

70年代米の歴史的裁判原告

「セクハラは性差別」

アレキサンダー神戸大教授に聞く



「本当に対等だったら嫌だと言える。不平等だから起るのがセクシユアルハラメントです」
海を見下ろす高台にある神戸大キャンパスの研究室で、アレキサンダーさんが古びた英字新聞を手に、こう繰り返した。

一九七七年に、広島YMC Aのスタッフとして来

「セクハラをエスカレートさせないため、みんなが話せる環境が大事」と話すアレキサンダーさん＝10日、神戸市で

セクハラはなぜ許されないのか。一九七〇年代の米エール大学で教員からセクハラ被害にあった女子学生たちは、根底にあるのは男女差別だと訴えた。全米の大学がセクハラ対策に取り組みきつかけとなった有名な事件だ。セクハラが社会問題化した当初から、米国では人権問題ととらえられてきた。ひるがえって、日本はどうか。原告の一人で、現在は神戸大で教壇に立つロニー・アレキサンダー教授(ネミ)に問題の本質を聞いた。(安藤恭子、中沢佳子、中山洋子)

日。八九年に神戸大助手になり、九三年から大学院教授として平和学やジェンダー論を研究するアレキサンダーさんだが、米国ではもう一つの功績でよく知られている。

七〇―八〇年代にセクハラが社会問題化した米国で、「セクハラは性差別」との法的見解を引き出した最初の裁判の原告の一人。仲間とともに母校の米エール大学を訴えた裁判は、その名を冠して「アレキサンダー対エール大」事件と呼ばれている。

ロサンゼルス出身のアレキサンダーさんが、フルート奏者を目指して名門のエール大に入学したのは七三年。共学となって四年目の

音楽の夢断たれ 40年以上たった今でも悔しい

ことだった。教員も学生もエリート白人男性が大半だった。

夢と不安でいっぱいだった一年生の秋、「フルートの個人レッスンの先生になつてあげる」と、男性教員から声を掛けられた。自分が認められたことが誇らしく、何でも相談できる相手として信頼した。

しかし、男性教員はある時からレッスンの部屋に鍵をかけるようになった。「呼吸はちゃんと肺に入っている？」と言って、胸を触った。キスもされた。行為はエスカレートしたが、同級生はライバルで、誰にも相談できなかった。「音楽のためならこのくらい」と我慢した。

ある日、車の事故で頭を打ち、ふらふらになっていたところを「送ってあげる」と声を掛けられた。ノーとは言えず、男性教員の車に乗ってアパートに連れて行かれ、暴行された。

「なるべくしてなった。世界中に、私ほどばかな人はいない」と自分を責めた。誰にも言えないまま耐えられなくなり、二年の冬、大学を休んでカナダを放浪した。事情が分からず心配

する姉に説得され、大学に戻った。専攻は音楽から心理学に切り替えた。「音楽の夢を諦めるしかなかったことが、私は四十年以上たった今でも悔しい。やめるにしても自分のことで決めたかった」

当時、女子学生の数が増えたエール大では、女性の権利向上のための運動が起きていた。その男性教員にセクハラを受けたのはアレキサンダーさんだけではなく、悪いノウハウも広まっていた。「協力してほしい」。四年の秋、アレキサンダーさんは運動グループの女子学生から声を掛けられ、承諾した。誰にも言えなかった体験を女性の研究者と弁護士二人に打ち明けた。「それはレイプだ。あなたは悪くない」と言われ、初めて気づいた。「私はノーと言えない立場だった」

アレキサンダーさんの他にも、良い成績にする見返りに、教員から性行為を求められるケースがあった。複数の男性教員がセクハラに関与し、大学に対応を求めたが拒まれたとして、五人の女子学生たちが連邦地裁に提訴した。

誰にも言えないまま耐えられなくなり、二年の冬、大学を休んでカナダを放浪した。事情が分からず心配

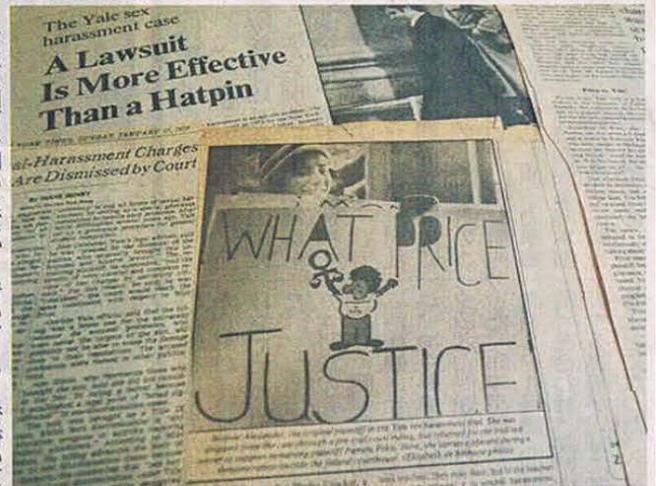
米国では一九七二年、教育機関に対し、性差別を禁じる連邦教育改正法第九編(タイトル9)が成立した。エール大が、このタイトル9に違反していると訴えた裁判で、女子学生たちが求めたのはセクハラ苦情処理機関の設置だ。

