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THERE OUGHT TO BE A LAW†

Daphne Patai††

Ah love! could you and I with Fate conspire
To grasp this sorry Scheme of Things entire,
Would not we shatter it to bits—and then
Re-mould it nearer to the Heart's Desire!¹

Nothing is more likely to be abused than the power of officials who think they are doing the right thing.²

I have called this talk “there ought to be a law,” because I remember this as a frequently heard phrase from years ago, giving voice to the wish that one’s own heart’s desire should become the law of the land, allowing or prohibiting precisely those things that one wished to see or wished not to see in the world. But it is one thing to express such a desire casually and quite another to try to implement it. And it is the latter that is going on at the moment, in ways that should alarm all of us.

I have been studying utopian and anti-utopian literature for over twenty years and teaching it for more than fifteen. In the past, I assumed that anti-utopian fictions—texts that, like *Brave New World*, were intended to warn us about the dangers of attempting to construct perfect futures—were expressions of their authors’ conservative politics, and this supposition colored my entire perspective on the warnings that they were sounding. Thus when, in the early 1980s, I read several nineteenth-century anti-socialist satires, depicting societies in which the demand for equality has run out of control, I took them to be nothing more than mean-spirited attacks on the idea of equality, and gave them little further thought.

But as the years went by I discovered that life was beginning

† This article is based on a speech given by Professor Patai at the Academic Freedom Symposium.

†† Daphne Patai is a professor at the University of Massachusetts at Amherst.

1. THE RUBAIYAT OF OMAR KHAYYAM, 2D VERSION (Edward Fitzgerald trans., Pocket Books 1941) (1868).

2. Anthony Lewis, *The Firing Line* (PBS television broadcast, Aug. 25, 1995).

to imitate art. Colleagues I had considered on my side politically were now supporting speech codes, demanding conformity, embracing vastly exaggerated definitions of "harassment," and arguing for administrative control of personal relationships between professors and students. Out of the depths of my memory, those long-forgotten anti-utopian stories came rushing back to my mind. And now I find them hovering over me as I watch universities struggling with (it often looks more like capitulating to) demands for intervention in all areas of campus life—the very thing that, back in the sixties, students had been trying to persuade university administrations to stop doing.

In such a state of mind I attended my department's first meeting in early September. What I heard there struck me as more worthy of satire than denunciation; so I went home and wrote a short piece, which was later published in the *Chronicle of Higher Education* under the title "What Price Utopia?"³ Let me affirm that my description of what went on at the meeting is entirely accurate, and that my account of my own past experiences in academe is also factual. This is what I wrote:

When the academic year began in September, I once again felt a familiar dread: that I might inadvertently commit some offense against a student or a colleague or, worse, fall victim myself (if only I were smart enough to realize it!) to someone else's aggressions. I had long since become convinced that the unregulated life was not worth living, and I was eager to learn what new rules and guidelines the guardians of collegial comfort—wiser and more thoughtful than I—had mandated. Therefore it was with keen anticipation that I awaited a speaker from my university's "ombuds office", who was to address my department's first meeting of the year.

Sexual harassment policy, I was happy to learn, has ripened over the years. Besides obviously egregious instances (such as giving good grades in return for sex—which by now even a Neanderthal understands as "*quid pro quo* harassment"), other offenses have been identified, and these have multiplied the categories of protections afforded to vulnerable folks. An example, the "ombuds officer" explained, is "third-party harassment," such as when two office mates tell each other dirty jokes in the presence of a third, who would rather not hear them. A still broader category—the most

3. Daphne Patai, *What Price Utopia?*, CHRON. HIGHER EDUC., Oct. 27, 1995, at A56.

common type according to our speaker—is “hostile-environment harassment,” which includes “leering, explicit jokes, offensive remarks and posters.”

As I listened to this exposé of what she called “a whole wide range of behavior” about whose nastiness no reasonable person could quibble, the benefits of a policy designed to insure the highest possible level of comfort for everyone began to be apparent to me. But a distressing thought intervened: Isn’t it true that my own most painful experiences in academe have had nothing to do with dirty jokes or leers? What of the hostile slights and dismissive glances to which I have been exposed? The harsh criticisms and demoralizing comments? Are there any of us, I asked myself, who have not spent hours recuperating from such affronts, much to the detriment of our productivity?

Almost as if she were reading my mind, the speaker announced that a new category of harassment has been identified, for which a policy is being developed. I waited breathlessly. It is called “general environmental harassment,” she said. Typical instances might include a professor’s demeaning remarks and mean-spirited comments, she said, so it would cover speech not specifically related to race or gender.

I pinched myself. Had I heard correctly? I had, indeed, for our speaker elaborated. Insensitive criticisms in the classroom fall into this category, she said. So does excessive harshness on the part of supervisors.

At once incidents from the past came back to me. My cheeks burning, I recalled the indignities to which I have been subjected from my early undergraduate days: professors curtly telling me they were disappointed in my work, or showing markedly greater enthusiasm for another student’s contribution; improvements on my grammar and even syntax, made in tones of utter certitude and non-negotiability. But was there not more, much more, in my general environment that had caused me to feel harassed?

Thrilled, I realized that our ombuds office was standing on the threshold of a major breakthrough. Armed with this new concept of “general environmental harassment” we could now venture beyond the small-scale struggles to which our preoccupation with sex has confined us. At long last the nastiness of “one-up-personship”—a standard feature of academic life—could be seen as the debilitating problem it is for everyone up and down, and even across, the academic hierarchy.

Could we not find a more explicit label for "general environmental harassment," I wondered? Then it came to me: "competitive harassment." That, in a nutshell, is the problem of life in academe. How could anyone ever have thought that consideration and graciousness could be left in that murky area of social relations known as tact and good manners? They cannot be. We must have rules!

Relishing the prospect of universal well-being and happiness—these being the birthright of every American—I realized that had this concept been identified in the past, I would have been spared the scores of slights that now flashed before my eyes, all of which, far more than the occasional sexual taunt, had made my life in academe so disagreeable.

In graduate school I had had to tolerate a colleague coyly informing me that she was taking her Ph.D. examinations a semester later than I because "the department expects great things" of her. Surely this was a case of competitive harassment. What about the faculty member who had sat filing her nails while I gave a lecture during my on-campus job interview? So devastating an attack on my self-confidence should not have gone unpunished.

Then I remembered the colleagues who, on first seeing me after a long summer break, hardly had bothered to say hello before informing me that they were just back from Bellagio, had attended a major international conference in Budapest, or were rushing off to a meeting in Buenos Aires. Senior colleagues, oblivious to the harm they were doing me, feigned near-exhaustion as they complained of the strain of correcting the proofs of their latest book. I thought of all the people who for decades had monopolized my attention, talking about their work without ever asking about mine, never pausing to wonder whether the role of Big Ear suited me. They would now find their behavior subject to official censure.

