

Sex Through the Eyes of a Man:
Men towards Sexual Harassment

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Since the beginning of time, there has always been a significant divide between men and women. Most people expect men and women to fulfill specific roles; with that being said, men have historically seen women as simple, fragile, and insignificant compared to men resulting in an unhealthy superiority complex. Having a front of women being caretakers and housewives for hundreds of years has given men the unfortunate misconception of having the upper hand, especially when dealing with gender stereotypes. Men have normalized sexual harassment for centuries and allowed for women to be continuously sexually abused. Only in the past few decades has rape been made sensitive considering the role of women has been geared towards positivity within their own femininity. While men are presently adapting to an unfamiliar environment towards equality regarding women, not all men have learned the sincerity of morals inevitably leading to the era of #MeToo movement.

Social media has been a beacon for the #MeToo movement ever since the mass Twitter eruption of the #MeToo hashtag. While the movement has primarily targeted female sexual harassment survivors, the behavior of men in the workplace has undoubtedly been affected since the workplace environment began to place precautions for sexual harassment. The media presented men in a poor light as they were seen as the primary villains of the empowering movement. As new policies are revealed within the workplace, men are constantly shifting gears and reacting to the backlash of the movement. While the #MeToo movement continues to captivate the world through the influence of social media, the change in men's deliberate behavior is feared for their occupational reputation.

As the #MeToo movement provides a safe space for women to share their individual private sexual harassment stories, gender stereotypes have never been more separating since the movement originated with hopes for unification. For a long time, nondisclosure agreements have

essentially signed away the rights of women even being able to share these stories to find their peace of mind and seek justice. With the abandonment of these nondisclosure agreements, women can now speak freely about sexual harassment claims. Previously sexual harassment and the statutes of rape have been broad; however, they have been redefined to create new specifically defined limitations to narrow the scope of sexual harassment. With sexual harassment training being integrated into the workplace, safety is a priority for not just women but men too. Ever since the #MeToo movement expanded their goals towards changing and implementing new laws and policies, the behavior of men in the workplace has been altered through the elimination of nondisclosure agreements, the establishment of the standards of sexual harassment in legal terms, and enforcement of workplace sexual harassment training.

Ever since activists have worked to eliminate nondisclosure agreements used to silence victims, state and government officials have developed new policies disallowing attackers to get away with sexual assault, harassment, and rape. An NDA, nondisclosure agreement, is a legal contract between two parties that agree to keep any confidential information between one another as part of business affairs. The development of new policies has made the workplace setting different since NDAs have been terminated.

The variation of nondisclosure agreements has stripped many women from testifying and negating proof that could put someone in jail. According to Rebecca Beitsch (2018), a staff writer and journalist for The Hill located in Washington, D.C., she describes the subsequent use of NDAs to abuse and silence victims in her article *#MeToo Has Changed Our Culture. Now It's Changing Our Laws*. Despite the unethical use of NDAs, states have limited certain contracts and moved towards the complete elimination of these NDAs as an entirety. While businessmen, politicians, and government officials have abused the power of these agreements, the workplace

setting has been reinforced substantially because attackers are no longer protected by NDAs. This was especially shown in the downfall of movie producer, Harvey Weinstein, causing the #MeToo movement to gain an outstanding amount of recognition (Beitsch, 2018). Beitsch highlights the idea of powerful men using nondisclosure agreements to hide sexual harassment claims in the workplace and even moved towards financial settlements such as financial compensation to bar women from speaking about their sexual abuse, harassment, or rape experiences. Nikki Graf (2018), an author, journalist, and sociology graduate from the University of Wisconsin-Madison, emphasized that 55% of men have stated that it has been harder for men to interact with women ever since the #MeToo movement escalated the focus of sexual harassment. Ever since the movement began, the behavior of men has evidently subsided in terms of sexual harassment in the workplace. Nearly six-in-ten women have said they have experienced unwanted sexual encounters (Graf, 2018). During the entirety of the movement, men are generally seen as the prime offenders who make these unwanted sexual advances which result in men fearing the consequences of the movement in their own workplace. With that being said, the elimination of nondisclosure agreements among the impact of the #MeToo movement has influenced men's inappropriate behavior to diminish in the workplace.

