

Either Feminism or Humanity

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The President and the Feminists

In 1991, during his hearings for nomination to the Supreme Court, Clarence Thomas was subjected to an inquisition before the entire world without benefit of due process. His alleged offense was having made ribald remarks on various occasions to Anita Hill some eight years earlier at a time when he was her superior, first at the Civil Rights Division of the Department of Education and later at the Equal Employment Opportunity Commission. This alleged behavior, which Thomas stoutly denied, was portrayed as horrifying abuse, crushing beyond comprehension and fully necessitating the assault on common fairness and decency that he was made to suffer. And yet, a few years later, when one woman after another made credible allegations against President Clinton of behavior far worse than what Hill had alleged of Thomas—of gross indecency, intimate touching, veiled threats, misuse of power, and even rape—the charges were excused, dismissed, ridiculed, and ignored by feminists, sometimes by the same feminists who had supported Hill's accusations against Thomas.

If the attack on Clinton was politically motivated, as his defenders claimed, so was the attack on Thomas. With that point balanced out, we were still left with the starkness of the double standard on the part of the feminists, who not only conspicuously failed to show the livid white hot indignation they had displayed against Thomas, but who also did everything in their considerable power to defend Clinton, shamelessly abandoning all of their supposed principles regarding sexual misconduct in the process.

For example, there was the case of Kathleen Willey, the former Clinton campaign supporter who described in shocking detail how Clinton had groped her in a room near the Oval Office when she came to him for help in finding a job. Soon after Willey's nationally televised interview on *Sixty Minutes*, Gloria Steinem decreed that fondling a woman is not harassment if the man stops when the woman says "no." What came to be called the one-grope rule directly contradicted the previous feminist argument that to excuse even a one-

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time advance was “closing ranks with the abuser,” in Janet Malcolm’s words.¹ Then there was Juanita Broaddrick, who in another, highly detailed nationally televised interview with Lisa Meyers on NBC-TV said that Bill Clinton raped her in a Little Rock hotel room when he was Attorney General of Arkansas in the late seventies. Far from coming to Broaddrick’s side or even making anything of her accusations, feminists protested at the amount of time that had elapsed since the alleged rape and at the lack of hard evidence. They conveniently forgot that the sexual misconduct charges that drove Robert Packwood out of the Senate in 1993–94 included incidents that had occurred as much as 25 years previously. They also suspended their past insistence, which they had screamed to the heavens during the Hill-Thomas hearings, that “women don’t lie” about such things.

The women who came forward or, as with Willey and Broaddrick, were forced forward in the Clinton scandals were often smeared and ridiculed by the media and by Clinton supporters in the very manner feminists deplore. Yet the feminists stood silently by, offered muted protest at best, or even joined in the ridicule. Paula Jones, the former Arkansas state employee who sued Clinton for exposing himself and making physical advances to her in a Little Rock hotel suite when he was governor, was subject to mockery for her looks and background, and denigrated as “trailer-park trash.” The president himself sought to destroy the reputation and credibility of Monica Lewinsky, the young intern from whom he had received oral sex in the White House, by spreading the fake story that she had stalked and threatened him. At the prompting of Hillary Rodham Clinton, the White House discredited Kathleen Willey immediately after her CBS interview by publicizing the friendly letters she had written to the president, still in hopes of a job, after the incident near the Oval Office.

The feminists’ response to Willey’s letters was radically different from the excuses they had made for Hill over her continuing friendly relationship with Thomas after his alleged offensive behavior. In the case of Hill they had insisted that for the sake of her career an abused woman will feel compelled to stay in contact with the powerful man who has abused her. This would actually have been easier to believe in the case of Willey, whose husband committed suicide over financial matters the very day she went to see the president and who genuinely needed a job, than it was of Hill, who followed Thomas to his new position at the Equal Employment Opportunity Commission despite the fact that her DOE job was secure.² In addition, so fearful was Willey that the president might view any follow-up letters from her as a threat that she asked a lawyer how to phrase them. Willey’s conduct thus suggests that the president’s alleged actions produced in her exactly the kind of fear and confusion that feminists say is among the effects of sexual harassment, yet the feminists, so far from pointing this out, let Willey twist in the wind while the White House and media attacked her credibility.