I also recalled women colleagues looking me over, as if to suggest that my appearance left something, perhaps a great deal, to be desired. Of course, it was not only women who had injured me in this way. Once, in response to my query about his wife's health, a male colleague answered: "She's fine, she looks great. She's maintained the same weight, 105 pounds, since we were married twenty years ago!" This pointed comment depressed me for half a day, making me realize how indirect might be the slings and arrows cast in the competitive anything-goes world of academic "collegiality," and how vigilant I needed to be to catch every slight.

All these abuses, all these barbs, could now be actionable as harassment. Never again need be heard a discouraging word. Goodbye negative nuance, hidden hostilities. What a blissful prospect! True, we might all have to watch our every word, gesture, and even thought. But who would not be willing to pay this price in exchange for an untroubled work environment?

My mind wandered further, back to some 19th-century utopian stories that I had read years earlier. In particular, two tales by British writers lighted the path to the delightful social structure that now seemed within reach.

In 1873, Bertha Thomas published a story about a futuristic society committed to rectifying the "Iniquitous Original Division of Personal Stock."⁴ The remedy included such measures as keeping athletes of above average strength or agility from participating in sports; reducing the over-healthy to the standard set by the weak; making beautiful people wear ugly clothes; granting titles to people with physical defects (the greater the defect, the grander the title); actively preventing good-looking girls from "appropriating the affections of the whole youth of the Commune," and carefully neglecting the education of the handsome and witty.

In 1891, Jerome K. Jerome described a similar society, in which absolute harmony and equality have been achieved by allowing no one to engage in "wrong" or "silly" behavior.⁵ All would now be equal, and, to avoid demoralization, all must look equal: Men and women would have the same hair color and wear the same clothes. Improving on Thomas's vision, Jerome's "new utopia" was a country in which the tallest have an arm or a leg lopped off, and surgery would be performed to reduce brains to average capacity. Beauty, of course, would be abolished, because of its long and ignoble history of interfering with full equality.

So far ahead of their time were these two writers that no one had given their ideas serious consideration which, listening to our speaker, I now saw they merited. More recently, Kurt Vonnegut wrote a similar story, in which the United States "Handicapper General" and her team of agents mete out disabilities and impediments, guaranteeing equality by doing away with all competitive advantage and its atten-

4. See Bertha Thomas, *A Vision of Communism: A Grotesque*, CORNHILL MAG., Sept. 1873, at 300-10.

5. Jerome K. Jerome, *The New Utopia*, in *DIARY OF A PILGRIMAGE (AND SIX ESSAYS)*, 261-79 (1891).

dant demoralization for the not-so-advantaged.⁶

With their finely tuned moral sense and their visionary politics, all of these writers perfectly understood that regulating mental and physical attributes, as well as behavior, is an inevitable and necessary step in the larger struggle against inequality and discomfort. Obviously, in our own day, serious commitment to a benign and equitable social order, of which the university must surely serve as exemplar, requires nothing less than the drastic remedies they proposed. How else can we eliminate the power differentials and comfort imbalances that plague us?

As I came out of my reverie, the speaker from the ombuds office was wrapping up her presentation by urging us all to send for our copies of the complete harassment guidelines. Then she offered to answer any questions. I looked around. My colleagues sat silently, perhaps as caught up as I was in the glorious vision of a permanently unharassed future, within our grasp at last.

Even before *What Price Utopia?* appeared in print, reality overtook satire as the Chancellor's office at my university circulated a proposal for a new harassment policy. Negotiated over an eighteen-month period by the administration and the Graduate Employee Organization, without consultation with either lawyers or faculty, the proposed policy itself seemed perilously close to satire. Aiming to prohibit harassment, the policy defines it as:

[V]erbal or physical conduct that a reasonable person, with the same characteristics as the targeted individual or group of individuals, would find discriminatorily alters the conditions under which the targeted individual or group of individuals participate(s) in the activities of the university, on the basis of race, color, national or ethnic origin, gender, sexual orientation, age, religion, marital status, veteran status, or disability.⁷

6. KURT VONNEGUT, JR., *Harrison Bergeron*, in *WELCOME TO THE MONKEY HOUSE*, 7-27 (1970).

7. Proposed Harassment Policy for the University of Massachusetts at Amherst (distributed Oct. 20, 1995) (on file with author). The policy's cover letter states that the University and the GEO (Graduate Employee Organization), which together worked out the policy, "are unanimous in our support of the basic elements of the policy proposal." It invites discussion of the policy by the entire university community, to help "in the resolution of our remaining differences" and affirms the administration's desire "to have a policy in place early in the spring 1996 semester." Cover Letter accompanying Proposed Harassment Policy (Sept. 20, 1995) (on file with author). Because of both the content of the proposed policy and the summary way in which it was presented to

The Graduate Employee Association, unsatisfied with the list of protected categories, wished to expand it further so as to include: "citizenship, culture, HIV status, language, parental status, political affiliation or belief, and pregnancy status." The administration's response to this list was to declare, in the proposed policy, that it "believes such categories are already protected under those previously listed."⁸

Undeterred both by judicial decisions that had struck down comparable policies at public and private universities (such as Wisconsin, Michigan, and Stanford), and by negative publicity in

the university, a process apparently designed to discourage genuine discussion, about half a dozen faculty members, including myself, publicly protested the policy. This led to the appearance of articles in *The Boston Globe*, *New York Times*, *Chronicle of Higher Education*, and elsewhere, in most instances opposed to the proposed policy. As of the time of writing (Jan. 1996), the status of the proposed policy is unclear, but UMass Chancellor David K. Scott has expressed his determination to pursue what he prefers to characterize as a "harassment" policy rather than a "speech" code. See *infra* notes 10-11.

8. Proposed Harassment Policy, *supra* note 7. The proposed policy also states: Verbal conduct may include, but is not limited to, epithets, slurs, negative stereotyping, threatening language, or written or graphic material that serves to harass an individual or group of individuals. . . .

This policy . . . shall apply to all members of the campus community: undergraduate and graduate students, faculty members, professional and classified staff members, administrators, and graduate student employees.

This policy . . . shall apply to all activities from which a potentially aggrieved individual or group cannot readily absent themselves; this includes but is not limited to University housing and meal facilities, work areas, classrooms for courses in which the grievant is a student or a paid or volunteer instructor.

Visitors invited to the University to express their own opinions in public forums shall not be subject to this policy; however, individuals or groups of individuals whose visitors violate this policy in some other arena of the University (e.g., in lecture hall or University housing) shall be responsible for the actions of said visitors.

