicial system—the three obstacles that a woman college student must overcome if she seeks justice against her assailant. It is a struggle that few women are willing to undertake, and even fewer are able to endure to a successful conclusion. For in most cases, the rapist takes the woman's voice when he takes her body; the crime is too terrible for her to mention, and her feelings of shame condemn her to silence.

But Aarefah Mosavi defied all of the norms. In many ways, she seemed to be the most *unlikely* person to speak out: as a Muslim woman and as a daughter of immigrant parents, Aarefah faced unique and intensified pressures to avoid any publicity or legal conflict. Perhaps these perceived vulnerabilities figured into the calculations of her rapist, when he was deciding whether or not he could get away with violating her. And almost certainly, the administrators of Mount San Antonio College weighed those same considerations when they decided to quash her formal complaint process, unilaterally.

Regardless of whatever circumstances they believed that they could exploit against her, one thing soon became clear: they all severely underestimated Aarefah Mosavi.

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## Justice for AAREFAH MOSAVI

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# Build the movement to fight rape and sexual assault

**Demand that rapist Chester Brown and all sexual predators be held accountable**

**Donald Trump must resign or be removed**

**Public tribunal: Monday, February 3, 2020**

UC Berkeley, 80 Barrow's Hall, at 8:00pm

**Mobilize to pack the courtroom and demand justice:**

**Hearing on Friday, February 14, 2020**

Picket outside the court at 8:00am, court hearing at 9:00am

United States Court of Appeals for the Ninth Circuit

Richard H. Chambers Courthouse, 125 S. Grand Ave., Pasadena, CA 91105 (Courtroom 1)

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One can only imagine their shock when Aarefah went public, naming the criminal and his crime, and exposing the cover-up by her college administrators. This was years before the emergence of the #MeToo movement, before there were hundreds of celebrities exposing the abuses of men in high places. Here was the same woman that the rapist, Chester Brown, had seen paralyzed with fear on that one fateful night; the same woman that the college administrators had callously decided to steamroll out of their offices—and yet she was not the same. Aarefah was *fighting*.

### The rape and the rapist

Located on the eastern part of Los Angeles County, the most noteworthy feature of Mount San Antonio College (Mt. SAC) is its farm. There are animals, barns, and pastures which accompany the Agricultural Science building, and these serve as novel attractions to students from the city. Aarefah visited there on the night of December 12, 2013, with a man she believed was her friend: Chester Brown.

In the darkness and isolation of the farm, where no one could see or hear her

protest, Chester Brown demanded that Aarefah remove her *hijab*. He grabbed her arm and began groping her.

"I don't want this," "I want to go home," Aarefah pleaded.

Brown shoved her against a wall, overpowering her. He forced his hands under her shirt and her bra. Then, he raped her with his fingers, deliberately and repeatedly inflicting pain.

Aarefah was in shock, terrified, frozen. She looked into the empty darkness for someone to help her, but she was alone with her rapist.

Chester Brown later claimed that the encounter consisted of only a "hug" and a "wobble," although he conceded that it was not consensual. He enjoyed pursuing women who were a "challenge," and he had a particular fixation about Aarefah's headscarf, about the sexual boundary which the *hijab* represents in the Islamic religion. When interviewed, Chester suggested that the only reason for Aarefah to take offense toward his conduct was because, on the farm, Aarefah was "with her God." It may be his only original distinction as a rapist, that he somehow equated

the presence of farm animals with a religious experience, and thereby concluded that his lack of respect for her religion could then justify his lack of respect for her body and her person.

Chester Brown, individually, would not have appeared to be a formidable opponent, but for the fact that the administrators of Mt. SAC also decided to enforce the same lack of respect for Aarefah's rights and wellbeing.

### The administration of a cover-up

From the outset of the investigation, the only deliberate and palpable aim of the Mt. SAC administrators was to crush Aarefah Mosavi into silence. There is no other explanation, aside from sadism, for the events that unfolded.

The Title IX coordinator, when meeting with Aarefah, made the extraordinary request that Aarefah *re-enact the rape* by performing the rapist's actions on another administrator who was present at the meeting. Aarefah politely replied that she felt too uncomfortable to do such a thing. The administrators, however, then cited her refusal to re-enact the rape as a failure to cooperate. Strike one.

Chester Brown was permitted to continue attending classes and working in the same building as Aarefah during the so-called investigation. When Aarefah complained about repeatedly encountering her rapist on campus, the administration replied that she should not report the encounters unless he touched her or spoke to her. Strike two.