In other ways, too, feminists hastily revised their principles for the sake of Clinton. Hill's allegations of racy talk alone had been portrayed as a punishing, soul-quenching gauntlet that she had barely managed to survive. Yet when it came to Paula Jones's allegations that Governor Clinton had summoned her to his hotel suite during a state convention at which she was employed, dropped his trousers, and commanded her to kiss his penis, the feminists suddenly turned into streetwise babes who could go Mae West one better. "So what?" Betty Friedan shrugged, "What's the big deal? She wasn't killed. She wasn't harassed. She wasn't fired." "Womanizing," in or even apart from the workplace, had previously been a deadly serious matter to feminists, carrying "an implied denigration of women," as Friedan had declared regarding presidential hopeful Gary Hart's consensual extra-marital affair in 1987. Ellen Goodman had observed of the Hart affair that the "slogan of the women's movement—the personal is political—has become a common sensibility. We are . . . less willing to accept a character that is split between public and private life." But in the case of Clinton's behavior, after some feeble protest at the inappropriateness of the Lewinsky assignations, feminists concluded that it was "just about sex," a matter of his "private life," and not relevant to "how he does his job."

Yes, they who had always insisted that the personal is political suddenly became passionately concerned over privacy, especially regarding the questioning Clinton faced in the Jones suit about his relationship with Monica Lewinsky, questioning to which he repeatedly responded untruthfully under oath. The feminists, including Anita Hill, insisted that a defendant should not be forced to testify about his voluntary sexual contacts, such as those with Lewinsky. Aside from the fact that the Lewinsky matter was the only one of the better known Clinton incidents which was voluntary, this defense directly contradicted a staple of feminist ideology, that no sex between unequals can be presumed to be truly consensual. This idea, of course, had been promoted most prominently by law professor Catharine MacKinnon, one of the chief architects of sexual harassment theory, which is largely the brainchild of the feminist academy.

Feminists also seemed in at least passive agreement with the charge of "sexual McCarthyism." Some of Clinton's defenders took to asserting that the accusations against him amounted to nothing more than the hatred-driven fantasies of a sexually repressed, sexually obsessed segment of American society that was on a perpetual witchhunt for stray erections. Again and again we heard that Europeans were laughing at us, that powerful men in Europe have sex with their female subordinates all the time, that no European politician would ever be questioned about his sexual affairs. Apart from the fact that these statements were manifestly untrue (just think of all the British government officials in recent years who have gotten in trouble over consensual sexual affairs), the people making these observations always neglected to say which

European countries also had the draconian sexual misconduct apparatus that feminists had constructed in the United States, a veritable Sexual Harassment Industry (SHI), as Daphne Patai usefully calls it in her invaluable book *Heterophobia: Sexual Harassment and the Future of Feminism*.³ Patai argues convincingly that this “industry” is built on an underlying animosity toward heterosexuality itself, which she terms “heterophobia.” Thus if any punitive, inquisitorial interest in sex surfaced during the Clinton scandals, it was thanks to the feminists who had made the whole area of sexual behavior a matter of supreme national interest and intensive official scrutiny that frequently obviated procedural fairness. As Patai perceptively observes, the animating impulse of sexual harassment theory fits well “with the dismaying history of twentieth-century totalitarianisms,” tending as it does “toward totalizing pronouncements and an absence of respect for the political process.”

Not only was feminism responsible for what came to be seen during the Clinton scandals as an unwholesome interest in sexual matters, but according to legal expert Jeffrey Rosen, the very rules of evidence which permitted a prosecutor to question a defendant about his sexual history, and which therefore permitted the Jones attorneys to question Clinton about his relationship with Monica Lewinsky, were the result of lobbying by the feminists. Even more importantly, those rules of evidence had been signed into law by none other than Clinton himself—the most amazing and yet also the most systematically ignored fact about the whole Lewinsky saga.

Rosen especially notes how Deborah L. Rhode, feminist legal scholar at Stanford, changed her view of voluntary sexual relationships in the private life of a public figure. Of the consensual extra-marital affair that sank Gary Hart’s presidential aspirations in 1988, Rhode asserted that “[w]omanizing degrades and objectifies women in general For positions involving moral leadership, these questions are relevant.” But writing apropos of the Clinton scandals in 1998, Rhode exempted the president’s relationship with Monica Lewinsky from relevance on the grounds that it had been consensual. With her new-found understanding, Rhode was made deputy counsel to the Democrats on the House Judiciary Committee during the impeachment inquiry, in which capacity she helped fashion the president’s defense.

Of course, feminists saw Thomas as an enemy of their agenda, while they saw Clinton as a supporter. Yet this did not change the fact that the feminists by their own actions had revealed the charge of sexual harassment as a weapon to be used against political enemies, not as a principled mechanism for the defense of women.