Id. It also, and contradictorily, includes a "saving" paragraph:

Nothing in this policy shall be taken to preclude the introduction, in a course or other academic setting, [of] any material which the instructor deems relevant to his or her instruction, even if such material might be considered offensive to some who are exposed to it; and nothing in this policy shall be construed to allow the restriction of a faculty member's academic freedom.

Proposed implementation of the policy involves setting up a "harassment board" on which student representatives would be the single largest category, and on which professional staff, classified employees, and faculty would also serve. Thus, faculty members could find themselves subject to proceedings at which non-faculty individuals, in contravention of American Association of University Professors (AAUP) guidelines, adjudicate charges that might result in the termination of a faculty member's employment.

the press,⁹ Chancellor David K. Scott made it perfectly clear, when four critics of the policy, I among them, met with him, that he aspires to nothing less than that the University of Massachusetts should somehow succeed where other schools have failed. That is, he is committed to carving out an exception to the First Amendment by devising a rule that would stand with existing restrictions on free speech such as libel and “fighting words.”¹⁰ As the Chancellor also indicated, the policy would require a “double standard” of application: historically oppressed groups would be protected from offensive speech, while historically powerful groups would not be.¹¹

9. See letters by Professors Roland Chilton, Robert Costrell, Herbert Gintis, Paul Hollander, and Daphne Patai, in *CAMPUS CHRON.* (Nov. 10, 1995) (criticizing the policy). In his response, Chancellor Scott compounded the problem by repeatedly couching his defense of the proposed policy in terms of the “feelings” of offended individuals. See letter by Chancellor Scott, *CAMPUS CHRON.* (Nov. 17, 1995); see also Tim Cornwell, *Amherst Verbal Code Starts War of Words*, *TIMES HIGHER EDUC. SUPP.*, Nov. 24, 1995; Kevin Cullen, *Codified Tolerance Criticized at UMass*, *BOSTON GLOBE*, Nov. 4, 1995, and my letter of response dated Nov. 7, 1995; Fred Contrada, *Proposal Finds Few Supporters*, *UNION-NEWS*, Nov. 10, 1995; article and editorial in *DAILY HAMPSHIRE GAZETTE*, Nov. 20, 1995, and Nov. 17, 1995; Sean Glennon, *Speaking of the First Amendment. . .*, *VALLEY ADVOC.*, Dec. 14, 1995; Laurie Loisel, *UMass Harassment Policy Brings Storm of Criticism*, *AMHERST BULL.*, Nov. 24, 1995, and my letter in response, Dec. 1, 1995; Frank Njubl, *Speech Codes Backfire*, *VALLEY ADVOC.*, Dec. 14, 1995; Christopher Shea, *A Sweeping Speech Code*, *CHRON. OF HIGHER EDUC.*, Nov. 17, 1995. Anthony Lewis, in a highly critical article, cited Chancellor Scott to the effect that a code is required by the regulations of the Federal Department of Education. See Anthony Lewis, *Living in a Cocoon*, *N.Y. TIMES*, Nov. 27, 1995. This evoked a response by Norma V. Canto, Assistant Secretary for Civil Rights, Department of Education, who, in a letter to the *New York Times*, clearly stated that the Department of Education regulations do not endorse or prescribe speech codes. See letter by Norma V. Canto in *N.Y. TIMES* (Dec. 8, 1995). Tovia Smith also reported on the proposed code on National Public Radio, *Morning Edition*, Dec. 5, 1995.

Grateful thanks to Harvey A. Silverglate, of the Boston law firm Silverglate & Good, for his memorandum to me, dated Nov. 24, 1995, with a detailed critique of the proposed UMass policy, and to Jonathan Knight, Associate Secretary of the AAUP, for his letter of Nov. 28, 1995 (addressed to Professor Robert Costrell), explaining why the UMass policy, “if enacted as currently written, would pose a serious threat to the freedom to teach and the freedom to learn at the University of Massachusetts, Amherst”; and to both Harvey Silverglate and Professor Eugene Volokh, of the UCLA Law School, for consultations via e-mail.

10. Meeting on Dec. 21, 1995, between University of Massachusetts at Amherst Chancellor David K. Scott and critics of the policy: Professors Daphne Patai, Robert Costrell, Roland Chilton, and Gordon Sutton.

11. *Id.* This “double standard” approach was explicitly articulated by University of Massachusetts at Amherst’s Associate Chancellor Susan Pearson, on a Boston radio talk show *Connections*, on WBUR and hosted by Christopher Leyden, Dec. 5, 1995. It is based on the work of critical race theorists Mari Matsuda, Charles R. Lawrence III, and

Of course, the University of Massachusetts is not alone in attempting to make language do the work of social engineering. In 1995, the women's studies e-mail list (WMST-L) featured a message posted by a feminist philosophy professor who asserted that she could no longer in good conscience use the word "intellectual"; to do so, she wrote, would imply that some women are better than others. And, quite predictably, later in the year, when a professor shared with the list her interest in starting a women's studies honor society, her idea aroused strong opposition from some respondents, who were alarmed at the "hierarchical" values present in any designation of honors for some students and not for others.

I have also watched in dismay as professors and students who consider themselves progressive increasingly advocate censorship of language and the monitoring of behavior and attitudes, and call for rules and regulations to govern virtually every aspect of academic life. To my ears, their demands sound ominously like foreshadowings of all-too-familiar dystopian visions, which, alas, I can no longer dismiss as old-fashioned conservative rantings. To be sure, the dystopian fantasies of Bertha Thomas and Jerome K. Jerome are overtly anti-socialist. But this fact no longer tells me all I need to know about them. Instead, I now view them as dire warnings or—worse—as crazy analogues to equally zany but very real events that are indeed going on before my eyes.

By now, even Hollywood has noticed the trend and got into the act. The 1993 film *Demolition Man*, one of my students pointed out to me after we read *Brave New World*, was clearly based on Huxley's novel. Most of the film is set in the year 2032, precisely one hundred years after Huxley's book was published, and its heroine is named Lenina Huxley. But, as befits a film made sixty years after *Brave New World*, it extends Huxley's satire of a perfectly managed future to the point where total and constant monitoring of individuals touches every aspect

Richard Delgado, whose articles Ms. Pearson distributed to us at the Dec. 21, 1995, meeting. In response to my direct question at that meeting, as to whether he endorsed such a "double standard," the Chancellor, with some circumlocution, affirmed that this is what he had in mind. After all, he said, minority students are suffering as a result of the unpleasant things said to them. For an illuminating discussion of these issues, see Lawrence Douglas, *The Force of Words: Fish, Matsuda, MacKinnon, and the Theory of Discursive Violence*, 29 LAW & SOC'Y REV. 169-91 (1995).

of life. Nothing so crude as Orwell's telescreens appears in the film. Rather, organically bioengineered microchips are sewn into everyone's skin, and these devices "code" people so that they can be tracked wherever they are. Police have become almost entirely unnecessary because "things don't happen any more," as the warden of a cryogenic prison says with satisfaction. Everyone can go to "compu-chat" machines on the street for instant therapy and encouragement. Using offensive language causes omnipresent computers automatically to fine the individual one or more credits and announce it publicly in a monotonous computer voice.

