

# Sexual Harassment: #TimesUp!

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# Sexual Harassment: #TimesUp!

- I. *Alexander v. Yale* - Sexual Harassment in 1977
- II. Sexual Harassment Today
- III. Microsolutions - What can institutions do to help combat sexual misconduct?
- IV. Cultural Change - True gender equality as a necessary precondition for stopping sexual harassment

*Alexander v. Yale*

# Yale feminism





## Humor as Feminist Action: The Case of the Yale Swim Team

# 1973: “Date rape”

The case of Dr. Calvin Hirsch,  
currently a geriatrician at  
University of California, Davis

# The New York Times, August 22, 1977

## Yale Faculty Members Charged With Sexual Harassment in Suit

By DIANE HENRY

Special to The New York Times

NEW HAVEN, Aug. 18—A court battle over whether Yale University faculty members have sexually harassed their students is scheduled to commence soon as thousands return here for a new academic year and for soul searching about the issues in the controversy.

Four women students, two of whom were graduated last spring, and a male assistant professor have filed a class-

matters are handled the way they should be handled—discreetly, quietly."

The suit wants Yale to set up a grievance committee to dispose of these problems. Yale administrators say this would be redundant.

"We're probably the only university in the world that has a special harassment procedure written into the rule books," said one official. "In 1969 it was written specifically at the request of black students, but anybody can use it. What are we supposed to do,

professors. Meanwhile, a young male student said, "I don't understand why we're only talking about women. The same thing happens with men and their female professors."

One university official who claims to be in touch with large numbers of faculty members and administrators said, "There is a strong argument that if women students aren't smart enough to know how to outwit some obnoxious professor, they shouldn't be here in the first place."

# Where are we today?

# 50%

of Britain's women have been  
harassed at work or in a place of  
study<sup>1</sup>

1. "Half of women' sexually harassed at work, says BBC survey," *BBC News*, October 25, 2017,  
<https://www.bbc.co.uk/news/uk-41741615>.

2 in 3

young British girls have been sexually  
harassed in public<sup>2</sup>

2. Hayden Smith, "Two thirds of young girls have been sexually harassed in public, surveys shows," *Independent*, September 5, 2018, <https://www.independent.co.uk/news/uk/home-news/two-thirds-teenage-girls-sexually-harassed-a8523181.html>.

**1 in 3**

**women worldwide have experienced  
either physical and/or sexual violence<sup>3</sup>**

3. "Violence against women," World Health Organization, November 29, 2017,  
<http://www.who.int/news-room/fact-sheets/detail/violence-against-women>.

# University of Rochester case



# The *New York Times*, May 24, 2018

*Harvey Weinstein Will Be Arrested  
and Charged With Rape, Officials Say*



As part of a bail package negotiated in advance, Harvey Weinstein will put up \$1 million in cash and wear a monitoring device. Carlo Allegri/Reuters

120+  
accusers  
and  
counting...



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Harassment has no place in science. That's why we're working on a revocation policy for elected @AAAS Fellows, currently under consideration by the AAAS Council.

#MeTooScience

7:39 AM - 21 Aug 2018

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250

671

# American Association for the Advancement of Science (AAAS) Revocation Process, in effect October 15, 2018

*AAAS will, in its sole discretion, consider revoking Fellow status in cases of proven scientific misconduct, serious breaches of professional ethics, or when the Fellow in the view of AAAS otherwise no longer merits the status of Fellow.*

# University removes history professor Gabriel Piterberg from employment

BY RUPAN BHARANIDARAN

Posted: March 12, 2018 2:10 pm

CAMPUS, NEWS

## UCLA case



Gabriel Piterberg, a university professor accused of sexual assault, will no longer be teaching at UCLA, the administration announced Monday. (Daily Bruin file photo)

Jaeger and Piterberg are two examples of thousands.

*Alexander v. Yale* was filed in 1977. We are still facing the same problems today. But we are speaking out more.

# Barriers to change

# Barriers to change

1. Embarrassment, a desire to cover things up
2. Confusing statistics
3. Perpetrators are often **compelling personalities**
4. Lack of understanding of how perilous it is for young academics to complain

# Barriers to change, cont.

5. “Plea bargain” solutions to get perps to go away with money, thus sending the problem to other institutions
6. Whisper networks do not survive from one year to the next - students graduate
7. Harassers and rapists can move from one university to the next, as universities are not required to report harassment decisions
8. Legal counsel often on the side of institutions, not victims

# Barriers to change, cont.

## 9. “Brock Turner effect” and “himpathy”



*How does this  
serial harasser  
stay president?*

# Barriers to change, cont.

10. The academy is by nature  
**conservative**

11. New industry - Debevoise, Mary Jo  
White - Universities pay experts to  
absolve them from blame

# Microsolutions

# Microsolutions

- 1. Uniform model code**
- 2. Multiple reporting channels**
- 3. The problem of anonymity**
- 4. Online reporting services**
- 5. Hearing panels empowered to take evidence**
- 6. Reporting disciplinary decisions to a centralized body**

# Microsolutions, cont.

7. Suing institutions
8. No settlements without the aggrieved person being made a party
9. Prohibit the use of confidentiality
10. Gender-balanced governing bodies
11. Diffuse hierarchies so that power is fairly distributed and higher-ups do not have full control

# Microsolutions, cont.

12. Annual/regular training sessions
13. Mandatory external audits
14. Annual/regular reports

# Microsolutions, cont.

15. \$ Financial  
sanctions \$

# Microsolutions, cont.

16. Incentives for change

17. Ban on mandatory  
arbitration clauses

# Microsolutions, cont.

18. Ban on sexual contact  
between students and  
staff/faculty, employees and  
superiors

# Microsolutions, cont.

19. The Great Man  
Theory of Pardon: NO  
MORE

# Cultural change

**Justice is absent if half  
the population faces  
systematic barriers to  
equal treatment.**

“We've begun to raise daughters  
more like sons... but few have  
the courage to raise our sons  
more like our daughters.”

– Gloria Steinem

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