The argument between Clinton’s defenders and critics was in itself a kind of corruption, since everyone knew that if the president had been of the opposition, none of the tortured excuses, explanations, and exonerations would have been made, and indeed he would have been driven from office in short order. Many of Clinton’s allies were not even embarrassed by the grossness of

their double standard. When a group of prominent literary women discussed the Clinton scandals at a public luncheon, as reported in the *New York Observer*, novelist Francine Prose offered this explanation for the differences between the two reactions: "I wanted Clarence Thomas out of there. You know, so I was willing to go with Anita Hill. Even though I thought, you know, What's the big deal about someone making a joke about pubic hair on your Coke can . . . who cares about that? Whereas I don't want Clinton out of there." Likewise, law school professor and media personality Susan Estrich conceded during the Clinton scandals that she never felt that the behavior Hill had alleged against Thomas was really serious although she had supported the attack on him. Even the brilliant philosopher Thomas Nagel decried the loss of privacy that marked the Clinton scandals, while admitting that he had been glad when accusations of sexual misconduct were deployed to destroy Clarence Thomas.

Meanwhile, conservative opponents of sexual harassment litigation welcomed what they saw as a softening in the feminists' position, foolishly imagining that their newfound moderation represented a genuine rethinking rather than an attempt to preserve their access to power. But even if the law under which Clinton was prosecuted was bad law, it was—and still is—the law, and Clinton's own law at that, to which he as chief executive had subjected every man in the country. Thus the issue is whether the law is to be blatantly, selectively applied or if it is to govern all. As Gwendolyn Mink, one of the few feminists who stuck to her principles, put it: "Even a President has to answer relevant questions about sex with subordinates if he is a defendant in a sexual harassment case. If evidence shows that he may have lied under oath, he must withstand inquiry into the subject of that lie, even if it is about consensual sex."

The fact that the feminists' real motive was so nakedly exposed as lust for power rather than concern for justice should have decisively discredited the sexual harassment crusade. Instead that crusade is stronger than ever, both within and without the walls of academe. Interestingly, after having invited the country to deplore the questioning to which he had been subject in the Jones suit, and to which he had responded untruthfully under oath, Clinton signed the Violence Against Women Act in 1998, which reaffirmed the rules of evidence permitting such questioning in sexual misconduct cases. Recently a prominent general was forced out of the Army for making a single advance to a female officer, without so much as a mention of the exoneration of similar behavior by the Commander in Chief, and Columbia University has instituted a Sexual Misconduct Policy with star-chamber implications. Furthermore, Patai reports, at the 1998 Yale University conference celebrating the twentieth anniversary of the publication of MacKinnon's *Sexual Harassment of Women in the Workplace* (1979), a key text in the development of harassment theory, the references that feminist scholars made to the Lewinsky matter expressed, not embarrassment at what their own machinations had brought to

pass, but fear that the resurfacing of “privacy” issues might fuel a “backlash.” And a new book by Ruth Rosen, professor of history at the University of California at Davis, *The World Split Open: How the Women’s Movement Changed America*, gives the best sense of how feminists want the history of sexual harassment activism to be written.⁴ Rosen favorably cites the galvanizing effect the Hill-Thomas episode had on the crusade against sexual harassment, but makes only a brief note of the Clinton-Lewinsky relationship as “voluntary,” accompanied by criticism of Independent Counsel Kenneth Starr for his “relentless attacks” on the president. Indeed, the only mention she makes of feminist hypocrisy is to identify it as an accusation that is leveled by the “political Right,” and she makes no reference at all to the other women who were the involuntary recipients of Clinton’s attentions.

Two-Headed Feminism

The reason that feminism has not been discredited, notwithstanding its manifest hypocrisy, lies ultimately in its two-headed nature. “Who stole feminism?” Christina Hoff Sommers asked a few years ago, arguing that an extreme, radical feminism had supplanted the moderate, liberal feminism that was, or should have been, the true genius of the feminist movement. But the true answer to Sommers’s query has become clear. Nobody stole feminism. It always had within it the dark seeds we see in full flower today.