In this future California, no one has died from unnatural causes in sixteen years, and the police do not have the vaguest notion of how to deal with a Code 187—a "Murder Death Kill," as they call it—when, following the demands of the plot, it occurs for the first time in more than twenty years. Attempting to deal with a killer from our time who escapes from his fast-frozen imprisonment, the computer provides the police with such pieces of advice as: "With a firm tone of voice, demand maniac to lie down, with hands behind back." This is, of course, ineffective, which is where Sylvester Stallone, our thawed-out hero, comes in. Using a defamiliarization technique typical of utopian novels, in which a person from our own time reacts with amazement to the newly encountered future, the film makes our hero inadvertently contravene all the norms of the perfect society.

In *Brave New World*, Aldous Huxley had written: "There isn't any need for a civilized man to bear anything that's seriously unpleasant."¹² *Demolition Man* extends that principle as we learn that whatever is not good for people is considered bad, and for this reason has been made illegal; the list includes alcohol, caffeine, contact sports, meat, offensive language, chocolate, anything spicy, gasoline, uneducational toys, abortion—and also pregnancy if you do not have a license. Not only is reproduction state-controlled and managed hygienically in laboratories but, as a result of AIDS and other epidemics, body contact has been proscribed. Sexual pleasure is achieved through direct brain stimulation via matching headsets. At one point, Lenina exclaims with disgust at Stallone's idea of sex:

12. ALDOUS HUXLEY, *BRAVE NEW WORLD* 243 (Harper & Row 1969) (1932).

“Don’t you know what the exchange of bodily fluids leads to?!” He replies, “Yeah, I do: kids, smoking, a desire to raid the fridge.” So successfully does the film convey the sense of life in a completely regulated society—at least to a utopian junkie like me—that, on hearing this line, I actually felt a touch of nostalgia.

The beauty of literary or cinematic utopias, in contrast to the political treatise or essay, is precisely this: if successful, they set in motion before the mind’s eye how life might actually be lived in another kind of society. Moreover, they make us see our own society in a different light. So, when I first came across some very nasty novels depicting women’s rule—books such as Edmund Cooper’s novel *Who Needs Men?*,¹³ which was renamed *Gender Genocide* when it was published in the U.S.—I took them for misogynistic works, inspired by contempt for women and fear of their domination in the future. To be sure, some of them do deserve such a reading. But I was puzzled that women, too, had written such books. For example, in 1969, a writer named Pamela Kettle published a novel called *The Day of the Women*,¹⁴ which describes how a female political party comes to power in England and develops into an anti-male tyrannical oligarchy, complete with spying, selective breeding, and the killing of male babies.

Over time, of course, my views underwent modification. What I initially took as exaggeration—hyperbolic depictions of venomous women in power, hating men and hunting them down, contemptuous of heterosex—all of this came to have an oddly familiar ring. It was with something of a shock that eventually I realized I had been reading precisely such words for some years, written not by male writers of fiction fearfully imagining women in authority, but by women themselves, especially (but not confined to) those calling themselves radical feminist theorists.

By now I have become so dismayed with the unrelenting male-bashing so common in feminism (though many feminists disingenuously insist this image is a media invention to discredit feminism, merely another example of “backlash”), that I am writing a book on the subject, to be called *Heterophobia: The*

13. EDMUND COOPER, *WHO NEEDS MEN?* (1972).

14. PAMELA KETTLE, *THE DAY OF THE WOMEN* (1969).

Feminist Turn Against Men. It is true that radical feminists (whom I prefer to call "feminist extremists," since I do not believe they go to the root of anything) are small in number. However, through such spokeswomen as Catharine MacKinnon, Andrea Dworkin, and Mary Daly, they are highly visible and audible, as well as widely read, certainly in women's studies courses. Their influence has been inordinate, and it should not readily be dismissed merely because it represents an extremist position.

Sensitized as I now am to this subject, it seems to me that much of the zealotry we are seeing in the university today on the issue of sexual harassment should be construed as an attack, quite specifically, not only on men, but also on heterosexuality itself. It is of course true that women, too, are occasionally caught in the web spun by zealots. But this does not alter the fact that men are the main target, and that the suppression of heterosexual expressions of interest (which these days are readily recast as "harassment") seems to be the chief agenda in the sanitized world demanded by many feminists. What is perhaps more surprising is that many heterosexual women, who identify themselves as feminists, have sat quietly by as their own preferences and ways of life have become the subject of grotesque and demeaning caricatures set forth in the name of feminism. I have seen the new embarrassment among feminists over being heterosexual far too often to consider it an insignificant phenomenon.

Nowadays I can observe heterophobia almost on a daily basis as I read of one or another effort meant to make the world a comfortable place for women, regardless of the cost at which such comfort shall be obtained. A recent example—which I have absolutely no doubt would win the support of many of my feminist sisters—was the suggestion that construction crews in Minneapolis should cease engaging in the "visual harassment" of women passing their construction sites.¹⁵ Perhaps all men should be told that they must keep their eyes on the ground, as black men in the South once did to avoid being accused of giving offense to white women. I do not think we should assuage our outrage over such infringements of people's rights with the assurance that the most egregious cases will be dis-

15. See, e.g., Wayne Washington, *No Eyeful, So City Gets an Earful*, STAR TRIB. (MINNEAPOLIS), Aug. 5, 1995, at 1A.

missed by the courts. Before that happens, they will certainly have contributed to a climate in which men have become—as one lesbian friend of mine noted in disgust—“the universal scapegoat.”¹⁶

To take another example, consider a much-publicized recent incident, at the University of British Columbia. At that institution a report costing a quarter of a million dollars was produced that indicted the Department of Political Science for sexism and racism. It includes an appendix of several pages listing allegations of misconduct so astonishingly trivial that it is hard to believe any of it was meant seriously.¹⁷

Professors were charged with making criticisms of their students' work, or bestowing more praise on one student than another; of being aloof, or not being aloof enough; of failing to engage students in discussion of new ideas; of being dismissive of students' Marxist perspectives. They were also accused of making the kind of personal comments that one might well argue professors should not make. But these charges, too, turned out to be so trivial, so far from any dereliction that a society that had not lost its balance would ever consider actionable, that the only conclusion a reasonable person can draw from them is that professors must watch their every word and every gesture, that silence is no less dangerous than speaking, that attention and lack of attention are equally suspect, and that students are weak and pitiful children, the fragility of whose egos must at all times be foremost in professors' minds.

