

INTRODUCTION

The wrap party for the film was held at the Beverly Hills Hotel, a large oasis of moneyed elegance. The hotel's parking lot is usually filled with Mercedes, BMWs, and other luxury cars, and the Polo Lounge, the hotel's fabled restaurant, has been the scene of more power breakfasts, lunches and dinners than can be imagined. The buildings that make up the hotel are finished in pink stucco, and as you look up from Sunset Boulevard you can see why the place is often referred to as the Pink Palace. A photo of the palm trees and pink spires of the Beverly Hills appropriately forms the backdrop for the cover of the Eagles' classic album, Hotel California.

The party was an extravagant affair, as it often is for feature films. The previews had been positively received and the mood poolside the day after the wrap was very buoyant. Fine wines flowed freely in the cabanas and there was a sense of celebration. Nothing suggested to the celebrants that a complaint of sexual harassment was soon to be launched against the film company's parent corporation.

The situation had begun about six weeks before the wrap party. The president of the film production company was at home in Burbank, having a few drinks and waiting for a late evening flight to the east, a junket to promote the new movie. He was also waiting for a runner - a person hired to run errands (to drive to the airport, to courier film or to bring lunch to the set) -- to bring sweatshirts with the film's logo to his home so that he could choose the most appropriate design.

The runner was an attractive young woman who favoured halter tops and tight pants -- a hottie, in the words of someone who worked for the company. When she

arrived at the president's home she knocked and he invited her in. He asked her to try on the various sweatshirts, saying "You don't have to take your pants off," a comment that she would later describe as highly suggestive. After she put on one of the sweatshirts he moved towards her and touched the logo, just above her breast, with his index finger; he told her that it should be a different colour.

At this point their respective recollections of events differ. He says that she told him he had a very nice house and asked if she could look around. She says that he asked her if she wanted a tour of the house, showed her the bedroom, and asked her if she wanted to sit on the bed. At this point, she later said, she felt very threatened. She was a small woman and he was a tall and powerfully built man.

She told him that she had to leave, took the sweatshirts with her, and left the house; there was no verbal or physical confrontation. But the next morning she and her male supervisor, the head of the runners, went to the company's human resources director, and complained that the president had made a pass at her the previous evening. She told the HR director that she was concerned about losing her job by reporting the incident, and she didn't want anything to happen.

The HR director told her that she had done the right thing by coming forward -- that she would investigate the complaint. She offered the young woman paid leave and the opportunity to obtain counselling, if necessary, at the company's expense. The HR director also asked the young runner to put her complaint in writing.

A few days later her written complaint was filed, alleging sexual harassment and suggesting that she had been afraid she might be raped by the president on the night in question. She again indicated that she wanted to keep her job and that if he apologized for

his behaviour they could all get on with life. The president was shocked and upset when told of the allegations; he said that he hadn't thought anything had happened that evening. He agreed, however, to meet with the young woman and told her that he was very sorry for apparently making her so uncomfortable and for scaring her. She accepted his apology.

But about a week after the wrap party the parent company, a corporation with deep pockets, received a letter from a prominent feminist attorney in California, alleging that the president and his company were covering up a serious case of sexual harassment. They asked for a substantial six-figure settlement for the willful acts of harassment and the subsequent cover-up.

The parent company quickly settled the claim, never suggesting to the film production company that they had any interest in mounting a defence against the allegations. Although the exact amount of the settlement cannot be stated with certainty, those who were involved believe that it was at least a six-figure award, or the equivalent of more than five years of the young runner's salary.

The HR director, chatting over dinner recently in a booth at the Polo Lounge, still regrets the outcome: "Should she have been treated in the way that she was? Absolutely not. He should have known better, as president of the company. But this was a single incident -- not repeated unwelcome advances -- and she left his home without any apparent awareness on his part that she was even upset. At worst, he was flirting with an attractive young woman; I don't believe that he would have had any kind of sexual relationship with her, even if she had wanted it."