According to its proponents, moderate feminism entails the idea that as a result of technological progress, smaller families, and women’s increasing educational attainment, our culture needed to outgrow traditional expectations about women and their place in society. Individual women should be able to advance in whatever fields of endeavor for which they show desire and ability. By contrast, radical feminism entails the complete restructuring of society so as to achieve total equality of outcomes for the two sexes. This supposed opposition of moderate and radical feminism is false, however. The moderate and the radical strains are actually part of one interlocking construct in which, under cover of moderate ideas such as fairness, equal pay for equal work, defense against arbitrary sex discrimination and so on, the extreme feminism has more and more come to govern our society through such instruments as anti-sexual harassment policy, propaganda in the schools via multicultural and diversity education, and demands for proportional representation of women in all walks of life. The two feminisms are linked most fundamentally by the fact that even moderate feminism, though invoking the language of liberal individualism, often treats women’s concerns (women’s health, women’s finances, women’s law, etc.) as separate from rather than as part of the social whole, just as does radical feminism. Moderate feminism often differs from radical feminism only in degree, not in kind, and therefore lends itself to the division between the

sexes and to the politicized special interest balkanization that now mark our public life.

Even those feminists widely regarded as moderate can display resentment toward society and make demands for women not as individuals, but as a group. Betty Friedan sounded this note in 1963 in her seminal book, *The Feminine Mystique*: “Drastic steps must now be taken to re-educate the women who were deluded or cheated by the feminine mystique,” she wrote, and for the younger generation she insisted that a “massive attempt must be made by educators and parents—and ministers, magazine editors, manipulators, guidance counselors—to stop the early marriage movement, stop girls from growing up wanting to be just a housewife.” In all of this Friedan has turned out to be a prophet and her vision has been realized, and then some. Men and women today are less partners in a social whole than separate classes, marked by enmity and defined by the idea that one sex has denied the other its fair share.

Piggybacking as it did on the civil rights movement, feminism managed to model the situation of women on that of blacks, i.e., as a group that had suffered injustice, had been prevented by arbitrary prejudice from normal participation in the public sphere, and was now owed redress by society. This was an unspeakable deformation of the truth but it took hold with a demented logic; from the very first, much of the movement’s energy rose from grievance, victimhood, and the concept of women as an underprivileged political class. In this scenario, women’s natural, traditional role in the raising of children, especially in pre-modern and early modern circumstances—which included large families, multiple pregnancies, the ever-present danger of death due to childbirth, and, in certain periods, a necessary division of labor between husband and wife—is not fully accepted as the reason for women’s lesser participation in the public sphere. Instead, all of history is seen as a chronicle of injustice, and society as an artificial construct designed to keep women in a role not built on innate predilection or even the urgency of survival, but fashioned for the convenience of men.⁵

Through affirmative action and other aggressive measures, society undertook, not to protect the basic rights of individual women who wished to advance, but to equalize the participation of women as a group in the public sphere. Fire departments have been forced to engage in gargantuan, mostly unsuccessful efforts to recruit more women; standards have been lowered in order to include women in police forces and the armed services; special programs have been created to erase the gender gap in computer programming, corporate leadership, and other areas. Why society would necessarily have as a primary goal the wholesale incorporation of women into the public sphere, as if the raising of children were only an afterthought, has never been clear. Indeed, the question has never been asked. Nor has it been asked outside of conservative religious circles why a society would not wish to preserve some model of cooperation between the sexes rather than strive to make them iden-

tical, antagonistic, and mutually competitive. Whether or not one agrees with such efforts as those mentioned above, one has to see that they go well beyond the purported moderate expectations, and yet have been woven into the social fabric and more or less accepted by society at large, persuaded by the smiling moderate face of feminism that some basic fairness to women is still at stake.

Radicalism at Work

We can observe how feminist radicalism replaces the traditional idea of a universal truth over all with the relativistic point-of-view group fragmentation of today, and the brutal consequences of that replacement, in Paula Rothenberg's intellectual autobiography, *Invisible Privilege: A Memoir about Race, Class, and Gender*.⁶ This book gives evidence of a mind so completely governed by identity politics that literally nothing else can penetrate its field of awareness. Especially notable is her unembarrassed revelation that as a high school student she cheated on a city-wide science exam in order to get into a special science program, her justification being that her private school provided inadequate science preparation compared to her brother's. Also, her cold, judgmental portrayal of her parents' last years is ominously suggestive of the extent to which ideology can displace humanity, inasmuch as she virtually blames them for the illness, desolation, and loneliness they faced, supposedly because they had relied throughout their lives on their "invisible" race, class, and gender "privileges."

