

Issues Download #7 – The “Sexual Harassment Industry”

The issue of Sexual Harassment has turned the corporate world into something of a litigious minefield. Granted, the vast majority of wom-en are far too sensible to damage a man over trifles. But then there’s the particular woman Jerold Mackenzie ran into.

On the morning of March 19, 1993, [Jerold] Mackenzie was talking to coworker Patricia Best, the distributor services manager, about a *Seinfeld* episode that aired the night before. Mackenzie asked her if she saw it; she did not. He told Best that Seinfeld’s date had a name that rhymed with a part of a woman’s anatomy and asked her to guess what rhymed with Delores. Best could not. Mackenzie apparently did not want to use the term “clitoris,” so he copied the page from the diction-ary with the definition and showed it to Best.ⁱ

As a result, Jerold J. Mackenzie was fired from his \$95,000-a-year job with Miller Brewing Co. for “poor managerial judgment” triggered by allegations that he had sexually harassed coworker Patricia Best. After two years and 71 attempts to find a new job, Mackenzie concluded that his colleague’s charges had rendered him unemployable.ⁱⁱ A jury awarded him \$26 million, but then “The higher courts threw the entire award out.”ⁱⁱⁱ Mackenzie went bankrupt.

Of all the volatile issues this book explores, none is more subject to perspective than the issue of Sexual Harassment. In presenting the politicized male perspective, it is not my intention to negate female perspectives. For some women, the issue of sexual harassment has had horrendous consequences in their lives.

But I will direct compassion toward *both* sexes and I will direct accountability toward *both* sexes. I will invite the female reader to cross the great gender divide and take in male reality as if she were visiting a foreign culture. What I present may not jibe with the world as you know it. A woman will probably want to say that I have it “wrong.” But I only have it “wrong” as seen from a *woman’s* perspective. What might a *man’s* inner experience be in these matters?

In every seduction, a man’s efforts to change a woman’s nos into maybes and her maybes into yeses, have him walking a fine line between being forceful enough to be sexually exciting but not so forceful as to be prosecuted. The really scary part is that the difference between the two exists only in the mind of the woman he’s pursuing.

Katie Roiphe:

[A] Princeton pamphlet declares that “sexual harassment is unwanted sexual attention that makes a person feel uncomfortable or causes problems in school or at work, or in social settings.” The word “uncomfortable” echoes through all the literature on sexual harassment. The feminists concerned with this issue, then, propose the right to be comfortable as a feminist principle.^{iv}

Only she can decide whether or not she is “comfortable.” And that decision will decide his fate. Will she melt and fall in love in his strong, forceful arms? Will she be flattered and excited by his refusal to take no for an answer, or will she damage or perhaps destroy him with an accusation of sexual harassment?

For men the bind is this: since only men are obligated to pursue and persist, only men can be judged to have done it “wrong.” As Kate Fillion points out, “When sexual harassment is defined as anything that creates ‘a hostile climate,’ its meaning becomes highly subjective. A comment that fifty people consider innocuous may strike one person who has a highly developed sense of indignation as deeply offensive, and who can dispute her claim that she now feels her work environ-ment is hostile?”^v

But, is her work environment truly more hostile than his? Did Patricia Best experience a more hostile work environment than Jerold Mackenzie? In the end, who was in greater need of protection from the other’s weaponry, he or she?

“Rules and laws based on the premise that all women need pro-tection from all men, because they are so much weaker, serve only to reinforce the image of women as powerless,” says Katie Roiphe.^{vi} She’s right, of course, but you know those men who get destroyed for making a woman feel “uncomfortable”? They *also* suffer. Yet the infantilizing effects on women together with the fact that

some *women* have been accused of sexual harassment have been the sole focus of nearly all critiques of sexual harassment legislation. So much so that Daphne Patai makes this extraordinary plea:

Still—and I want to state this explicitly—the fact that women, too, are caught in the net should not be our sole reason for protesting against the Sexual Harassment Industry. We ought not to ignore that it is men who are the intended targets of feminists planning their brave new heterosex-free world.^{vii}

It's remarkable how an issue that can cost perfectly decent, ordinary men their livelihood, their families, defamation of character, and even jail time is still regarded as an issue only to the extent that it may adversely affect women in some way.