I asked her if the incident deserved any compensation. "Well, I certainly wouldn't have filed," she said. The HR director had tried to treat the matter seriously and appropriately from the outset, granting paid leave and counselling, and confronting the president about the allegations. The president had apologized, and they thought that the matter was closed.

The HR director and many others involved with the case believe that the young runner simply seized on an opportunity to make some money. She knew -- or at least those around her knew -- that this was a well-financed business. And they selected an attorney who had the potential to generate a substantial amount of adverse publicity for the company and the film.

How much harm did this young woman suffer? Did her "injury" justify a six-figure award? How have we reached this point? Since 1949 and the publication of George Orwell's 1984 there has been a concern within our culture about the metaphorical ruler that Orwell termed Big Brother, the supreme ruler of the "Party" that effectively created conformity and stifled freedom of speech, thought, and action. Orwell's Big Brother has become a part of our language, a shorthand for government tyranny. In the last twenty-five years we have seen the gradual emergence of a different kind of tyranny -- the rule of Big Sister.

Big Sister is far afield from the critically important feminism of my youth. During the 1960s and 1970s; we rightly argued for a woman's right to choose, for equality in the workplace, and for the equal rights of gays and lesbians; these remain as important accomplishments and continuing struggles. Big Sister does not represent equality; she is, rather, a powerful voice at the margins of feminism, promoting division, deception, and bad science. Like Big Brother, she has stifled freedom of thought, speech, and action, but in ways that we have been slow to recognize. We have been told by her that male sexuality is inevitably predatory -- that pornography is the theory and rape is the practice. Big Sister suggests that male-female differences in sexual response and expression are wholly the product of our culture, and that women should be offended by these differences.

Discussions about sexuality are limited in subtle and not so subtle ways. Male arousal from the physical appearance of females is characterized by Big Sister as "objectification" -- a focus on the body that encourages men to see women as sexual objects. Objectification then leads men to behave inappropriately towards women -- to subject them to unwanted sexual advances.

Women are urged to fight the "patriarchal domination" that is inherent in objectification, as it is the first step on the road to sexual harassment, and worse. It is heresy to suggest that objectification -- finding pleasure in the body and its most typically sexual parts -- isn't harmful to women. Although researchers have consistently demonstrated that women are more likely to be sexually aroused by written materials, and men by visual depictions of sexuality, Big Sister isn't listening. She views these long-established differences as proof of a culturally imposed male sexual aggression, despite

the consistent finding that different routes and inclinations for male and female sexual arousal appear to have their origins in biology, not culture. To invoke biology as a possible explanation for consistently observed differences in sexual expression is to invite characterization by Big Sister as an apologist for the continuance of patriarchy.

These politically and ideologically driven conceptions of our sexuality were conceived during the past few decades, primarily by self-described radical feminists in departments of Women's Studies, Law and Sociology; they and their heirs can be found in virtually every university in North America. The reason for the existence of this way of thinking has little to do with research and scholarship, and everything to do with political power and the politics of guilt. While it does make sense to study gender relations, sexuality, and law, or changing social constructions of what we might call family life, the agenda, especially in women's studies, is avowedly political. These departments arose in response to the historic exclusion of women from social, political, and academic life; they were designed to acknowledge women as a critical part of the academy.

Although many who inhabit such structures today produce excellent scholarship, their departmental existence is no longer justifiable. Not only is there no clear theory of the building of knowledge that would lead to the creation of this new field (unless it were situated under an umbrella of gender studies, or the study of sexuality), there is no longer any relevant political justification. Women now make up half of law school and medical school graduates, and the majority of graduate students within arts and social science faculties. There is no systematic exclusion of women from the halls of higher learning, or from any other important avenue of social or intellectual life in North America.