Rothenberg is a professor of philosophy and women's studies at the William Paterson University of New Jersey, and is perhaps best known as the author of the controversial textbook, *Racism and Sexism: An Integrated Study*, (1988). She is also head of the New Jersey Project on Inclusive Scholarship, Curriculum, and Teaching, which has "infused" gender, race, and class issues throughout the college curriculum in that state and which has enjoyed the steadfast support of Governor Christine Todd Whitman, a moderate Republican. The public affairs director for the National Association of Scholars, Glenn Ricketts, attended one of the New Jersey Project's seminars designed to train teachers in the new "scholarship," and found it "very one-sided, with an almost relentless emphasis on oppression, domination, racism, and sexism." Rothenberg herself openly admits to being one-sided. She declares that in her textbook and college course, she had no intention of presenting both sides but proceeded from the assumption "that racism and sexism existed in the United States" and set out to illustrate it. To make such a loaded assertion without context, nuance, differing definitions, and contrary arguments is propaganda, not education.

But it is Rothenberg's comments on sexual harassment that are especially germane to our discussion. In her account of her experience as chair of a panel of faculty and administrators at William Paterson assigned "to help re-

fine and enforce” the college’s sexual harassment policy, Rothenberg reveals the doublethink, self-righteousness, ignorance, and totalitarian orientation that mark contemporary feminism, as well as the fatal challenge its quasi-Marxist politicized group-think presents to a society built on individual rights, presumption of innocence, and procedural fairness.

From the start, the committee spent the majority of its time discussing how to protect the rights and future careers of accused harassers. While it is obvious that this should be a concern of any such group or policy, it was ludicrous that several committee members seemed more concerned with this aspect of their responsibility than with protecting and empowering the women students who were routinely harassed by male faculty [of which Rothenberg presents no proof], which was, after all, their primary charge. I had endless arguments with one member of the committee, a woman and self-defined feminist, whose preoccupation with the First Amendment freedoms paralyzed the committee’s work. As a frequent beneficiary of the protections of those freedoms, I value them highly, but I also understand that they were written by privileged white men to protect the freedoms (and privileges) of men of their class. Over the years, they have proved useful to some of the rest of us by extension or by good fortune. At issue now is whether we will interpret them in ways that continue to prioritize the interests and values of a small group of already privileged people over the emerging rights and needs of other subjects and agents.

If, apparently, William Paterson University was able to resist the kinds of procedures Rothenberg clearly desired—thanks, it seems, to that noble unnamed moderate feminist to whom she refers—such procedures are nevertheless being implemented in other schools. According to the editorial page editor of Columbia University’s student newspaper, the *Columbia Daily Spectator*, the university has chosen to “police sexual misconduct by its undergraduates with a new policy that eliminates many of the ‘obstacles’ known to most Americans as civil liberties,” i.e., “the right to cross-examine witnesses, be present during testimony, receive advance notice of evidence, have an attorney present during hearings or even receive written notification of the specific allegations.”

Daphne Patai, professor of Portuguese literature at the University of Massachusetts at Amherst and coauthor with Noretta Koertge of an important insider critique of women’s studies, *Professing Feminism*, similarly sees a profound threat to civil liberties from what she calls the Sexual Harassment Industry, and to much else as well.⁷ From Patai’s newer book, *Heterophobia*, we learn that the “Kafkaesque” experience of Clarence Thomas was no aberration but the logical outcome of sexual harassment theory and procedure, grown even ranker in the years since his ordeal. Patai focuses especially on the development of sexual harassment policy in the academy, but much of her discussion is applicable to the phenomenon of sexual harassment in general.

She reveals a world in which women are portrayed, contrary to all evidence, as the helpless victims of predatory men in a society permeated by pervasive

discrimination and “systemic sexism.” Women “who experience sexual harassment are ‘devastated,’ go through a process of ‘grieving,’ and, if they are lucky, emerge as ‘survivors.’” These views are reflected in current sexual harassment policies, with their built-in assumption of female victimization and male guilt, insuring that the rights of the accused are “routinely sacrificed” to those of the accuser.

The concept of sexual harassment, its identification as a type of sex discrimination, and the broadening of its definition toward such imponderables as “hostile environment” beyond quid pro quo sexual demands, has germinated over the past three decades through the civil rights laws, strings of lawsuits, the widening authority of the EEOC, and a number of Supreme Court decisions. In *Williams v. Saxbe* (1976) and *Alexander v. Yale University* (1980), the Court found sexual harassment to be a form of sex discrimination in violation of the civil rights laws. In *Moire v. Temple University School of Medicine* and *Meritor Savings Bank v. Vinson* (both in 1986), the Court endorsed the EEOC’s slippery definition of sexual harassment as conduct that has the “purpose or effect of unreasonably interfering with a person’s work performance or creating an intimidating, hostile, or offensive work environment.” Patai points out that the words “purpose or effect” cover both intended and unintended offenses.