We are determined to protect women from suffering a “hostile workplace.” We consider it her moral and legal right to feel “com-fortable.” But Camille Paglia is only right when she says, “The folly of this nomenclature is that *every* workplace is hostile, as any man who has worked his way up the cutthroat corporate ladder will testify.”^{viii} One of the fundamental problems with “femin-ism” is that, in its unabashed bias toward the feminine, it can never be satisfied with mere equality. Women are not to feel *as* comfortable or experience an *equally* hostile workplace, as men. No, women are to experience no hostility and no discomfort *at all*. Women are not to be *equally* protected; women are to be *extra* protected. Daphne Patai:

The U.S. Court of Appeals for the Ninth Circuit established this view in *Ellison v. Brady* (1991) when it rejected a gender-neutral “reasonable person” standard. Such a standard, the court held, ignores women’s particular experience of sexual harassment. We need to be very clear about the meaning of the new “reasonable woman” standard in relation to sexual harassment litigation. It means that what is actionable is not the *intent* to offend or discriminate, as determined by a hypothetical reasonable person, but rather whatever a “reasonable woman” *feels* to be offensive and discriminatory, that is, what she claims to spontaneously experience as offensive and discriminatory. . . . This set the stage for the elevation of women’s word to the level of law—which was precisely the goal of feminist activists.^{ix} [Emphasis in the original]

A man’s words or actions: “need not be intended as slights—and usually they are not. They need only be ‘experienced’ as such, at the time or *ex post facto*.”^x So, even if the “offense” didn’t feel like an offense in the moment, it is a woman’s legally established prerogative to change her mind and take “offense” at some future date! Perhaps she’ll change her mind following a lecture by some Women’s Studies graduates? Doubtless women so vigilant and sensitized may *feel* and *experience* “sexual harassment” at every moment.

Says Helen Fisher, Ph.D., an anthropologist at the American Museum of Natural History in New York:

I think that women should recognize the incredible power of their sexuality. In fact this is one of the problems with sexual harassment. I feel very sorry for men. Women say, for example, “I have the right to wear anything I want to the office.” . . . But in the mating game they should know that there are consequences to wearing a blouse that is scooped down to your nipples and a skirt that is up to your fanny. Men respond to this. They respond naturally. We’ve got men absolutely terrified in the office. They don’t know how to behave anymore.^{xi}

Women *do* have the right to wear what they choose, *and* rights *conflict*. Feminism would defend women’s right to wear what they please but deny men the right to “respond naturally.” If the goal is fairness, then female rights must come with female accountability, and make room for *male* rights.

One moment a woman leans over to give a man a good look at her behind. The next moment she is licking her lips suggestively and then pressing her breast into his arm but acting like she doesn’t notice. If men were as well attuned to victimization, men could also *feel* and *experience* “sexual harassment” at every moment.

And what of rich men married by women who held the prior intention of divorcing the man and keeping his money? What of rich men plagued by false-accusation lawsuits, paternity suits, blackmail, and otherwise hounded for their money? If the sexually empowered female is experiencing “sexual harassment,” might the economically empowered male be experiencing “economic harassment”?

Men are held *so* accountable for their effect on women that a “sexist remark,” should it be thought to contribute to a “hostile work environment,” could cost a man his career, his reputation, his marriage, his life. Yet, even women who *destroy* men with false accusations are not held legally accountable.¹ And there’s reason to believe false accusations are common. Author Tom James:

In a forensic study of 556 investigations of rape allegations, 33% were proven (by DNA and other evidence) to be false. In another 27% of the cases, the woman either failed a lie-detector test or admitted having lied when faced with the prospect of submitting to a lie-detector test. In other words, it was found that at least 60% of rape allegations are probably false. Even the liberal *Washington Post* has admitted that at least 30% of rape accusations are false. In a review of 350 criminal cases in which a person who had been convicted was later proven (by DNA evidence) to have been innocent, it was found that 23 had already been executed and 8 had already died in prison. 100% of them were male.^{xii}