Since the incident occurred in Canada, shall we in the United States pay no attention to it? I do not think so, for we all know of comparable home-grown cases. Who has not heard of professors being driven from jobs on the basis of flimsy and unsubstantiated allegations? Most of us today know professors who are afraid to appear too friendly with their students since charges of sexual harassment are now given more or less automatic credence, often in astonishing disregard of due

16. See, e.g., Harvey Silverglate, *Harvard Law Caves in to the Censors*, WALL ST. J., Jan. 8, 1996, at A18 (discussing a recently adopted sexual harassment policy at Harvard Law School).

17. See Joan I. McEwen, *Report in Respect of the Political Science Department of the University of British Columbia* (June 15, 1995) (on file with author). This report was prepared for the Deans of the Faculty of Arts and Graduate studies, University of British Columbia, Vancouver, Canada.

process. If in the bad old days women's accusations against men were met with skepticism, today a general reversal has occurred, which of course makes it far more likely, as Noretta Koertge and I point out in our book *Professing Feminism: Cautionary Tales from the Strange World of Women's Studies*,¹⁸ that accusations with little or no foundation will indeed be directed against professors, whether out of pique, envy, irritation, or genuine displeasure with something they have said or done. I have also heard of many cases in which feminist faculty have automatically supported a female student's allegations against a male professor, prior to any investigation of the facts or, worse yet, even in disregard of evidence of the professor's innocence. And why should this surprise us? In the brave new world in which heterophobia reigns, men are all equally suspect.

Is it therefore out of panic that regulations are now called for even by professors, and not merely by zealous young students? Has life in academe become so hazardous that for their own safety professors want explicit rules governing their every word and gesture? Have they, and the students demanding regulatory action, given any serious thought to precisely what life will be like under such a regime?

Several things strike me about the present call for intervention on the part of people who used to be considered liberals, even civil libertarians. First, when comparing today's activists with some of their distinguished socialist forerunners, I find it hard to ignore the apparent utter lack of concern today for genuine economic and political reforms. The changes we talk about—in language and pictures used in the classroom, in permissible relations between professors and students, between men and women in the workplace—relate primarily to the realm of culture, and one might well say, to a particularly narrow segment of culture at that.

It is above all *manners* that wishful thinkers aim to reform. The fundamental inequality of incomes is seldom mentioned. I am not saying I would be more optimistic about the outcome of reformist impulses rooted in economic egalitarianism. But if they were, I might credit them with being something more than opportunist chiming in with this year's cultural pieties. There is

18. DAPHNE PATAI & NORETTA KOERTGE, *PROFESSING FEMINISM: CAUTIONARY TALES FROM THE STRANGE WORLD OF WOMEN'S STUDIES* (1994).

also a puzzling aspect to the exaggerated attention being devoted to the levelling of “power differentials” without even the pretense of a concern with economic equality. Perhaps it is precisely the lack of material substance that gives such spurious egalitarian moves their hysterical and intolerant edge. I may not really want to share my computer, but I will certainly clean up my language (and thereby establish my politically correct credentials) so no one need be offended. Especially in higher education, the political rhetoric seems to be only that, rhetoric. It has no substantive political impact.

To take an obvious example: all the feminist and “marxist” polemic about doing away with hierarchy and authority in the classroom—what I call the “leveling” impulse in feminism—has never, to my knowledge, resulted in salary-sharing. At one university, I was told about the existence of a teaching collective involving graduate students, undergraduates, staff, and faculty—all in women’s studies. But my interview with a staff member who had participated in this collective brought out the fact that no discussion of salary-sharing had ever taken place. Obviously, she said, no faculty would have been willing to be involved if such a demand were voiced.

It is one thing to argue that women and blacks rightly resent language that is demeaning to them, and may even injure them (though the tensions between free speech and prescribed niceness persist). But it is quite another to argue that the injuries suffered by the poor reside in the word “poor” when used in a phrase such as “poor workmanship,” or “you poor thing!” or that it is “ableist” to use the phrase “ill-fated.” These particular examples come from a pamphlet published at my university, entitled “Overcoming Oppression Within Groups,” which warned against Ableism, Anti-Semitism, Racism, Classism, Sexism, and Heterosexism.¹⁹ Reducing real social problems to the level of language and attitudes, this publication epitomizes the “activism” that has characterized the academy since about the mid-1980s. It also illustrates the foolish belief that the solution to these problems lies in purifying our every word and thought. Never mentioned in such proposals are the costs inevitably

19. See S.C.E.R.A. (STUDENT CENTER FOR EDUCATIONAL RESEARCH AND ADVOCACY), *OVERCOMING OPPRESSION WITHIN GROUPS*, (1987) (on file with author). I do not know if this pamphlet is still being circulated.

incurred in the pursuit of these policies: the ensuing vigilante atmosphere, the “gotcha” alertness as disgruntled individuals try to catch one another in an offense, the chilling of free and easy interactions.

Nor have years of concern with language led to deeper understanding of problems of discrimination. A paper written for a women’s studies class at my university recently was still cast as moral exhortation, ending with the plea that we all be allowed to be “who we are” without bearing any stigma. The writer’s exemplary categories of “who we are” included working class, feminist, and lesbian—as if these are all on a par and “identity” were the real glue in maintaining social cohesion.

Lest skeptics think I am inventing anecdotes for one of those compendia of politically correct jokes, let me state that I personally was present at a women’s studies event several years ago at which a lesbian feminist speaker used the metaphor of vision—as in “I now see”—to refer to her increasing understanding of a problem. A student in the audience interrupted her to point out that she had used an “ableist” metaphor. The speaker at once acknowledged this error and apologized for it.

It is my belief that many of the individuals displaying this kind of zeal today do so out of a lack of experience with totalitarian systems. They have become so accustomed to individual liberties that these rights have grown tedious to them. Only young women who have grown up with relative sexual freedom (in a world in which every second word in many films is an obscenity that is then graphically simulated on the screen) would be so ready to believe that “all intercourse is rape” and that men, in general, are the enemy. If they had been brought up by repressive parents, who kept them away from their boyfriends or washed their mouths out with soap, they would, I have no doubt, today be hippies reenacting the Berkeley free speech movement.

