

H-Net Reviews

in the Humanities & Social Sciences



Linda LeMoncheck, Mane Hajdin. *Sexual Harassment*. Lanham: Rowman & Littlefield Publishers, Inc., 1997. x + 239 pp. \$96.00 (cloth), ISBN 978-0-8476-8424-3; \$22.95 (paper), ISBN 978-0-8476-8425-0.

Reviewed by Elizabeth Dale (Clemson University)

Published on H-Women (August, 1997)

The lead blurb on the back of this book describes it as a work on the morality of sexual harassment, but it strikes me that the book tries to be something more. The book, written by two philosophers, is intended to present different perspectives on what sexual harassment is, why it is wrong, and what should be done about it. In this respect, it goes beyond an abstract debate over morality, and considers the law and remedies relating to sexual harassment as well.

Its format is straightforward. First there is an essay by Linda LeMoncheck, setting forth her views. Second, there is an essay by Mane Hajdin, setting forth his. These initial essays are not so much in dialog with each other as they are with the literature and law relating to sexual harassment. Following Hajdin's essay, there is a response to his comments by LeMoncheck. That essay is followed by a second short essay by Hajdin responding to LeMoncheck's first essay. In a brief epilogue, both authors join in urging debate and discussion of the issue of sexual harassment.

The positions of the two authors can also be easily summarized. Both condemn most of the activities that are included in the rubric sexual harassment as morally wrong. Both also feel that the legal system's current efforts to deal with sexual harassment are problematic. At this point, however, their accounts diverge.

LeMoncheck argues that legal reaction to sexual harassment must be strengthened, and she proposes a feminist theory of sexual harassment that emphasizes what she refers to as the dialectical nature of harassment. This is, in effect, a notion that sexual harassment is a highly contextual problem, depending on the individual victim's

response (which may itself reflect context), the hierarchy in which the victim and the harasser find themselves, and the conduct complained of. At bottom, for LeMoncheck, "sexual harassment constitutes an abrogation of the responsibility of the harasser to treat the harassed as a moral equal whose sense of herself as a sexual subject in the world is as worthy of empathy and respect as any other person's" (p. 59). Seen in this way, sexual harassment is about abuse of power and denial of the respect equality demands. Either a woman or a man can be a harasser, and either a man or a woman can be harassed.

Where LeMoncheck argues for an understanding of sexual harassment that broadens the concept beyond the limits currently imposed by law, Hajdin argues that the legal category of sexual harassment is so flawed that it should be abandoned. His argument is that many of the behaviors that are condemned as sexual harassment are covered by other laws (such as the law of torts, or civil wrongs), and should be handled by those other laws. In this way, he suggests, wrongs underlying sexual harassment can be redressed (when appropriate, and it is important to note that he does not agree with LeMoncheck about the range of activities that should be considered sexual harassment). At the same time, he argues that, by using traditional legal methods, those wrongs can be redressed in a manner that deals sensibly with the problems without the distortions caused by collapsing many offensive actions into the single category of sexual harassment.

Both authors are philosophers by training, and so they set out their arguments in a philosophic style, marshaling other arguments and then refuting them, building their own arguments from the framework of the refu-

tation. As a result, the essays contain fairly complete summaries of contemporary writing about sexual harassment.

I confess to having mixed feelings about the book. As a reader, I was somewhat put off by the debate format, not because I object to the point, counterpoint model, but because I found the approach less than helpful here. Because the primary essays are intended to let the authors present their own, individual points of view, there is really no debate for the first 150 pages of a 225 page book. Nor do the response essays correct this problem. While those essays are intended to let the two authors react to each other's primary essays, they do so without reacting to each other's responses. I found the results strangely unconnected.

As a former lawyer, with some limited experience in the difficulties of trying and prevailing in sexual harassment cases, I sympathized with the frustrations both authors felt with the legal system's response to the problems of sexual harassment. At the same time, I found their solutions equally unworkable, and somewhat unrealistic. The law's inability to deal adequately with sexual harassment is a serious problem; these essays point some of those problems out (though in such an abstract man-

ner that I am not sure the true difficulties will be apparent to the reader), but do not do much more.

The book was more successful in pointing out the range of problems and responses embraced by the issue of sexual harassment, in a coherent structure. In this sense, the book did help make sense of the issues of the debate, and provide an explanation of how and why those issues arose. In that respect, I found the book helpful, and at times provocative, especially when the authors connected approaches that I had not previously considered related.

That said, I am not sure how I would use the book in a history class. I think it may be too difficult for undergraduates, even if it were only used as a survey of theories of sexual harassment. It might be useful in a class dealing with the history of women and law, since it might help the students impose some intellectual structure on the variety of legal responses to sexual harassment. But probably it is most useful for professors preparing classes that deal with sexual harassment.

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Citation: Elizabeth Dale. Review of LeMoncheck, Linda; Hajdin, Mane, *Sexual Harassment*. H-Women, H-Net Reviews. August, 1997.

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