Warren Farrell’s research backs this up:

With these admitted false accusations [Dr. Charles McDowell, former-ly of the U.S. Air Force’s Office of Special Investigations] was able to develop thirty-five criteria distinguishing false accusations and those known to be genuine. Three independent judges then examined the remainder of the cases. Only if all three reviewers independently concluded the original rape allegations were false did they rank them as “false.” *The total of false allegations became 60 percent.* Rather than publicize the study as an antidote to the Tailhook scandal, the study was buried. Dr. Charles McDowell was ostracized and moved—the Air Force equivalent of being sent to Siberia.^{xiii} [Emphasis in the original]

Studies such as these don’t really *prove* anything, but they do give one pause. Everybody’s got their “studies that show” and their “data that indicates,” but these studies place within the realm of credibility a disturbing possibility. With false accusations of rape, women may be “raping” men in *alarming* numbers. Carey Roberts:

Experience reveals that rape is a red-meat accusation that triggers an aggressive prosecution. You may remember the 1989 rape of the Central Park jogger and the accusation that five “wilding” teenagers had perpetrated the attack. But when the DNA test results did not match, the prosecutor had to claim the semen came from a sixth “mystery” member of the gang. Despite that dubious explanation, the five were convicted. But 13 years later DNA evidence proved another man had committed the crime and the five were set free. Sorry about that, fellas.

Twenty-five years ago civil rights attorneys Barry Scheck and Peter Neufeld established the Innocence Project, a group dedicated to protecting the innocent through post-conviction DNA testing. Earlier this month the group registered its 205th exoneration, most of the cases involving false convictions of rape.^{xiv}

Given the assumption that women are vulnerable but men are not (or ought not to be), are women held *at all* accountable for their effect upon men? I’m told, “It’s not fair that women should be held responsible for men’s sexuality.” If women are held so responsible, why do we so commonly say, “He got her pregnant” or “He knocked her up” as if she just happened to be walking by and he bore all, and she bore none, of the responsibility for the pregnancy?

When asked, “How does it feel to know that you can turn men into domestic pets with one look?” model Simona Krainova replied, “I don’t see my modeling as a sexual thing. I’m not putting myself out sexually. It’s a job”^{xv} I hear a woman choosing to see nothing sexual about being photographed in a highly eroticized manner and accepting no accountability for her effect on men or—in helping to generate “cheesecake” imagery—her effect on the world.

1 Recently, there has been a shift toward prosecuting women who lodge *obviously* false charges of rape. Everything is in flux. But in all but rare instances, the only way a man can be cleared of a false charge lodged by a woman is for the woman to admit that she lied, and there is little chance of a woman admitting she lied if she knows it will mean jail time. For this reason—along with omnipresent chivalry—women are normally offered legal immunity in exchange for dropping false accusations.

Is she (and other models) too young to be held so responsible? Perhaps, but boys no older are accepted or drafted into the armed forces, issued weapons, and made responsible for life and death. Should they be judged to have had a negative effect upon the world, boys in the form of soldiers are subject to the horrors of a general court-martial and military imprisonment.

Their female equivalents are called “girls” while the boys are called “men,” but the extra respect comes at quite a cost.

Consider the contrast between that and this: “I think we must hold even teenaged girls responsible for the persona they choose,” says Camille Paglia, “since for most of their lives it has brought them the rewards of attention and popularity.”^{xvi} Also the rewards of protection, and the kind of adoration that may lead to economic rewards. Women will be better respected when they hold themselves accountable for who and what they are and for their effect in the world. Obviously, Camille Paglia is such a woman. Laurie Ingraham is another:

I’ve been in groups where women have owned it openly that they really get off on being hot. In a group in California an attractive young woman said, “I’ve done that to men millions of times; it feels good to know that they’re panting after me, and I just have to go like this with my finger. That gives me great pleasure.” One of the men in the group got up and screamed at her, “Goddamn you fucking bitch! I have been hurt by women like you so many goddamn times.” And that’s how women rape men.^{xvii}

And some women rape men with false accusations of rape.

