

Statement on Sexual Harassment at UC Berkeley

March 28, 2016

As feminist faculty at UC Berkeley, we are gravely disturbed by the failures of our Administration to address sexual harassment as a fundamental violation of civil rights. This year's gross mishandling of the Marcy, Fleming and Choudhry cases reveals an administration that neither treats sexual harassment as serious nor recognizes its damage to its victims. These failures make a mockery of the Administration's continuous verbal promotion of the values of diversity, equity, inclusion and civility; the Administration appears far more concerned with risk management and with the careers and reputations of the prominent.

Sexual harassment is a violation of equal rights prohibited by a 1976 U.S. Supreme Court interpretation of the 1964 Civil Rights Act. More than merely unpleasant or offensive behavior, and in a very different legal and political category from sexual assault, sexual harassment violates the right, at work or school, to avoid barriers or burdens on the basis of one's sex or gender. Instead of respecting this principle of equality, the current administration has gone out of its way to shield those who have engaged in repeated acts of sexual harassment, and has sacrificed the entitlement of all staff, faculty and students to a harassment-free environment.

These high profile cases have produced a general crisis of confidence in the Administration. They also identify a long-standing and seemingly worsening problem at UC Berkeley, which is that reports of harassment are difficult to lodge and are often met with lethargic, arbitrary or feeble responses. While emphasis is placed on employee compliance with online education in identifying harassment, the actual system for reporting and resolving it is discouraging and ineffective for those who would bring complaints. Consequently, many well-known repeat offenders have not been reported or, when reported, have not been stopped, a situation that has created a climate of frustration, anger and cynicism for those experiencing and witnessing harassment. Due process is essential for those charged with sexual harassment, but so too are clear, accessible and non-intimidating procedures for those who would make the charge and expect just results. The solution is not another education campaign or public statement of administrative resolve but a functional system for reporting harassment and removing harassers from positions of power over their victims.

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