Legislative and judicial measures following the 1986 Supreme Court decisions expanded the concept and application of sexual harassment law even further, introducing rights to compensatory and punitive damages for victims and to jury trials. In 1991, *Ellison v. Brady* established the subjective “reasonable woman” standard. What that meant was that an act constituted sexual harassment or other offensive conduct if a “reasonable woman” perceived it as such. The subjective perception of the defined victim thus replaced the objective notions of truth that are the basis of liberty. Then in 1992, writes Patai, “the Campus Sexual Assault Victims’ Bill of Rights, binding on all institutions receiving federal funds, obligated university authorities to treat reported offenses seriously and to protect the complainants against unwarranted allegations that they had invited the complained-of acts.”

With all this hanging over them, “universities were forced to adopt procedures intended to inhibit ‘discriminatory’ behavior (including ‘offensive speech’),” writes Patai, “and when such behavior was said to occur, launch a thorough investigation of it.” This is an example of the two pronged strategy the harassment activists employ, “legal action being the threat that lends force to the insistence on redrawing the boundaries of permissible conduct” through codes, policies, and procedures that operate on the sublegal level. Moreover, the standard of proof in sex discrimination suits is lower than in criminal cases, despite the fact that such suits can ruin the accused’s life and career. And of course the standards are even lower in non-legal, intramural procedures, in which “an inquisitorial process replaces or weakens the adversary

one,” as Patai explains it, something that not only diminishes the presumption of individual innocence, but puts the accused at the mercy of often nonprofessional university officials who are given to “zealous promotion of vigilance and enforcement measures” and who are prone to “presumption of pervasive malfeasance in the behavior of the targeted group.”

The feminist academy has been an energetic participant in the creation of sexual harassment theory and procedure both inside and outside the university. The term was first used in a lawsuit that began at Cornell in 1974. Two of the foundational texts had their origin in the academy, MacKinnon's *Sexual Harassment of Working Women* (1979), already mentioned, and *Sexual Shake-down: The Sexual Harassment of Women on the Job* (1978) by Lyn Farley, who taught women's studies at Cornell. Moreover, in 1969, Bernice Sandler, whom Patai calls the doyenne of the Sexual Harassment Industry, began a series of sex discrimination complaints against colleges and universities when she was a doctoral student and part-time teacher at the University of Maryland. These complaints “established sex discrimination in higher education as a legitimate issue,” according to Patai. Not content to rest on these laurels, however, Sandler and her associates went on to search for “a lasting outlet for their dedication to activism,” and began to target ever more subtle “microlevels” of behavior as sex discrimination in the form of sexual harassment.⁸

The relatively rare instances of actual harassment, more than covered by the legal mechanisms now in effect, became the means by which harassment activists could control every kind of behavior, defined not by objective standards or the intent of the accused, but on the subjective feelings of the accuser. Anything that disturbs the “comfort level” of the victim can be a problem: a “chilly climate,” jokes, remarks, innuendoes, compliments, even interest in a student's work. A climate of fear reigns as professors watch what they say and do. Drawing on actual cases, Patai presents the following picture of life under the tyranny of the SHI:

I have spoken to many colleagues who now say that they will not close their doors after a student enters their office. They watch their words and wonder whether it is wise to discuss “sensitive” issues in class, however germane these may be to their subject. Up and down the academic ranks, people are acutely aware of the dangers of doing something, however innocuous, however inadvertent, that another person, especially a subordinate, might possibly consider offensive or inappropriate. Lawsuits about matters that would have seemed ludicrous just a few years ago have now become commonplace. An offhand remark or misperceived gesture can threaten an entire career. A professor's encouraging words or practical help can be retroactively interpreted as “grooming” for sexual demands at a later time. On the other hand, criticism of students' classwork or disagreement with their ideas can be construed as contributing to an environment that impedes their full participation in academic life. A metaphor that happens to strike some student the wrong way can be claimed to have created a hostile environment in the classroom. A friendly hug may turn up months, or even years, later in a lawsuit, transformed into a “demand for a hug.”

Patai narrates a number of cases that have enmeshed professors in years of civil suits and university-run inquisitions over baseless or flimsy charges, at great cost to their careers, reputations, and well-being. One professor's nightmare began when he permitted classroom discussion of the possibility of false allegations of rape; another's began when he explained to his class that from a biological point of view, life begins at conception.