In telling the story of this young man’s angry outburst, Ingraham could have taken the position that the young man was unfairly holding the young woman responsible for his own sexuality, but wouldn’t that be blaming the victim? Instead, Ingraham models how women can aspire to higher levels of personal honor and accountability. By acknowledging this woman’s power and holding *her* accountable for that power, and its effect upon men, Ingraham proves herself a woman whom men can both love *and respect*.

Speaking of the mismatch in sexual power, Nancy Friday tells us, “It is the girl who will teach him what *she* wants, which boy *she* feels weighs in opposite her beauty. Alas, she makes this decision blindly, without full awareness or even consideration of what the boy feels, of her effect on him; oh, she knows he looks at her, but she has no sympathy, no empathy.”^{xviii}

Only names of the accused are publicized so men don’t even get to know the names of false accusers in order to avoid them. Even so, a man must take the risks involved in acting upon the knowledge that her “no” does *not* always mean no, otherwise, he’ll surely lose out on much of the sex and much of the love in his life. Says Cathy Young:

The human cost of this crusade also includes the incalculable: relationships that never got a chance to bloom in the chilly climate of the new workplace. The story of TV journalist Sam Donaldson’s courtship of his wife, Jan Smith, twenty years ago—he was considerably higher in status, and pursued her despite her repeated objections—could be a classic story of sexual harassment. One article on electronic romance at work tells the story of a woman who began receiving anonymous messages on her office computer: “Eventually she confronted her suspect . . . who immediately confessed. They were still dating at last report” this tale could have ended as easily with, “He was in sensitivity training at last report,” a thought likely to discourage more cautious suitors, particularly since even a relationship that starts out as consensual can be re-imagined as sexual harassment later on.^{xix}

Like Sam Donaldson, despite receiving only the most resolute rejection, Richard Nixon pursued and persisted with his future wife, Patricia. Nixon was actually reduced to chauffeuring Pat to and from her dates with other boys. Incredibly, he would sit alone in the car for hours waiting until it was time to chauffeur her back home again!

Nixon pursued Pat with the same dogged persistence he later used on Alger Hiss. Pat was one of the most popular young women in Whittier, and she dated all of the town’s most eligible bachelors. As she remembered it, Nixon “would drive me to meet other beaux, and wait around to take me home.” After 2 full years of this, Pat finally capitulated.^{xx}

If Nixon had pursued with anything less than intractable determination, he would not have won the love of his life (and she would not have won the man whose determination eventually transformed her into the First Lady). Moreover, their two daughters, Julie and Tricia, would never have been born.

A man knows he's treading on thin ice when he pursues too doggedly or persists for too long, but he also knows that, in reality, women often change their mind. In fact, a man has reason to believe that some women may *demand* that suitors take great risks, and over-come great obstacles as a test of their love and loyalty.

A woman who enacted the hundredth part of such extravagant overtures would be understood to have humiliated herself for having "thrown herself" at a man. Needless to say, men "throw themselves" at women as a matter of course, but every human reality is subject to reframe. So we *choose* to interpret the male reality in terms of "determination," "forcefulness," and "conquest." We do this out of a seeming *need* to view *all* human realities within a strict MP/FV frame-work. Kate Fillion, author of *Lip Service*, explains:

Even if we detect that something unexpected is occurring—a woman is competing with others, say, or a powerful man is sleeping with a secretary who is trying to exploit their relationship for her own gains—we literally lack the language to discuss what is happening. Often, we try to reinterpret the situation to fit the script we've learned: the woman isn't competing, she's merely concerned; and the boss isn't being exploited, he's actually abusing his position of power.^{xxi}

Men have *the* power; women are *the* victims. If we believe that strongly enough and internalize it deeply enough, that's what we'll "see" in every situation. It's what Fillion calls the "sexual script."

Consider Fillion's analysis of a typical office affair between "Bill," The Boss; and "Elaine," his subordinate. It all begins with an impetuous kiss.

