

SEX ORIENTATION DOESN'T MATTER

Prosecute sexual harassment equally, regardless of the victim's gender

When one thinks of sexual harassment, a male superior victimizing a female employee is usually what comes to mind. However, many men are beginning to file sexual harassment charges as well — against other men.



JESSICA CRUTCHER

These claims now account for 15 percent of all sexual harassment charges, which is nearly double the amount 10 years ago, according to the Equal Employment Opportunity Commission (EEOC). Some of the complaints involve unwanted sexual advances; however, most of them result in being harassed in a lewd and sexually offensive manner. For example, one lawsuit involved a Wall Street analyst whose supervisor "obnoxiously" demanded sexual favors in exchange for a larger bonus — possibly as an insult rather than a proposal

— and told the analyst he would be better off as a "homosexual prostitute," according to *The New York Times*. Another case involved a Dillard's shoe salesman who complained that his male supervisor frequently touched his groin and buttocks.

Much of this behavior ultimately goes unpunished because of how current federal laws are being interpreted by lower courts. Currently, sexual harassment is only considered "discrimination because of sex" under the Supreme Court's interpretation of Title VII of the 1964 Civil Rights Act.

Many homosexual employees have little recourse because of the way this law is written and because many states do not have laws prohibiting harassment because of sexual orientation.

Adjustments to the current laws are needed. It should not matter whether the harassment occurs because of the victim's sex or because of his or her sexual orientation. If

the improper conduct is sexual in nature, it should fall under the umbrella of sexual harassment, and the victim should be provided with a legal recourse.

A hotel employee who is openly gay, Medina Rene, lost his case against the MGM Grand Hotel in Las Vegas at the U. S. Court of Appeals for the 9th Circuit last March.

"The degrading and humiliating treatment Rene contends that he received is appalling."

— The U.S. Court of Appeals 9th Circuit

Rene said he was constantly harassed by other employees, who would try to pinch his buttocks and engage in other unacceptable conduct. The court's ruling was disturbing, to say

the least: Any harassment was based on his sexual orientation, not his sex.

According to *The Times*, the court stated "The degrading and humiliating treatment Rene contends that he received from his fellow workers is appalling. However, this type of discrimination, based on sexual orientation, does not fall within the prohibitions of Title VII."

It does not matter whether the harassment was based on sexual orientation or gender — common sense tells us since it was sexual and physical in nature, it was sexual harassment. There is a line between innocent teasing and making a co-worker miserable. Rene's fellow workers crossed that line.

A defense lawyer for another case, this time involving two supervisors harassing 10 male salesmen, argued his clients' behavior was "nothing more than what goes on in a typical high-school locker room," according to *The Times*. According to the EEOC, the incidents had been pre-

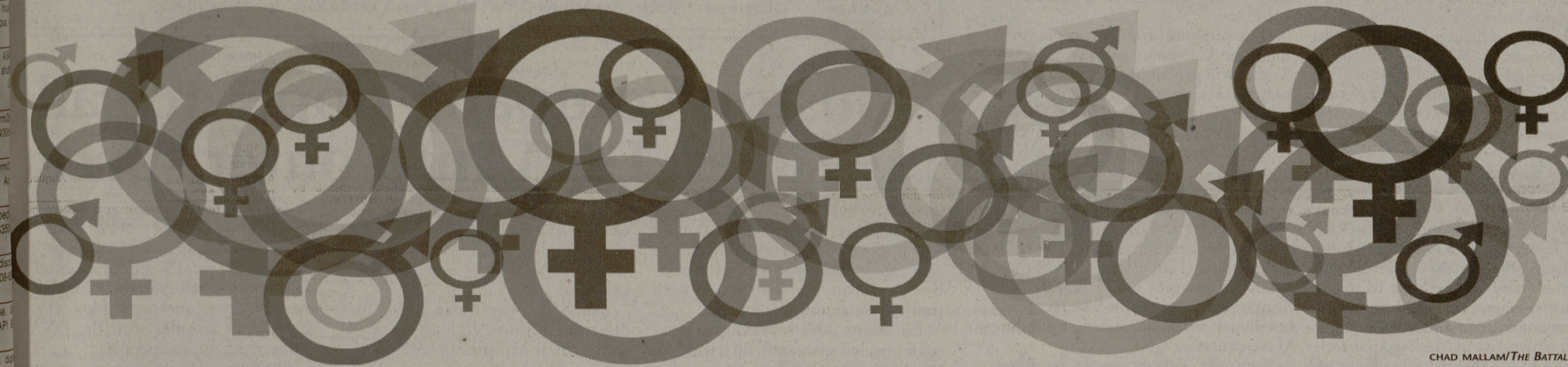
viously dismissed by the company's management as horseplay.

Physically harassing someone, whether horseplay in a high-school locker room or a more targeted attack in the workplace, is inexcusable.

Unfortunately, one's supervisors cannot always be trusted to keep employees in check — often, the supervisors are the perpetrators. Therefore, effective national laws are needed to protect all victims of sexual harassment, not a select few.

Sexual orientation should not matter when filing a suit, because it makes one no more or less likely to be the brunt of cruel sexual jokes. The lack of laws protecting people on the basis of sexual orientation, combined with a narrowly written definition of sexual harassment, creates a gray zone that must be effectively eliminated.

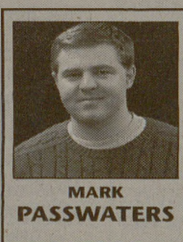
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CHAD MALLAM/THE BATTALION

TV is not a substitute Reality-based shows lack substance

America is ruled by television. No other country has sacrificed their lives to watch the lives of others on television.