The greatest damage inflicted by radical feminism has occurred in the rewriting of law regarding sexual and gender relations -- and that is the focus of this book. Pro-censorship feminists have argued successfully for the criminal prohibition of obscenity, a prohibition which has then been used against the consensual sex of minorities -- specifically, against gay and lesbian representations. The law of sexual harassment, unknown a generation ago, is now well established, but with a frighteningly inadequate burden of proof, and a dangerously vague test of liability.

The mantra of many extreme feminists -- that women never lie about their victimization -- is simply absurd, when considered logically, and has led to significant injustices across North America. An unhappy or even unfulfilling sexual experience can now be re-interpreted as sexual harassment or sexual assault. This may sound far-fetched, but real-life cases are described in the chapters on harassment and sexual assault. And the law now allows the subjective perception of a "hostile working environment" to be the basis for a finding of sexual harassment, even if sexual harassment is not the focus of the so-called hostile environment.

Big Sister has also mischaracterized the nature and extent of domestic violence in our culture. You have likely heard the claim --- one in every three women in domestic relationships will at some point in her lifetime be the victim of a male batterer. What you probably didn't know is that a positive response to the following questions leads to inclusion in the Big Sister definition of battering: Have you ever pushed, held, or shoved your partner during a domestic dispute? Have things ever been thrown during a domestic dispute? According to some feminist organizations involved in political activism against domestic violence, these are all acts of battering, and they create victims.

Big Sister also urges mandatory arrest in all cases of domestic violence, even though the best evidence reveals that failing to give both abused women and police any discretion can, in some circumstances, lead to greater risks of future violence by the male perpetrator. But taking a "zero tolerance" approach to domestic violence has a political cachet: "Domestic violence is a crime like all others and should be prosecuted as such." But domestic violence is not a crime like all others, discretion is almost always a part of good police work, and depriving a woman of the right to determine whether charges are laid against an intimate partner can be an act of condescension, not an act of support for the rights of battered women.

I have come slowly to these conclusions. When I arrived at Simon Fraser University in the fall of 1978, I was twenty-six years old, and beginning a career as a university professor. (Simon Fraser is, by virtue of its geographic location, remote from the community, a series of concrete buildings sitting on top of a small mountain near Vancouver). I had just begun what has turned into a twenty-five year relationship and my partner and I were pleased with our new home.

The south-west coast of British Columbia is jocularly known as Lotusland, where tolerance, beauty, health, relaxation, and joy are said to be in abundance. As a child of the sixties, I appreciated this place where lifestyle was so highly valued.

But I soon found my views of sexuality in conflict with those of a slightly older male professoriate. Some were the cultural offspring of Hugh Hefner, men who saw sexual opportunities in their undergraduate and graduate students. For these faculty

members, sex was a pleasure to be embraced without any worries about the teacher-student relationship. They enjoyed the thrill of seduction, and the chance to explore new territory. Some faculty marriages were defined as "open" -- relationships in which sexuality and emotional commitment could be neatly severed.

I argued that it was unacceptable to have sexual relations with a student while acting as her supervisor or grading her work, but in the early 1980s my academic peers were unwilling to support such a "rigid" rule. They did not accept the claim that having sex with your own students devalues the grading process and leads to an apprehension of bias on the part of other students. Their view was that to withdraw from the role of assessor or supervisor could be very damaging to the student, and could cause more harm than any sexual contact. They also argued that sex with a student could be seen as little different from playing volleyball or basketball with the same student -- only an uptight sexuality was blinding us to this similarity.

But growing numbers of women were changing our campus, as they changed many other colleges and universities in North America -- and the majority did not agree with the sexual free-for-all approach. The idea that it was "cool" and "manly" to tutor your students in the study of sex was losing currency. As the 1980s progressed I was encouraged by the impact that women and some men were having, not only on the university, but on the community and the culture itself. Laws were changing as more women graduated from our universities and law schools, bringing new approaches to the problems of domestic assault, sexual assault, sexual harassment, and child pornography. I was appointed chair of our university's harassment tribunal, ostensibly because of my

commitment to this emerging era of gender equality -- and initially I was pleased with this new world.