Beyond that first ill-advised kiss, Bill did not abuse his power, and in fact, Elaine does not believe that his initial advance was motivated by anything more sinister than sexual attraction. At any rate, she had options: forget the kiss altogether, or lodge a sexual harassment complaint as per their company policy. She was in no way intimidated out of laying charges, and did not fear that doing so would harm her career. Nor did Bill attempt to silence her, pressure her into bed, or even so much as hint that she would receive professional rewards if she had sex with him. As far as Elaine was concerned, Bill's kiss did not create a hostile climate but an exciting one, and he did not take ad-vantage of his position of relative power. Rather, his power is precisely what attracted her. He made the initial advance, but she was the one who actively chose to escalate to a full-fledged, sexual affair. Her reasons—she was interested in him and deeply flattered by his interest in her, and she was bored, lonely, and in the market for romance—had nothing to do with coercion and everything to do with self-interest.^{xxii}

Was even that first kiss either "ill-advised" or an "abuse of power"? What if, in the sexual arena, it was *he* who was "subordinate"? Perhaps it is exactly because the man has little power in the sexual arena that he's left with little choice but to stick his neck out, make the first move, and await her judgment.

If The Boss says "sleep with me and I'll promote you," his crime is clear and extremely punishable. If The Secretary says, "promote me and I'll sleep with you," it is a legal nonissue. The MP/FV perceptual distortions may make it all but impossible to see; yet in common occurrence the female "subordinate" may be the one with the power and The Boss may be the one exploited. Says Elaine:

"When people look at it from the outside, they see his professional power but ignore the fact that I was holding the trump card: the threat of exposure. No matter how loving and real the relationship is, that threat is always there in the background, always. You have the ability to damage that man's marriage, his reputation, and his career . . . Bill was risking everything." . . . But Elaine, as it turns out, wasn't just risking less than he was. She also had more to gain . . . Elaine was privy to pillow talk that helped put her on the fast track; she also had the benefit of Bill's personal attention, advice, and guidance. She was able to perform at a higher level as a result, and he was in a position to ensure that her good work was recognized.^{xxiii}

The "sexual script," is feminism's one-sided MP/FV paradigm by another name: "In the sexual script, men are predators and women are defenseless prey, but real life is far more complex—and in real-

life relationships, power shifts back and forth between partners all the time. Elaine felt sexually powerful, which she was, and professionally powerful, which she became, partly because Bill helped her.”^{xxiv}

As seen from a *balanced* perspective, MalePower is matched by FemalePower:

“Sexuality is a power tool for women,” declares Laura, who is only thirty-four but already Bill’s counterpart: a vice-president of a major advertising agency. Unlike Elaine, she has never had an office affair, but she readily confesses to using her sex appeal to get ahead: “I bluffed my way into advertising with no experience, and basically got my first job because the boss fancied me. He didn’t do or say anything, it was just obvious.

I wasn’t the slightest bit interested in him, but the fact that he liked me meant that he went out of his way to help me. . . . He encouraged me and taught me how to do really advanced work, so by the time I got my next job, I was on my way. It makes me angry when any kind of flirtation is positioned as sexual harassment, because it makes women look so weak and spineless. If a man you work with is attracted to you, he’s not abusing you or taking advantage of you - *you* can use *him*, get him in your corner professionally.”^{xxv}
[Emphasis in the original]

Beyond a purely selfish stance, why isn’t she equally “angry when any kind of flirtation is positioned as sexual harassment,” because it’s a position that can cause men to be ruined over nothing?

At any rate, Laura here demonstrates how femininity can be *so* powerful, it may ply a force of influence without a woman having to *do* anything. Obviously, power worked without action taken is power that will be difficult to measure and/or hold accountable. But that doesn’t make such power any less *real*.

Sexual Harassment is also real. Some men *do* abuse power positions to coerce women sexually, and such men are indeed reprehensible and deserving of punishment. *And*, it’s also true that our overall understandings and reactions are highly distorted by feminism’s sole ideological ownership of this issue.