The investigation itself was a farce. The administration vouched for the good character of Chester Brown by citing the testimony of his supervisor and his friends; at the same time, the administration dismissed and refused even to interview Aarefah's witnesses, hypocritically citing that they were not present to see the rape. These dismissed witnesses included another woman who had also faced sexual harassment and religious discrimination by Chester Brown. Strike three, and the case was thrown out.

It was an arrogant and heavy-handed cover-up, in which the administration could hardly manage even the façade of due process. Not all college administrations are so crude—others achieve the same result using more sophistication and cleverness, with a staff of official women's "advocates" who are able to hoodwink the unsuspecting women into submission.

For so many of the brave women who come forward to expose rape and sexual assault, the most traumatic part of their experience is actually the discovery that their college administrations are completely on the side of the perpetrators.

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Video: First BAMN tribunal, "Building the Movement to Fight Rape and Sexual Assault," featuring Aarefah Mosavi: <https://www.tinyurl.com/MtSACRapist>

Video: Second BAMN tribunal featuring BAMN National Chair Shanta Driver, Aarefah Mosavi, and Angela Dancev: <https://www.tinyurl.com/BAMNTribunalAgainstRape>

Justice4Aarefah fundraiser: <https://www.gofundme.com/justice4aarefah>

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Aarefah Mosavi gave tribute to these tragic stories when she testified publicly at a BAMN tribunal. The cases she described all ended in suicide: "They did not take their lives because they were raped *per se*, but because their administrations failed them." To challenge an individual rapist is sufficiently daunting in itself; but to challenge the authority and prestige of an entire social institution—that requires a *movement*.

### Fighting for justice

Aarefah's public campaign created a sensation on the Mt. SAC campus and beyond. Thousands of people watched the videos of her testimony at the BAMN tribunals. Students marched and rallied, and activists distributed flyers that included the name and picture of the rapist. Aarefah and her fellow leaders were accomplishing in practice what the Mt. SAC administrators had refused to do themselves: protecting the students.

During the course of the campaign, Chester Brown left the campus, along with the administrators who had enforced the steamroller-style cover-up. Aarefah filed lawsuits against Chester Brown and against the Mt. SAC administration. This remarkable young woman, who had once seemed so vulnerable and powerless in the eyes of Chester Brown and the Mt. SAC administration, was truly rising above them.

She now faces the most monstrous obstacle, by far, in her fight for justice: the judicial system of a government led by President Donald Trump.

Under any political leadership, the American legal apparatus can be a vicious battlefield for any woman who dares to enter with a claim of rape. The reality of most rape cases is that the *woman* is put on trial: she is accused of being a liar and a slanderer, and she often faces the slut-shaming insinuation that she is somehow more sexually and morally repulsive than the rapist. The rapist's defense usually combines two contradictory arguments: (1) he didn't do it, and (2) the woman was asking for it. The astounding nature of the legal system is that it can arrive at both conclusions simultaneously. The man can be "right" in every way possible, and the woman can be "wrong" in every way possible, even if those conclusions are factually incompatible with

each other.

These contradictions are not the product of any deep legal wisdom: they are merely the ideological reflections of status and power.

For Aarefah Mosavi to prevail in court, she will need to bring a power of her own.

Since the time when her legal fight began, two new dynamics have emerged: the election of Donald Trump, and the growth of the #MeToo movement. When Aarefah took Chester Brown to trial last August, the judge in the trial was keenly aware of those facts while simultaneously determined to bury them. In a fatal ruling, the judge restricting any reference to the epidemic of rape and sexual assault, especially date rape and acquaintance rape, from entering the trial. During the trial, the judge banned Aarefah and her attorneys from even using the word "rape" and from any mention of the #MeToo movement. These factors, together with the enormous hurdles of misogyny against women and sympathy for men accused of rape by juries, led to Aarefah losing her trial against Chester Brown. Another judge had already dismissed her case against the Mt. SAC administration, while expressing sympathy for Chester Brown. Aarefah is appealing the judge's decision to the 9th Circuit Court of Appeals to take Mt. SAC to trial.

In the present crisis of American democracy, the struggle of Aarefah Mosavi seems like an inconceivably heroic distillation of the conflict. Yet there is an irony in that struggle. Throughout Aarefah's four long years of fighting for dignity, she has in truth already dignified herself and other rape survivors, far above the ability of any court to add or detract. Nor is it within a court's authority to grant dignity—or take it away. What is demanded, then, that the court can give? It is that the court must yield to the power, the dignity, and the justice that stands personified in Aarefah Mosavi. Every institution, every court and college administration, must surrender their hateful practices of defending the rapists and silencing the women. For the sake of a growing movement of young people, who have no institutions which they can call their own, we demand justice for Aarefah Mosavi.

2018.07.24, 2018.09.18, 2020.01.15