I taught English in Brazil during the worst phase of the military dictatorship, a phase that started in the summer of 1968. The classroom in which I was teaching was bugged. No discussion of politics could take place. In the Brazilian public school system at that time, teachers feared denunciation by their students—and this in fact occurred, resulting in arrests. Academic freedom came under attack as whole departments (for example, sociology at the prestigious University of São Paulo)

were shut down and their faculty driven into exile. Indeed, one of the exiles was Fernando Henrique Cardoso, a well-known leftist sociologist who is now president of Brazil (demonstrating, of course, that things can, and do, change for the better and one should not despair). I remember the atmosphere in Brazil even outside the classroom: one day I said apologetically to a Brazilian acquaintance, "I'm sorry, my Portuguese isn't good enough, I can't talk about politics." My acquaintance smiled and said sadly, "Neither can we."

It shocks me, then, to meet students today who take their right to utter any opinion and say any word so much for granted that they actually support censoring speech—always assuming, of course, that this will be *other* people's speech, for supporters of speech codes seem invariably to see themselves as sensitive individuals, in no need of correction. Again, I believe only lack of any actual experience with censorship can explain their facile embrace of the censor's mentality, and their naive belief that it can lead to a better world.

But all this has happened before. To my mind it is one of the most astonishing things about the present climate that today's zealots live in utter disregard of cautionary twentieth-century historical examples of what happens when speech and thought are monitored in the name of cultural politics. There is no shortage of books describing Mao's cultural revolution (to take just one notorious example of special pertinence to the realm of education).²⁰ I have just finished reading the autobiography of Anchee Min, a Chinese woman who came to America in 1984, having been a member of the Little Red Guards when she was fifteen years of age. After a local party leader convinced her that she was being "mentally poisoned" by a beloved and

20. Equally pertinent is the detail that the burning of books in Germany in May 1933 was not, as hitherto believed, orchestrated by Goebbels, Hitler's propaganda minister, but in fact was initiated by the German Students' Association (GSA), a non-Nazi organization founded in 1919 to act as German university students' representative on the national level. The GSA in April 1933 organized the propaganda campaign entitled "Against the un-German Spirit." This campaign included an anti-Semitic poster and a script for ceremonial book-burning and indeed culminated in early May, 1933, in book-burnings in German universities. See Ehrhard Bahr, *Nazi Cultural Politics: Intentionalism vs. Functionalism*, in NATIONAL SOCIALIST CULTURAL POLICY 5-22 (Glenn R. Cuomo, ed. 1995). Bahr, drawing on the work of GEOFFREY J. GILES, *STUDENTS AND NATIONAL SOCIALISM IN GERMANY* (1985), notes that "non-Nazi organizations, such as the German Students' Association, were eager to preempt the policies of rival Nazi organizations." *Id.* at 12.

dedicated teacher (whose father was a Chinese-American still living in America), Anchee Min witnessed this teacher being publicly humiliated in front of two thousand people, but refusing to confess her guilt. Anchee Min recounts how she, identified as a "victim" of this teacher, stood up and read the speech she had prepared, accusing her teacher of attempting to turn her students into running dogs of imperialism. How had the teacher done this? By giving her students readings from Hans Christian Anderson, stories about princes and princesses and other enemies of the people. The teacher tried to talk to her pupil before the crowd, urging her to tell the truth, but Anchee Min stuck to her denunciation. The episode ends thus: "I was never forgiven. Even after twenty-some years. After the Revolution was over. It was after my begging for forgiveness, I heard the familiar hoarse voice say, I am very sorry, I don't remember you. I don't think I ever had you as my student."²¹ Anchee Min's book also describes the endless sloganeering and pious appeals to the thought of Chairman Mao. Perhaps most interesting to me about this memoir is the sense it conveys (post-modernism notwithstanding) that certain aspirations are indeed universal: the right to a private life, to personal happiness, to an intimate sphere not invaded by the state and organized according to political demands; the desire for love; the discovery of an inner self at odds with the "official" society; the small everyday transgressions sprouting under the posture of outward conformity.

Anchee Min also writes of the conflict between desire and politics—the former controlled and outlawed in the name of the latter, but springing to life anyway, despite enormous dangers. She describes a collective farm on which she lived for a time, where all sexual relations were suppressed. When one young woman is found making love in the fields, she is "saved" by the farm commander who urges her to claim that she was raped. She complies. The young man involved is executed, and the woman goes mad. The book is filled with telling examples and illustrations of what happens when a culture is in thrall to politics, when those much-maligned "liberal" values that teach respect for the rights of the individual are treated with disdain.

And this brings us back to the ingenious solution offered in

21. ANCHEE MIN, *RED AZALEA* 38 (1994).

Brave New World, summed up by Huxley's Director of Hatcheries, who says: "That is the secret of happiness and virtue—liking what you've got to do."²² Huxley's fictional world, with its ectogenesis, neo-Pavlovian conditioning, and hypnopaedia, makes this shift possible. In fact, it makes any other attitude impossible.

Since unpleasant emotions frequently occur in connection with personal relations and the arena of sexuality, most fictional utopias (especially the ones written as dystopian satires) regulate personal life in order to achieve the maximum social harmony. In Zamiatin's *We*, the brilliant Russian novel that served as a model for Huxley and most subsequent twentieth-century dystopias, people have numbers, not names, and virtually all aspects of life have been brought under state control.²³

Sexual conflicts, competitiveness, and personal attachments have all been done away with by the great, historic *Lex Sexualis*, which states: "A Number may obtain a license to use any other Number as a sexual product."²⁴ One need merely sign up for such use during the personal hours, the only hours when curtains can be lowered on the glass walls of the huge dormitories in which everyone dwells. Zamiatin's narrator initially looks forward to the time when even these personal hours will be abolished, as all of life comes under the control of the perfectly regulated world state.

Huxley uses a similar approach. In his novel promiscuity is encouraged and orgies routinely occur as part of orchestrated pseudo-religious rites. Orwell, whose future England makes no pretense to be organized for the happiness of its citizens, opts for suppressing sex altogether, though not very successfully, as it turns out. What is important to recognize is that it matters little whether sex is prohibited or promiscuity encouraged. Either way, the management of sexuality is a key element in these dystopias, which through such manipulation attempt to erase the private sphere (whether by turning it into a commodity, as does Huxley, or by prohibiting it altogether, as does Orwell) and refocus their citizens' attentions on the collectivity and its leader.

