Sexual Harassment Proposal Would Only Worsen Situation

Column by Lars Bader

GUEST COLUMN

In the April 7 issue of The Throttle, the so-called "ad-hoc committee on harassment" issued its suggestion for a new, tougher MIT policy on sexual harassment. MIT's policy is understandably flawed, and a thoughtful revision could do much to protect victims while preventing prosecution of the innocent. Unfortunately, the latest revision is so flawed that policy would only worsen the greatest defects of the current policy, giving a small group of activists the power to single out those they do not like, effectively forbidding sexual activity between students and creating a legal court that tramples students' due process rights.

Under the proposed policy, eight categories of behavior are banned as harassment. Among these are "sexual remarks and sexual behavior," "inappropriate social invitations," and "requests for sexual favors." All are broad and vague, particularly in light of circumstances. The ban on sexual requests poses serious problems for social life on campus. MIT is not simply a workplace; it is also a residence for students and a social environment. It is a fact that students date and have sex on campus. If they are not allowed to ask permission, they will either have to risk the consequences of being brought up on charges if the suggestion is rejected or the relationship later fails, or be forced to proceed without asking. And sooner or later, students having sex without asking will raise the question of date rape.

The policy's basis on "sexist remarks" raises the question of what is a sexist remark and who would judge. Virtually everyone agrees that on the average, there are some significant differences between men and women. The feminists who proposed the policy would point out that men commit more violence, on average, than women. But again, such a negative statement is but it is also true, and we honor their right to say it. Others who do not agree with the drafters should also be able to point out peculiar traits that they believe are important, without worrying about whether Big Sister would approve. In the recent Undergraduate Association referendum, a significant portion of students who expressed an opinion felt that the current MIT policy did too little to protect free speech. Certainly, more would agree with the ad hoc committee's proposals. Out of respect for their judgment and for their freedom, the speech curb should be rejected.

Having already swept sweeping speech curbs and an effective ban on sex, the authors of the proposal proceed to criminalize for themselves the power to punish. Under the suggestion of the committee, a grievance committee would hear cases and make a final decision. Twelve of 14 members of the committee would be selected by campus feminist groups, whose members made up most of the ad hoc committee, and of administrative organizations devoted to advocating their positions. One member, for example, would be chosen by the Women's Studies Program. Another would be chosen by the Student Government. The only two members who would not be from these groups would be one member from the Faculty Policy Committee and one member from Gays, Lesbians, Bisexuals, and Friends at MIT. It is difficult to see how any woman could be labeled a "trait of their peers" from such a body. In fact, the membership was probably stacked specifically so that he could not. The committee would enforce the "right" view and anybody who disagreed with it would be branded a sexist.

Having given themselves the power to punish, the ad hoc committee members plan to proceed to ensure that the appearance of procedural fairness will not exist. While the accuser is to be represented by a paid advocate provided by the Institute, no counsel is to be provided to the accused, who would not even have the right to cross-examine the accuser. The advocate's involvement would further unbalance the proceedings, because under the proposed policy, the very same advocates who would prosecute cases would "mediate" all members of the grievance committee, ensuring that the advocates' views of what constitutes harassment would go unchallenged.

We might the penalties be for those convicted by this kangaroo court? The committee has fashioned such intriguing penalties as revocation of scholarships, required indoctrination at harassment workshops, and group punishment of the accused's living group. The committee would also have the power to command suspension and expulsion.

The proposed policy is so biased, so sweeping in its coverage, and so unfair, that it is impossible to conclude that the flaws are accidental. Devise the members of the ad hoc committee have put forward a plan that would give them almost unlimited power to punish, while portraying their scheme as an act of justice for harassment victims. For this act of deception, they deserve only our contempt.

Under the proposed policy, the very same My advice to you, is not to back off when you come up against an uncooperative gen- 

Column by Matthew H. Hersch

TECH: Spies Steal Secret White House Memorandum

From: Director, White House Press Office
To: President Bill Clinton
Re: A Big Problem

Billy-boy,

We need to talk. I didn't think it was possible, but the latest opinion poll figures on your recent public relations visit to the aircraft carrier USS杜拉科 on record lows, edg- 9:15-5:45

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THE TECH