Under feminism, we begin the assessment of male/female conflict and/or issues under the global assumption that men have *the* power and women are *the* victims (MP/FV, MB/WG). Under equalism, we begin with the global assumption that It All Balances Out between women and men. Proceeding from this non-biased position, we focus in on the individual conflict and/or issue fully open and available to *whatever* truths present themselves.

The Sexual Harassment Industry is a men’s issue because it is emblematic of the way women’s issues receive such levels of attention, action, and priority as to shut the equal-opposite male perspective out entirely. As an *industry*, sexual harassment is a men’s issue because it is an “industry” created out of feminist hostility toward men and a desire to punish and control men and male sexuality.

ⁱ “Mackenzie v. Miller Brewing Co.,” <http://www.courtTV.com/archive/casefiles/verdicts/mackenzie.html>, July 1997.

ⁱⁱ Parloff, Roger, “Sued If You Do, Sued If You Don’t,” Manhattan Institute For Policy Research, 09/1997. http://www.manhattan-institute.org/html/_amerlawyer-sued_if_you_do.htm

ⁱⁱⁱ Spivak, Cary and Bice, Dan, truthinjustice.org, JS Online, *Milwaukee Journal Sentinel*, 06/07/03.

^{iv} Roiphe, Katie, *The Morning After: Sex, Fear, and Feminism* (New York: Little, Brown and Company, 1993) p.87.

^v Fillion, Kate, *Lip Service: The Truth About Women’s Darker Side in Love Sex, and Friendship* (Toronto Canada: HarperCollins, 1996) p.85.

^{vi} Roiphe, Katie, *The Morning After: Sex, Fear, and Feminism* (New York: Little, Brown and Company, 1993) pp.89-90.

^{vii} Patai, Daphne, *Heterophobia: Sexual Harassment and the Future of Feminism* (New York: Rowman & Littlefield Publishers, Inc., 1998) p.159.

^{viii} Paglia, Camille, *Vamps & Tramps* (New York: Vintage, 1994) p.49.

^{ix} Patai, Daphne, *Heterophobia: Sexual Harassment and the Future of Feminism* (New York: Rowman & Littlefield Publishers, Inc., 1998) pp.163-164 & 165.

^x *Ibid.*, p.166.

^{xi} Kammer, Jack, *Good Will Toward Men: Women Talk Candidly About the Balance of Power Between the Sexes* (New York: St. Martin’s Press, 1994) p.29.

^{xii} James, Thomas B., *Domestic Violence: The 12 Things You Aren’t Supposed to Know* (Chula Vista, CA: Aventine Press, 2003) p..86.

^{xiii} Farrell, Warren, Ph.D., *Women Can’t Hear What Men Don’t Say: Destroying Myths, Creating Love* (New York: Tarcher/Putnam, 1999) p.241.

^{xiv} Roberts, Carey, “The Legacy of Michael Nifong,” July 25, 2007, <http://www.theconservativevoice.com/article/26874.html>

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- xv *Stuff magazine*, August 2000, p.110.
- xvi Paglia, Camille, *Vamps & Tramps* (New York: Vintage, 1994) p.48.
- xvii Kammer, Jack, *Good Will Toward Men: Women Talk Candidly About the Balance of Power Between the Sexes* (New York: St. Martin's Press, 1994) p.45.
- xviii Friday, Nancy, *The Power Of Beauty: A Cultural Memoir of Beauty and Desire* (New York: HarperCollins, 1996) p.256.
- xix Young, Cathy, *Ceasefire!: Why Women and Men Must Join Forces to Achieve True Equality* (New York: The Free Press, 1999) p.193.
- xx Wallechinsky, David, and Wallace, Irving, *The People's Almanac* (New York: Doubleday & Company, Inc., 1975) p.321.
- xxi Fillion, Kate, *Lip Service: The Truth About Women's Darker Side in Love Sex, and Friendship* (Toronto Canada: HarperCollins, 1996) p.87.
- xxii *Ibid.*, p.119.
- xxiii *Ibid.*, pp.104 & 118.
- xxiv *Ibid.*, p.120.
- xxv *Ibid.*, p.126.