MARK PASSWATERS

CBS's IQ-eroding program, "Big Brother," will return this summer. It dozen people will live in a house with cameras following their every move. When, one person will be voted out of the house each week, with the last person winning a sum of money for imitating Homer Simpson; that is, sitting around doing nothing.

Have people forgotten what it was like to have lives? Judging from what some people are watching on television, voyeurism is currently in fashion. We not only have "Big Brother," but "Survivor," "Temptation Island," "Cops," "The Real World" and "The World's Scariest Police Chases." These show regular people doing abnormally stupid things. Some do it for money and some because they have nothing better to do. And people watch.

What is so interesting about seeing people live their lives? "Survivor" — unlike the rest of the shows — has potential to entertain, simply because of the exotic locations. CBS is now considering a celebrity version of "Survivor," which sounds like a great idea. They could take people like Alec Baldwin, Roseanne, Rosie O'Donnell, Ben Fleck, Gilbert Gottfried, Leonardo DiCaprio and Bill Maher off to some deserted island — and leave them. It would have great ratings. After all, Baldwin said was saving America anyway.

There maybe hope for "Survivor," but there is no hope for the others. What is the idea behind "Temptation Island?" Watching a bunch of models, actors and

actresses try to seduce people should not be prime-time viewing. Depending on one's vantage point, it can be considered either a soap opera or low-quality porn. People that watched the program should stop kidding themselves and watch the real thing.

There are also those who seem to get their enjoyment from watching brazen acts of stupidity. No, not on C-SPAN, but usually someplace like MTV. "The Real World" supposedly follows the lives of a bunch of strangers living together. Soon, scientists will find that enough exposure to that program causes viewers to curl up into the fetal position and shiver, bemoaning their now missing intelligence.

As bad as "The Real World" is, shows like "Cops" and "Jackass" are worse. These shows prove that humans have not evolved much, if at all, from the times of the gladiators. Some people still seem to derive pleasure from watching others do stuff most people would never fathom doing. The only difference is now people are not doing battle with each other, they are usually endangering themselves on their own.

Where is the excitement in watching a toothless mother of six who lives in a trailer park be sprayed with mace because she is drunk and disorderly? How can people derive any enjoyment from watching some guy set himself on fire? This is not entertainment; this is pathetic. But people watch.

Americans must be really bored. That is the only explanation for such garbage on television and for it being watched. Maybe seeing other people live their lives reminds folks of something they no longer have: a life.

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Mars, a real possibility?

(U-Wire) — On July 20, 1969, an American walked down a short ladder and set foot on the moon. It was heralded as the greatest accomplishment in history and was the farthest any human had ever traveled from home. Today, more than 30 years later, it is still the farthest any human has traveled. Clearly the next goal in human exploration is a longer hop outward to Mars. What is not as clear is when we will take this next step.

Granted, a journey to the red planet is no easy task. Mars is roughly 200 times as far away as the moon. However, our computers today are more than a million times more powerful than they were in 1969 and our Gross Domestic Product is nearly triple what it was at the time of Apollo 11. Still, we are, by most estimates, 20 years away from a manned (or womanned) mission to mars.

This 20-year goal is consistent with past estimates since, 10 years ago, most estimates put us 20 years away. NASA's time frame for a manned mars mission seems to be governed by the following simple formula: mission date = current date + 20 years. The typical response is to blame one president or the other for budget cuts and failure to support the space program, but there are more deeply rooted problems.

Consider the space shuttle. It was supposed to be the next big step in space exploration when it was designed in the late '70s. Rather than disposable rockets, the shuttle was NASA's reusable spacecraft to conserve resources and save money.

Unfortunately, the space shuttle did not save money, but rather, costs 10 times as much per launch and 20 times as much per pound of cargo as the modern Russian rockets. This seems to be a chronic problem for most government agencies — trying to make something simpler and cheaper resulted in a solution that was more expensive and complex.

This overblown complexity has become so bad that some even doubt that NASA could put a man on the moon today. NASA's scientists have been replaced by bureaucrats. In the last 30 years, NASA has increased not its capabilities, but its layers of redundancy.

The problem is that there is an expectation to be perfect today. We frown on solutions that are low-tech, ugly or just un-cool. Remember the true story of Apollo 13, where astronauts were able to fix a system with rubber hoses and duct tape. That's simply not possible today. More complex systems are not less susceptible to failure; they are more difficult to repair. Trying to make something perfect will often make it worse.

Here is a way you can test this simple premise. Take an ordinary sheet of paper and a pair of scissors. Now, try to cut a circle out of the piece of paper and you will find that it is not perfect. So try to fix it. You will find that each time you try to make the circle more round it ends up smaller and no more round than it was before.

If you keep going you eventually run out of paper. NASA spent 30 years trimming off its

rough edges until there was nothing left.

We have become a society of worrywarts, a nation of sissies. At some point between the late '60s and the present, the American people decided to stop taking risks.

People died to make the Apollo program a success and people will probably die trying to achieve a Martian landing. Recklessness or a degradation of the value of human life is not needed, but courage and the acceptance that progress must come with risks, which seems to have disappeared from modern America. Environmental groups have sued NASA to bar the space agency from using nuclear power plants on Mars probes.

One group of scientists suggested that NASA must spend seven years building a quarantine facility to house anything we bring back from mars in case it has Martian bacteria on it. Sounds kind of like the "moon germs" people were afraid of with Apollo. There is caution and then there is insanity. Many have let prudence give way to paranoia and it is holding us back.

The real reason we were able to reach the moon in the '60s is that President John F. Kennedy committed us to that goal as a country. Meanwhile NASA was scratching its head wondering if it was possible. If President George W. Bush were to commit America to putting a man on Mars in this decade, we could. That is, we could if we could accept that there will be risks and again muster the same national commitment we once had.

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