Decades of feminist rhetoric and women's studies propaganda have taken their toll, according to Patai. The villainization of men and the assumption in feminist thinking that women's freedom and well-being are in conflict with heterosexuality have helped create a Salem-like atmosphere on many campuses. Young women have been trained to see attacks against their rights and dignity at every stage of normal campus life. Women's centers conduct surveys and disseminate lists to sharpen awareness of potentially offending behaviors. Feminist theorists such as Mary Daly, Andrea Dworkin, and Catharine MacKinnon "manifest a pathological aversion to men, a love of hyperbole, and an antipathy to heterosexuality that has had a strong and negative influence on feminism, in the classroom and out." Dworkin has conceptualized the sex act itself as a humiliation for women; Mackinnon has termed war "male ejaculation." Patai quotes from the entry on "Heterosexuality," by E. Kay Trimmerger, in the new *Reader's Companion to U.S. Women's History*:

[S]exuality is not private, but is political and related to power. "Compulsory heterosexuality" [term coined by Adrienne Rich] is part of a power structure benefiting heterosexual males at the expense of women and homosexuals. This inequity is justified by an ideology that sees heterosexuality as natural, universal, and biologically necessary, and homosexuality as the opposite. The system also is reinforced by legal sanctions and violence against women (rape, battering, incest, and murder) and against lesbians, gays, and transgendered persons (verbal harassment, physical assault, and murder).⁹

Power Game

Underneath the "utopian jargon about greater justice," and behind the witchhunt hysteria, Patai shrewdly spots the power game that feminists play in the name of women: "No social group selflessly refrains from using whatever weapons its historical moment makes available in order to gain money, position, fame (of a sort), and retribution, all in the name of equity and righteousness." The question is, how has it become possible for such an extreme ideological movement to gain this kind of power in our society.

As Patai drily suggests, "If 'sexual harassment' were relabeled 'female privilege' or 'demolishing men,' it would not command much support." Yet despite seeing that the Sexual Harassment Industry has advanced itself via what could be termed the "moderate" feminist demands for fairness and justice, Patai calls herself a "still-avowed feminist," and much of her book is concerned with the future of feminism, as the subtitle suggests. She worries that

the true feminism that aimed at promoting justice and equality, not anger and revenge, will have been tainted by the male-bashers, the deniers of biology, the ideologues—who are indeed often the loudest among feminist spokespersons. Enormous effort will then be required to restore feminism to the dignity without which it cannot succeed in improving women's status in those locations and situations, at home and abroad, where such improvements are still much needed.

Herein, I believe, lies part of the answer to how radical feminism has gained its present ascendancy in our society. Leaving aside the concern with the status of women in other cultures that she has expressed above, we see that, even in our advanced Western culture, moderate feminists like Patai also proceed on the quasi-Marxist assumption that women constitute a separate class requiring special redress, and that they continue to suffer injustice and inequity as a group.

Even a scholar as fair-minded and perceptive as Patai buys into such assumptions when she says that “some of the more extreme feminist pronouncements,” such as “All intercourse is rape” or “All men are potential rapists” can be “useful as rallying cries for necessary social change.” Though she deplors this overheated rhetoric and the danger in “grossly demeaning generalizations about half the world,” she still insists that “something must be conceded to such an argument.” But why concede anything to such an argument? Perhaps because Patai shares some of its underlying premise, the apparently open-ended need for “social change” in the status of women.

While moderate feminists such as Patai try to eke out a chimerical “third way” between extreme feminism and the more traditional approaches to social problems that would resist class divisiveness, however, radical feminists like Rothenberg present the situation starkly. Rothenberg sees only two visions competing for ascendancy at present. Not content with the extraordinary apparatus feminists have succeeded in constructing on both the legal and sublegal levels to combat sexual harassment, Rothenberg muses:

The Bill of Rights was never intended to leave room for dealing with sexual harassment. Beginning with its premises and forcing sexual harassment procedures to conform to them when they are rigidly and narrowly interpreted and enforced will result in the silencing and victimization of women. A more constructive approach is to begin by recognizing the serious nature of sexual harassment complaints and the pervasiveness of the harassment of women of all ages and then asking what kinds of policies and practices will protect women and others while creating a campus and workplace climate that is respectful of and liberating for us all.