We, today, living in the United States, are of course relative

22. HUXLEY, *supra* note 12, at 15.

23. EUGENE ZAMIATIN, *WE* (Gregory Zilboorg trans., 1924).

24. *Id.* at 22.

beginners in the use of such controls, which is perhaps a saving grace. One could even argue that stretching the definition of sexual harassment so that everyone has to watch their every word and gesture, and prohibiting personal relations between those (such as professors and students, and employers and employees) in "asymmetrical" positions relative to one another, will actually increase the sexualization of campus and workplace. It is, in fact, hard to see how any learning can still go on in an academy constantly on the look-out for sexual innuendo. And, as in the old jokes about censors spending their days looking at pornography, opponents of professor-student relationships do seem to have an intense and perhaps bizarre preoccupation with sex. It cannot genuinely be "power differentials" that concern them, since these are manifest in many forms quite unrelated to sex and, my own dystopian vision of "competitive harassment" rules notwithstanding, most of these forms are not objects of concern to the social engineers proliferating in academic offices. Is anyone (yet?) claiming that it should be prohibited, say, for a professor to give time and attention to a particularly promising student? That it should be illegal to co-author a paper with a talented student, as happens in many fields, and not with all students in the cohort? And yet any such preferment not only subjects the student to the professor, but increases the risks of a painful rejection later. Clearly, the work of regulating academic life is far from over.

Indeed, it appears to be the fear of sexual involvement specifically that elicits concern over the "power differentials" that supposedly make these relationships illegitimate. No one seems willing to let common sense guide professors in their contacts with students. But if the would-be regulators of all such associations have their way, I foresee a paradoxical resurgence of romance. For, in a post-banning society a professor will be genuinely heroic if he (or, less often, she) acts on an attraction to a student or responds to a student's initiative—a little-recognized occurrence that is, I believe, far more common than actual sexual harassment initiated by professors. What student would remain unmoved by a professor willing to take such risks?

Instead of protecting the concept and practice of academic freedom, which to my mind includes not only freedom of speech but also freedom of association between consenting adults, many academics today appear to view this freedom with alarm. They

seem to see it as “academic license,” license, presumably, to exploit and abuse, hence in need of curtailment. Once again, since professors are perfectly able to decide, individually, *not* to engage in personal relationships with students, it appears that the censors’ concern is above all with regulating the behavior of *others*, not of themselves (such regulations have already been promised at my university, but not yet been delivered). But supporting the regulation of private and voluntary relationships presupposes a massive distortion, on the banners’ part, of the supposed “power” of professors, as well as of the “powerlessness” of students, who are, by this attribution, infantilized or suspected of a dependency that would make them into replicas of psychiatric patients in need of both therapy and of protection from unscrupulous therapists.

Where does it all come from, this lack of confidence in ourselves and our fellows and this desire to *force* adults to “do the right thing?” Perhaps here too there are literary and historical precedents to guide us.

Many of the famous dystopias written in the twentieth century feature what can be called a “Grand Inquisitor” scene—in which the leader of the fictional society explains to the rebellious protagonist that people are happier now that they have been relieved of the burden of freedom, have been told what to do, what to think, how to behave, and, of course, what to read. What they are allowed to read, in many cases, turns out to be nothing, for these societies all strive for conformity, and books and ideas tend to make people dissatisfied with their condition.

This danger of reading is a major theme of Ray Bradbury’s 1953 novel *Fahrenheit 451* (the temperature at which books burn). Books lead to reflection and even conflict: this is what Montag, the novel’s protagonist, hears from Faber, a former English professor thrown out of work when the last liberal arts college closed its doors decades earlier due to lack of students and patronage. Books had to be destroyed because they convey the “texture” of life, Faber says. They “show the pores in the face of life. The comfortable people want only wax moon faces, poreless, hairless, expressionless.”²⁵ But by now, Faber explains, the firemen are rarely necessary: “So few want to be rebels any

25. RAY BRADBURY, *FAHRENHEIT 451*, at 83 (1953).

more.”²⁶

Writing more than forty years ago, Bradbury, earlier in the novel, creates a Grand Inquisitor scene that springs to life because it sounds uncannily familiar to readers today. Captain Beatty, the Fire Chief, explains to Montag:

“Bigger the population, the more minorities. Don’t step on the toes of the dog lovers, the cat lovers, doctors, lawyers, merchants, chiefs, Mormons, Baptists, Unitarians, second-generation Chinese, Swedes, Italians, Germans, Texans, Brooklynites, Irishmen, people from Oregon or Mexico. . . . It didn’t come from the Government down. There was no dictum, no declaration, no censorship to start with, no! Technology, mass exploitation, and minority pressure carried the trick, thank God. Today, thanks to them, you can stay happy all the time,

26. *Id.* at 87. On the failure to speak out while one still can, see the foreword to YANG JAING, *A CADRE SCHOOL LIFE: SIX CHAPTERS*, (Geremie Barmé trans., with the assistance of Bennett Lee 1982). The author was a professor emeritus of English who, in 1969, at the age of sixty, was sent to a “cadre school”—one of the reform camps set up in 1966 for intellectuals during Mao’s Cultural Revolution. The author’s husband Qian Zhongshu (Mocun), himself a writer and scholar, notes in his foreword that his wife has left out a chapter, “one that might be called ‘Politics—Chapter on Shame’.” *Id.* at 11. Three different types of people could be discerned in the Cultural Revolution, as in the preceding political movements, he writes. These are:

First, the hapless victims, the comrades who were falsely accused of crimes, then criticised and struggled. If they wrote memoirs, they would probably include a ‘Chapter on being wronged’, or a ‘Chapter on Indignation’.

The second consists of the broad masses of China. In their recollections of that period there might be a ‘Chapter on Remorse’, recording their gullibility and readiness to believe all of the trumped up charges made against others, and their thoughtless complicity in the persecution of innocents. Some, myself included, would record our remorse for our lack of courage. For it was people like me who, although aware of the injustices being perpetrated on those around us, were too cowardly to take a stand and speak out against what was happening. Our only boldness was a lack of enthusiasm for the endless movements and struggles in which we participated.

The third group is made up of those who knew all too well that things had gone wrong, and that basic questions of principle had long ago been buried under mountains of confusion and deception. In spite of this, however, they continued to play the role of the revolutionary, instigating witch-hunts and acts of violence, and setting themselves up as the sole arbiters of truth. These people have the most reason to write a ‘Chapter on Shame’. But they have the shortest memory of all; to them remorse is an unwelcome emotion. Of course, they may have unconsciously suppressed their sense of guilt. Or, what is more probable, they honestly believe they have done nothing to be ashamed of.

Id. at 12.

"You must understand that our civilization is so vast that we can't have our minorities upset and stirred. Ask yourself, What do we want in this country, above all? People want to be happy, isn't that right? Haven't you heard it all your life?"

...

"Colored people don't like *Little Black Sambo*. Burn it. White people don't feel good about *Uncle Tom's Cabin*. Burn it. . . .

"If you don't want a man unhappy politically, don't give him two sides to a question to worry him; give him one. Better yet, give him none. . . .