Not only are nondisclosure agreements breaking silencing laws, but the agreements are hurting the trust in the justice system towards higher authorities. As Erik Christiansen (2020), former chair of Utah State Securities Commission and co-chair of the Securities Litigation, depicts the use of nondisclosure agreements from Harvey Weinstein to silence victims, Christiansen explores the elimination of nondisclosure agreements within state policies. As new bills are passing and new policies are being enforced, the #MeToo movement visualizes this as a big step in the alteration of men's behavior regarding sexual harassment. Christiansen's study

found that California had passed three new laws: claimants are not allowed to be silenced from releasing facts regardless of contract, contracts that prevent a party from testifying unlawful conduct are voided, and it is now unlawful employment practice to require employees to sign NDAs (2020). The progression of workplace harassment has increased tremendously in the state of California because of these new laws. While business people had already been abusing NDAs, these laws influenced these men's behavior through legal legitimacy. Since the #MeToo movement created such a positive safe environment for victims to speak up against their abusers, more men have gotten furious at the unexpected sexual harassment claims that hurt their reputations in the workplace. As these nondisclosure agreements are unable to sustain their original intentions, the workplace setting has contributed to the effect of men's behavior in fear of consequences (Graf, 2018). Not only has California passed new laws in regard to NDAs, but Illinois has also passed the Workplace Transparency Act that prohibits all types of signed documents from reporting allegations of sexual harassment within the code of conduct (2020). Newly implemented policies in California and Illinois have displayed a considerable result on how the limits of nondisclosure agreements have been altered in the support of sexual assault victims. Not only will NDAs be eliminated, but men in the workplace will not be able to use a nondisclosure agreement as an excuse to sexually harass or assault women. As more states continue to reexamine the repercussions of NDAs, the #MeToo movement will be able to progress in legal terms.

As more bills are being written, new acts are being introduced to the House of Representatives and the Senate. Cara Kelly (2018), an author and reporter on the USA TODAY investigations team, and Aaron Hegarty (2018), a data journalist on the USA TODAY investigations team, explain two new bills on both sexual harassment and violence. With the

elimination of nondisclosure agreements, it does not mean the movement has come to an end as new bills are to continue passing to maintain progress and reach the goal of a safe world for both men and women. Kelly and Hegarty explain that:

“The EMPOWER Act was introduced in the Senate and House over the summer restricting the use of nondisclosure agreements ... the Violence Against Women Act, considered a landmark bill in 1994, was set to expire Sept. 30. Lawmakers extended the deadline to Dec. 7” (2018).

This meant that new acts that are being reflected on are here to continue to make a change and inspire new policies to pass regarding the silencing of sexual harassment victims. As women are often seen as victims in the era of #MeToo, men are unfortunately at an uncomfortable stage set in the workplace. With new acts in place regarding the empowerment of women, men are surely reconsidering making unwanted sexual advances and thinking twice before committing sexual harassment assault, or rape against a woman. The silencing of victims through nondisclosure agreements on legal premises has steered towards the revisions of criminal laws when observing sexual harassment.

While the standards of sexual harassment, sexual assault, and rape have been established and redefined through exploring gender stereotypes in legal terms, new bills and policies have been passed regarding the establishment of legal ethics. As sexual harassment can be broadly defined, the implication of legal terms when defining sexual harassment is important in the aspect of #MeToo survivors and other sexual harassment, assault, and rape victims. As more people are becoming educated and aware of the unfortunate circumstances, legal definitions must be enforced to ensure that predators and attackers understand the legal consequences that will take effect in the event of their actions.

A man's behavior is not only determined by his survival but it is also determined by his desires. Furthermore, Beitsch describes the expansion of statutes of limitations when victims are unable to seek justice for assault cases that have happened long ago and that cases that have happened more recently are more likely to succeed when being reported immediately (2018). As legal implications continue to widen, the expansion of statutes of limitations has helped to increase the chances of #MeToo survivors to succeed in their progression towards justice. L. Camille Hebert (2018), a professor for the Michael E. Moritz College of Law at Ohio State University, explains they have introduced new standards for appropriate behavior in order to construct new understandings for attackers. While Beitsch talks about attackers understanding consequences regarding the statutes of limitations, Hebert continues to prove Beitsch's point by explaining how the implication of new standards of appropriate behavior has contributed towards providing a step toward attackers facing legal consequences. As the #MeToo movement has driven new policies to pass, the standards of appropriate practices and the expansion of statutes of limitation have created a new environment towards providing a threat of legal consequences to these attackers. While morally speaking, not only should sexual harassment not happen in the workplace, but the fact that there need to be defined standards shows how cruel the world is today.

