

CANADIAN ASSOCIATION FOR
EQUALITY



SEXUAL HARASSMENT

OUR

GUIDING PRINCIPLES

Equality. This is our founding principle. From this, it follows that we reject double standards, one for women and another for men. Our society recognizes women as victims of sexual harassment but not men as victims of identity harassment. Only a double standard that relies on ignorance, sometimes willful ignorance, prevents many people from acknowledging the former as a functional equivalent of the latter.

Due process. Justice is not the same as “vigilante justice.” The latter is just as deplorable as sexual harassment itself. Our society assumes the rule of law, not mob rule. We need, therefore, to reconcile two fundamental goals: respecting alleged victims and respecting alleged perpetrators.

The presumption of innocence. We make a mockery of justice by assuming naively that some people are collectively innocent and cynically that other people are collectively guilty. The latter has led historically to both prejudice and atrocities such as genocide. People are innocent or guilty in court only for their own behavior, not that of others like them, let alone their ancestors.

Evidence is paramount. The conspiracy theory of history has no place in any court or tribunal. No archaeological or other evidence supports the theory that men unilaterally created gender, let alone a “patriarchal” form of gender, in order to exploit, subjugate or harass women. The same principle applies, of course, in every particular conflict.

Belief belongs in churches, not courts. Alleged victims of sexual harassment should be taken seriously at every

step of the legal process, not simply “believed.” Similarly, alleged perpetrators should be taken seriously at every step, not simply disbelieved. No one is either innately good and honest or innately evil and dishonest. We have courts to weigh the evidence on both sides. Automatic belief or disbelief would introduce something like a religious litmus test. Moreover, prejudging according to personal belief or ideological doctrine (prejudice) would privilege some and silence others.

Proportionality. Not all forms of “inappropriate conduct” are equally harmful, let alone tantamount to rape. The punishment, therefore, should always fit the crime. In this case, we must remember that no one’s reputation ever fully recovers from public allegations of this kind—not even after being declared innocent by a court or tribunal.

Accountability. We are all responsible for our own behavior, those who bear false witness no less than those who intimidate others. Both alleged victims and alleged perpetrators must be punished if their claims are disproved.

Caution. Given the dire consequences for alleged perpetrators, even if they are eventually found innocent, we must always avoid publishing their names—just as, for other reasons, we often protect the identities of alleged victims.

Ends cannot justify means. The noble “end” of attaining justice cannot justify the vengeful “means” of replacing the court of law with the court of public opinion.

victims
 vigilante
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 evidence
 presumption
 women
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 Me Too
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 equality
 definition
 ideological
sexual
 reputation
 tyranny
 false
 specifically



OUR POSITION

We recognize the need of women for an open discussion of sexual harassment—that is, intimidation-- and for the negotiation of a new social contract with that need in mind.

We recognize also the need of men for an open discussion of identity harassment (targeting all men, either now or in the remote past, with collective shame or collective guilt for oppressing women and minority groups) and for the negotiation of a new social contract with that need in mind.

We lament the current undermining of a legal system that took centuries to develop in ways that now protect those accused of crimes from the potential tyranny of a vastly more powerful state (by establishing the presumption of innocence and assurance of due process).

We lament more specifically the current tendency to confuse justice (which relies on universally accepted legal and moral principles and thus leads to reconciliation) with revenge (which relies instead on ideological principles and thus leads to the mobilization of resentment).

We hope for a new social contract that would emerge within the context of inter-sexual dialogue (which relies on empathy, not resentment,) and which refrains, by definition, from silencing either side.

We hope more specifically for genuine sexual equality, which holds both sexes accountable for intimidating or exploiting behavior, honors the distinctive contributions of both sexes and promotes compassion for both sexes.

We Can Stop Identity/Sexual Harassment

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