But as the last two decades have unfolded, the original promise has been compromised, not by the ideals of an early feminism, but by a cadre of radical extremists who are spouting bogus science and silencing their critics with a combination of illogical mantras and vicious tirades. They are Big Sister.

My first suspicion that all was not right with this developing area of extreme feminism arose during my term as chair of our university's harassment tribunal. There were certainly a number of instances of boorish and stupid behaviour on the part of faculty members towards students, and a few outrageous incidents of harassment, but, generally speaking, the kinds of complaints that I had anticipated were not materializing. However, it seemed that many of those who were inclined to use the new policies had agendas and anger of their own, and that the definition of harassment was expanded, not so much by identifying specific harm, but by individuals eager to assume the mantle of victimization. During one memorable hearing I found myself more repelled by the complainant and her conduct than by the conduct of the alleged harasser. As a student, she had exploited her professor's inappropriate interest in her for years, allowing kisses and fondling, and benefiting from his supervision and evaluation of her work. But as she came to the end of her studies she reconsidered their relationship. His conduct had been more than a little pathetic, but she was narcissistic, calculated, and vindictive.

At the same time I recognized that this is a shortcoming inherent in any process driven by complaint, and that universities are, by definition, institutions in which new definitions of reality are developed. The waitress in the downtown bar is subjected to any

number of inappropriate propositions, but takes most of it in stride, even when she probably should not. On the university campus, where reality is a constantly negotiable commodity, an apparently innocent statement can be reconstructed as harassment.

But it is not only the university campus that has been influenced by Big Sister. A family member's workplace, one quite separate from the university, (but, like many others, influenced by its changing definitions) was ravaged by a claim of sexual harassment in the mid-1990s. A young woman, new to the job, and having difficulty reaching the required standards, accused several older men of sexually harassing her and causing such emotional distress that she was unable to continue at work. One of the men was gay, but that seemed to have escaped her notice. The offense of another was to have brought a "phallic" cactus to her office as a gift. In fact, this "offender" routinely brought plants to his co-workers and had been doing so for years; she was not the only recipient of the apparently suggestive cacti. But the workplace supervisor was anxious to be seen as an eager and ardent supporter of feminist rights, and he sided with the young woman, and took her complaints seriously. When the overwhelming majority of those in the workplace expressed outrage and disgust, he tried to discipline them. Chaos followed and the entire workplace was dysfunctional for weeks until, after a series of meetings, the government relocated both the supervisor and the complainant to new job sites.

The pinnacle of offence occurred in the summer of 1997. A twenty-three year old female student accused our university's swim coach of raping her. A panel convened, without the testimony of the swim coach, found him guilty of harassment, and the university president fired him. Before long, the story was front-page news across the country. The swim coach revealed that he had been harassed by the student, that she had

left suggestive photos of herself in his office and had made a series of inappropriate phone calls and visits. All male and female members of the swim team supported their coach and before long sufficient evidence had appeared through the media to indicate that the swim coach was indeed the victim and not the perpetrator. The university president refused to change his position, even in the face of the overwhelming evidence. The university lawyer, an aggressive feminist, initially chided the press for supposing that women ever lie about such events. It took several months for sanity to prevail: the university president took a leave of absence and then resigned; the lawyer never worked again for the university; and the harassment policy was rewritten in an attempt to avoid the possibility of similar abuse in the future.

What was most disturbing about this event, however, was the support provided to the president throughout this scandal, especially by those in the Women's Studies department. The chair of that department actively supported the president for "his efforts to improve respect for fundamental human rights in the SFU community." Never mind that this "respect for human rights" caused the firing of an innocent staff member on a bogus charge of sexual harassment. To this day these radical feminists -- who could not bring themselves to believe that a woman might lie about being sexually harassed -- have not apologized to the university community for their complicity in this injustice.