"We [the firemen] stand against the small tide of those who want to make everyone unhappy with conflicting theory and thought. We have our fingers in the dike."²⁷

Bradbury's Grand Inquisitor scene, like others in dystopian fiction from Zamiatin on, is based on Dostoyevsky's prototype in *The Brothers Karamazov*, in which Ivan Karamazov relates a parable of Christ's return to sixteenth-century Seville, where he is imprisoned by the Grand Inquisitor. In a long monologue, the Grand Inquisitor explains to Christ why he will be burned as a heretic. It has taken the Roman Catholic Church centuries to vanquish the freedom that Christ bequeathed to men. Freedom of conscience is a burden of which people beg to be relieved, the Grand Inquisitor says. The Church has accepted this burden on their behalf, giving them instead what they crave: miracle, mystery, and authority.²⁸

We, today, are witnessing a latter-day version of the Grand Inquisitor's vision, as ordinary people—and in the academy, these are, of course, intellectuals—demand social salvation by turning power and control over to some force beyond themselves. Hence the call for rules and regulations, or the quasi-legal codes instituted on college campuses—anything to save us from the messiness and possible unpleasantness of everyday human interactions: from disappointment and bitterness in love; from unsuccessful sexual encounters; from work environments filled with the tensions of human beings still capable of having private selves, still free to make unkind comments on our foibles or criticisms of our efforts.

27. BRADBURY, *supra* note 25, at 59-62.

28. FYODOR DOSTOYEVSKY, *THE BROTHERS KARAMAZOV* 289-311 (David Magarshack trans. 1958).

Do our students really want the safety and security promised by a Grand Inquisitor? Some certainly do—or, in the absence of such a sense of security, imagine that they do. In my women's studies course on women's utopian fiction, for example, I was surprised to discover that many of the young women in my class found the safety of women as depicted in Margaret Atwood's *The Handmaid's Tale* a very appealing prospect. True, the novel, which envisions a takeover by religious fundamentalists, also institutionalizes rape (for the sake of reproduction), in a carefully choreographed monthly performance that involves the handmaid (who is fertile), the commander (her master), and the commander's infertile wife. If only the role of handmaid were abolished, some of my students argued, the scenario would not be so bad. Atwood's vision of hysterical women tearing a man limb from limb for the (alleged) crime of rape did not bother many of them. In the same class, some students expressed approval of the flogging of an American youth in Singapore for defacing walls with graffiti: a really safe and clean society, they said, may be worth some brutality.

I was struck by their fears and anxieties, caused, I believe, not only by the real problems of American life, but also by the inflamed statistics promoted by feminists. On one of the stalls in the bathroom right outside that classroom in which I was teaching, I read that one out of every two women will be raped in her lifetime. The young women in my course do not seem to question such statistics, and are willing to give away much in exchange for the security they feel they lack. Far from appreciating freedom (academic or other), they act as if they are living in a society in which others' words and actions are a constant threat. Having no personal experience with situations where speech is prohibited, where speech codes similar to those these students endorse are the norm, where personal behavior is highly regulated and there is no freedom of association, they have no trouble thinking they might like such a society if only it made them feel safe. An atmosphere of panic, bolstered by scare statistics, is clearly a prerequisite if zealous solutions are to win support. And, in my experience, a great deal of the teaching that goes on in lower-level women's studies courses in particular is designed to induce precisely such feelings of panic.

To be effective, education should promote the play of the imagination. But I see few signs of such imagination at work as

students and colleagues not only fail to defend the academic freedom they enjoy, but actively assail it. I am not sure there is enough imagination around at the present time to let them even learn from the experiences related by others. Consider, for example, the views of a Chinese political scientist now working in the United States as set forth in a discussion on FEMISA (an e-mail list devoted to gender and international relations). I was in a distinctly minority position when I argued on that list for the importance of free speech, which—in that particular context—meant tolerating the messages of male contributors who were making themselves unpopular. I contended that even obnoxious males should not be struck from the list, and that intolerance of ideas we don't like can quickly move into the prohibitory mode, as if the people with whom we disagree had no right to speak freely. Pursuing such a course, I said, we will soon find ourselves instituting censorship, public humiliation, shunning, ganging-up-on, et cetera, so as to protect the orthodoxy of a few.

Kate Zhou posted the following response:

Dear Sisters:

We should pay attention to Daphne's concern. I am a feminist from China. For many years, sexist language was banned by the Chinese state (at least in the urban public sphere). Urban Chinese women were very much "free" from sexist verbal attacks. Many women including myself were willing to give up freedom for some degree of protection and security. When everyone lost the freedom to speak, women's independent voice was also gone. When women's voices were silenced, women suffered.

Yes, we did not have to be bothered by sexist language and pornography. But we could not complain that we had to line up two or three hours for basic food. We had to take less interesting work because we had to take care of the family. It was not politically correct to complain about the double burden.

Is it clear to feminists that there has been no feminist movement in those countries that practice state censorship?

My experience in China seems to suggest that women are often victims of any kind of censorship. As a feminist, I believe that women have the ability and power to defend their interests if given a chance. We should welcome complex and diversified debates. Difficult and complex debates help to train us. If we try to shut someone up

because we dislike what he has to say, we just confirm our weakness and sexism.²⁹

FEMISA did not take this sound advice. Recently, after more postings from argumentative men (who sometimes were merely pointing out that hateful language about men was routinely posted on the list by women, while men's denunciations of this were being treated as intolerable flames), the listowners proved their point by barring various men from the list and moving the entire list onto "moderated" status—the better, it appears, to control its discussions.

I believe that we must heed the experiences—both real and fictional—of people in societies where individual freedom has been construed as inimical to the greater social good and hence restricted by the state and its institutions. We often seem to gravitate toward what is absent from our own historical situation. When there is censorship of reading material, we get protests such as those that arose around the trial of Radclyffe Hall's book *The Well of Loneliness* in England in 1928, or around D. H. Lawrence's *Lady Chatterley's Lover* in this country in 1959. When girls (but not boys) must be in their dormitories by a certain hour, and a couple is required to have three feet on the floor (common dormitory rules when I was an undergraduate in the early sixties), it is these regulations that cause resentment and rebellion. And when all such rules are lacking, as they are today, why should it surprise us that people cry out to be saved from themselves and from one another?

But for adults who have enjoyed freedom of expression and association to throw it away so cavalierly certainly suggests they have not taken a look at either the abundant literary models or the actual societies in which such restrictions have been in force. Does it make a difference whether the rules and constraints (which no supporter has been able to demonstrate are likely to lead to a better society) are demanded by feminists or by—say—fundamentalists? I doubt it. Once set in motion, where will such social engineering stop? Whom should we trust to define the good society for us?

29. Letter from Kate Zhou posted on the Internet May 5, 1995 (on file with author).