As gender stereotypes have written the law once before, Leslie Y. Garfield Tenzer (2019), a professor of law at Pace Law School, explores the normality of standards between males and females ever since the beginning of time. In the present day, men have to ponder whether to engage or not in sexual desires to not seem like a predator. As these gender stereotypes are harshly defined in society, in legal terms, men are often perceived as the defendant while women are labeled as the victim in sexual assault cases (Tenzer 2019). In spite of everything, gender

stereotypes are not only perceived negatively in societal means but legal means suggest that gender stereotypes are within the law as well. With this competition to gain even ground among the sexes, Tenzer notes that legislation has shifted gender-neutral statutes to define equality between the sexes in order for both men and women to understand the legal consequences of sexual harassment (2019). With gender-neutrality in the court under sexual harassment, both sexes will be able to take legal repercussions seriously. Bo Nilsson and Anna Sofia Lundgren (2020), both authors who graduated from the Umea University of Sweden, emphasize how masculinity is defined through social media, which in turn creates a divide between men and women. Since #MeToo grew based on social media, Nilsson and Lundgren explain how social media sets a standard on how men are portrayed when speaking about sexual abuse (2020). Since society has viewed masculinity in a negative way that considers men the primary attackers in a sexual abuse relationships for centuries, it has even come up within the law. Nilsson and Lundgren connect social media defined masculinity to Tenzer's viewpoint on lawful gender stereotypes. Social media's perception of gender stereotypes stems from the law's perception of masculinity which Nilsson and Lundgren are able to derive through Tenzer's interpretation. The news outlet of social media is just a telling of the hearing.

Throughout *#MeToo? Legal Discourse and Everyday Responses to Sexual Violence*, Alison Gash (2018), author from the department of political science and a graduate of the University of Oregon, states new policies are being set regarding the reconsideration of what is considered sex and rape. Gash also mentions that states have been establishing new physical and emotional limits that describe how rape may be construed; with that, the new legal definition of rape defines new boundaries of sexual coercion as a social problem (2018). The #MeToo movement has assisted in the push for new laws, especially the definition of sexual assault,

harassment, and rape. Workplace sexual harassment has been the main focus on changing the focus of safety for women as well ever since the movement began. While Christiansen explains workplace sexual harassment standards being acknowledged and reprimanded, he begins to talk about new workplace examples of definitions being introduced to define sexual harassment. The state of Washington defines sexual harassment as: unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, verbal or physical communication of sexual nature (Christiansen 2020). While Gash talks about new states establishing physical and emotional limits on rape, Christiansen is able to clarify the certain states and ways that sexual harassment is defined as. This is examined as a huge step towards the goal of #MeToo as it progresses towards the way a man may act in the workplace since it would affect their occupation. Both California and New York have increased their recognition of sexual harassment severity in the workplace setting to enforce a safe environment for both men and women (Christiansen 2020). With that, predators and attackers are more likely to watch out for the legal consequences. In court especially, it is harder for men to escape their wrongdoings within sexual harassment as these new legal definitions of rape and sexual harassment have been organized. Since the redefinitions of sexual harassment in legal terms have been composed in the workplace, the momentum for the #MeToo movement has been historic with sexual harassment training being administered.

Implementing background checks and requiring sexual harassment training are both approved policies that have been introduced in the workplace for the safety of women. As sexual harassment in the workplace is being educated to more people through the #MeToo movement, men at fault are exploring their behavior to find out whether they are hiding their true intentions or simply understanding the consequences of their wrongdoings. Not only that, all men in the

workplace now have to examine themselves before deciding whether or not to engage in a conversation or even make an advance with a woman because of the #MeToo movement.