The point of this book is not to slam feminism or gender equality; it is the typically self-described radical feminists who demand our attention. The feminist

movement, liberally interpreted, can take a substantial amount of credit for changing gender relations in our culture in many areas - at home, at work, in child rearing practices, and in the laws governing matrimonial property, divorce, and child support. Within the university system some very positive changes occurred, all within the space of about a decade. For decades women had been systematically excluded from opportunities for university education, and women comprised an almost insignificant percentage of students in law schools, medical schools, and graduate programs. The traditional home of the female student was in arts, home economics or library science. By the time I graduated from law school in the late 1970s, about half of all students at law schools and medical schools were women, a staggering change from the 5 to 10 per cent participation rates of the early 1960s.

But not all aspects of this increase in participation are appropriately applauded. As had been foreseen in the early debate about the construction of women's studies departments, these homes of intellectual inquiry have often become vehicles for advancing a rigid agenda in a context of dubious scholarship. As University of Massachusetts professor Daphne Patai has noted, faculty members have typically censored language deemed to be insensitive or anti-female, championed research methods seen as "women friendly" (typically an endorsement of qualitative and a total rejection of quantitative methods), and conducted their department's classes as if they were therapy sessions. In turn, these kinds of behaviour have contributed to the ghettoization of these programs. When the women's studies department rails at the masculinizing methods of science, the men and women in physics and chemistry react with incredulity and amusement.

There is an overtly political character to radical feminist scholarship, with its postmodern critique and postmodern methodology; there is not even a pretense of objective neutral inquiry. In fact, the constitution of the National Women's Studies Association of the United States notes: "Women's studies owes its existence to the movement for the liberation of women; the feminist movement exists because women are oppressed...women's studies, then, is equipping women...to transform the world to one that will be free of all oppression." Some commentators have been highly critical of such intent. Robert Swope wrote in the Georgetown University Hoya in early 2000, "Education is too elevated a term to describe what goes on.... The so-called 'discipline' of women's studies (which despite its title neither represents nor is taken seriously by all women) is nothing but an arm of the feminist movement, this one bent on the transformation of American colleges and universities into ideological indoctrination camps."

This is a brazen claim, but one does not have to support its extremism in order to ask questions about the continuing purpose or sense of radical feminist inquiry in women's studies departments. Daphne Patai, in urging a rethinking of women's studies departments, is arguing for what she calls a "feminist overhaul of higher education". She and others believe that the ideologues of women's studies and elsewhere do not represent the best of feminism. (Even within women's studies departments there are many different strains of feminism, some that are open and tolerant, others that embrace a Big Sister mentality.)

Why is this overhaul important for life in the real world? Because for the past twenty years universities have been turning out graduates who espouse the mindset of

Big Sister -- and these ideas have made a real difference in the communities in which we live. The self-described radical feminists who learned their rules of engagement in the 1980s and 1990s are now lawyers, judges, social workers, psychologists, counsellors, and professors, and their views are fundamentally changing the laws that control sexual conduct on our continent.

The public perspective on the subjects covered in this book -- free expression, sexual harassment, sexual assault and domestic conflict -- has been transformed, primarily by an ideologically intolerant network of women (and some men) who call themselves feminists. Those who critique their work are denounced as sexist, anti-feminist, homophobic, and masculinist. When Big Sister is at her least tolerant she labels her opponents in the most egregious terms: obstructers of justice, harassers of women and children, perpetrators of sex crime, and shielders of such perpetrators. The sexual landscape of our daily lives is now dotted with potentially explosive mines. The following chapters will explore how we came to live in such an adversarial and litigious world, and how we might begin to chart a better course for ourselves.

Notes:

Page 16: "Education is too elevated a term....", Robert Swope, in Georgetown University Hoya, "Intellectual or Political Pursuit," February 11, 2000.

Page 16 "feminist overhaul of higher education....", Daphne Patai, "Why Not a Feminist Overhaul of Higher Education?" Chronicle of Higher Education, January 23, 1998.