This Stalinist conceptualization should give us pause: in the name of a far-off imagined “liberation for all,” we are to give up the Bill of Rights. Rothenberg continues:

Which of these approaches to rights' [sic] theory is ultimately victorious will not be a matter of which argument is superior, since both can be framed persuasively.

It will depend on the success of political struggle in the real world because, in the end, action shapes thought just as much as thought leads to action.

This is quite sobering; success depends not on truth, but on the “political struggle.” And given the current group politicization of our society, who can be sure that Rothenberg’s prognosis will be proven wrong?

In light of all of the above, moderate feminists might consider dropping the “feminist” from their self-description and joining with humanity as a whole in recognizing the threat that feminism presents to basic freedom. If injustices to individual women occur, they need to be handled within normal social and constitutional perimeters. As Patai herself beautifully puts it,

If [sexual harassment] were merely seen as a temporary wrong to be righted, and not as a dire peril stalking the lives of perennially beleaguered women, our whole social landscape would look different, hostility between men and women might well abate, and the SHI, finding small demand for its services, would wither away.

The moderate feminists are in some ways like those fellow travelers who clung to some idea of socialism even as one Communist horror after another was revealed to the world. But Rothenberg has made it clear. When confronting what Patai herself has seen as akin to totalitarianism, there are only two choices. There is no third way.

Notes

1. And as Billie Wright Dziech and Linda Weiner argue in *The Lecherous Professor: Sexual Harassment on Campus, 2nd Edition* (Champaign: University of Illinois Press, 1990), “for behavior to be sexual harassment, it does not have to be repeated; one time can be enough.”
2. Hill’s personally friendly relations with Thomas continued through the years after she left his employ. According to the dean of the University of Oklahoma Law School who testified on the last night of the hearings, Hill and Thomas had shared a jolly breakfast with him when Thomas had visited the school when Hill was a professor there, less than one year before her explosive allegations.
3. Daphne Patai, *Heterophobia: Sexual Harassment and the Future of Feminism* (New York: Rowman & Littlefield, 1998).
4. Ruth Rosen, *The World Split Open: How the Women’s Movement Changed America* (New York: Viking/Penguin, 2000).
5. It truly is amazing that society should stand under a blanket indictment for assigning the childrearing role primarily to women, something a majority of women accepted as necessary, natural, and even desirable until, it seems, only yesterday. Some women, it is true, particularly educated women, may have been denied the kinds of advancement they desired, especially in the later modern era of smaller families, technological progress, and mass education. Still, since most women, including most educated women, tended to quit work when they had children, it was not entirely unreasonable for employers to be reluctant about hiring women or advancing them to positions of responsibility, although it may have been unfair in individual cases.

Even today, most women, again including many professional women, leave the workforce for at least a period of time to raise children, or drop out of the most strenuous career tracks. This accounts for much of the 72 cents on the dollar difference between

women's and men's earnings that we frequently hear cited, according to a study by Diana Furchtgott-Roth and Christine Stolba, *Women's Figures: An Illustrated Guide to the Economic Progress of Women in America* (1999), published by the American Enterprise Institute Press. So stubborn have women been about having at least some years at home with their small children, that feminists such as Susan Estrich have begun calling for changes in workplace rules to ensure that women who take time for childrearing pay no price at all in career advancement.

6. Paula Rothenberg, *Invisible Privilege: A Memoir about Race, Class, and Gender* (Lawrence, KS: University Press of Kansas, 2000).
7. Daphne Patai, *Professing Feminism: Cautionary Tales from the Strange World of Women's Studies* (New York: Basic Books, 1994).
8. As presented in the book Sandler edited along with Robert J. Shoop, *Sexual Harassment on Campus: A Guide for Administrators, Faculty, and Students* (Boston: Allyn & Bacon, 1997), which Patai analyzes in detail.
9. *Reader's Companion to U.S. Women's History*, ed. Wilma Mankiller et al. (Boston: Houghton Mifflin, 1998).

The below appeal was obtained in August 2000 over the internet by an NAS member. It originated with an official in the department of philosophy at the University of Wisconsin in Madison.

Dear Colleagues,

This is a follow-up email to the one I sent you earlier this summer, requesting that you send me the names of women and minority group grad students in your program who will be on the job market this fall.

I am writing to gently nudge you in the direction of sending me the relevant names ASAP. It is now a policy at UW-Madison that departments must submit a list of possible candidates in these two categories before they are given permission to do a search. So we can't run an ad in [the American Philosophical Association's *Jobs for Philosophers*] before we have this list in hand.

Thanks for your cooperation on this (and my apologies to those who already responded).