As the #MeToo movement continues to gain popularity, the workplace has been an interesting realm for men as new policies regarding the introduction of testing rape kits. Beitsch explains how the passing of new bills has been pursued to increase the funding of rape kits within the states (2018). While this directly purposes women as a benefactor, men are indirectly targeted through the passing of rape kits since rape kits test through DNA samples from the woman to man. Men are constantly seen as the defendant in a court case regarding sexual harassment, which leads to rape kits being the product of men's misconduct. Beitsch also describes how legislators have been urging the push for rape kit testing to help prove cases during civil lawsuits (2018). Although the states do not want to push for the funding of these rape kits, the #MeToo movement continues to fight for funding alongside legislators. These new reexaminations in the workplace have been a small step in the large process of law-changing steps through workplace sexual harassment. As these changes commence, men will be more understanding of the consequences that are to occur in these acts of misconduct.

The movement influenced new laws by implementing mandatory sexual harassment training in nearly all companies with a certain amount of signed employees. Erik Christiansen investigates the new policies involving particular states under the movement (2020). Since there will be mandatory sexual harassment training, men will change how they approach the workplace as companies will require each employer to have annual training (Christiansen 2020). Men in the workplace are facing difficulties because of the #MeToo movement and its legal implications. However, Nikki Graf describes a poll stating, "more than half of women who have been sexually harassed say it has happened both in and outside of work" (2018). As Graf's

information coincides with Christiansen's, it explains why sexual harassment training is being mandated because of these sexual harassment allegations in the workplace. As new policies resume through the cause of the #MeToo movement, men are constantly in an uneasy place since these policies have passed as it creates an environment for men that have to fear for these sexual harassment training. Christiansen emphasizes the importance of these mandatory harassment training by exploring the differences between requirements through each policy in each state. He explains that states like New York required each employer to have annual training for all employees, including independent contractors, while Maine used a checklist-based system to develop their sexual harassment training programs for all employers with over fifteen employees (Christiansen 2020). During the training sessions, employees are taught how to report and file harassment claims. These employees are instructed to understand the cost of harassment claims and how it may negatively affect a person's life.

While sexual abuse may come in many different forms, workplace abuse may occur when men misuse their power through their upper authority positions abusing women through the use of their titles. Bo Nilsson and Anna Sofia Lundgren explore how implementing sexual harassment training in primary schools and mandating teaching sexual harassment training programs have furthered the movement (2020). As men's behaviors often stem from their occupations, this develops a tough situation for men that are beyond the law and in the search for jobs despite their past criminal history. Adam McCulloch, a freelance journalist, and sub-editor at the Guardian explains how officials have begun protecting women from all sexual harassment claims against coworkers, clients, and customers which really changes the standing point between men and women and their interactions. Men can no longer publicly harass within sight

of law enforcement and if not in sight, claims made will be able to stand as part of a potential justice.

As implementing new laws and policies has created a genuine change in society, the #MeToo movement has impacted the lives of many. Men have newly constructed unspoken laws to abide by if they want to create an impressionable act regarding their occupations. Since nondisclosure agreements are no longer able to restrict women and allow for higher positions to manipulate and silence victims, men cannot take advantage of their position and wealth to request sexual favors from women in the workplace. The workplace atmosphere has been reformed ever since the movement began changing laws, as men now have to go through a sufficient amount of measures such as partaking in mandatory background checks and sexual harassment training before allowing the ability to work with women. Men now have to reflect on their decisions and think about the way they will act around the opposite sex before coming in contact with them. Creating a healthy environment for women is important because in the world today there are so many problems that should be looked out for and sexual harassment is not an issue that women should have to wake up and worry about when going out during the day or night. While men do not have the same struggles as women have concerning their safety, men's privilege is taken for granted. Men do not have the worries of a woman going on a jog in the park, standing outside for gas at the pump, or even purely just drinking at a party. The movement should not only change women's lives through openings to seek justice, but men should also be learning and educating themselves to understand the struggles of being a woman. Particularly in the workplace where women are simply doing their jobs, a woman should be able to feel safe while working without having a man on her tail. The #MeToo movement will forever continue to

inspire change through each individual's lives by spreading awareness and fairness as men learn to adapt and improve their actions each day for the better of everyone.

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