アレキサンダーさんの訴えは、提訴した七七年にエール大を卒業していたことを理由に退けられ、上訴審まで争った現役の学生も八〇年九月に敗訴が確定した。だが、この裁判は全米の大学がセクハラ対策に乗り出すきっかけとなった。裁判所も「性的な求めに従うことを、学問を向上させる条件とするのは性差別にあたる、この主張は全く合理的だ」との法的見解を示した。



広島でボランティア活動をしているところ。「Tシャツには「私たちが踏みつけなくて」と書かれている」アレキサンダーさん提供

人権侵害 意識持って



エール大学のセクハラ事件を報じる当時の新聞。中央の写真は、裁判所前でプラカードを持つアレキサンダーさん

女性に門戸を開いたばかりの米大学で、アレキサンダーさんたちは一つ一つの権利を勝ち取ってきた。大学時代、フルトの代わりに打ち込んだポート部でも「タイトル9」を使って男女差別に立ち向かったことがある。

男子部員にはシャワー室が付いたハウスが練習場所の川のそばに整備されていたが、女子部員にはなかった。冬も温暖なフロリダ州で合宿できるのは男子だけ。女子部員たちはポートを壊す危険と隣り合わせに、いつつく水面をこいだ。三年の時、約四十人のチーム全員で裸になって、胸と背中「タイトル9」と

財務相失言

青いマークで書いて、男性の指導教官の部屋に座り込んだ。「これがニューヨーク・タイムズ紙に掲載された数日後には、お湯が出るトレーラーが用意された」と破顔する。女性蔑視は、米国も日本の大学も変わらなかった。教授会に出席したときに同僚に「ガイジンがいるのは我慢できるけど、女性がいるのはね」と言われたこともあった。現在は大学の男女共同参画推進室長も兼務するが、女性教員はまだ二割をこそ

尊重の視点欠く

対等なら起こらない 権力握るのはどこも男性

こ。もともとセクハラ対策の制度はあっても、被害者にとどめて使わず、公私にわたって留学生らの相談も受けてきた。「途上国から来た女子生徒がセクハラに遭いやすい。最も弱い立場だから」そこにセクハラの本質があるという。「日本では依然として個人の問題としか考えていない。対策マニュアルにある行為をしなければ大丈夫、と思っているかもしれないが、そういう問題じゃない。相手を尊重するという視点が決定的に欠けている」

福田淳一前財務次官によるセクハラ問題で分かったのは、霞が関には便宜的な「平等」すらないという身もふたもない現実だ。麻生太郎財務相は、厳しく対処するどころか「(前財務次官が)はめられた可能性もある」「セクハラ罪はない」と発言。「セクハラを妙に軽んじていると指摘を受けた」と、反省の弁もどこか人ごこのようだ。「セクハラ問題を『キスするのに彼女の許可がいるなんて』とぼやく男性たちは、自分が持つ権力を分か

デスクメモ

平和構築を研究するアレキサンダーさんは、パレスチナで「社会を変えるには希望が先か、社会変革が先か」を考え続けたという。答えの出ない問いだが、どちらも彼女の歩みの中にある。米社会に風穴を開けた女子学生たちの勇気は、希望がどこから生まれるのかを教えてくれる。(洋)

“Sexual Harrassment is sex discrimination” A conversation with Kobe University Professor Alexander

Plaintiff in a historical case in the U.S. in the 1970's

Why is sexual harassment impermissible? In the 1970's, a group of women students who had been victims of sexual harassment by Yale University faculty members claimed that the underlying cause was sex discrimination. Their lawsuit is famous because it led to the creation of sexual harassment grievance procedures in universities throughout the United States. From the beginning, sexual harassment was considered as a violation of human rights in the United States. But how about Japan? We spoke with about the essence of the problem with Professor Ronni Alexander (62), one of the original plaintiffs and currently teaching at Kobe University. (ANDO Kyoko, NAKAZAWA Keiko, NAKYAMA Yoko).

“If they were really equal, it would be possible to say ‘no’. Sexual harassment happens because of inequality.”

Kobe University is on a mountain, overlooking the sea. Holding a yellowed newspaper clipping, Prof. Alexander repeated these words.

In 1977, Alexander came to Japan to work at the Hiroshima YMCA. She became a research assistant at Kobe University in 1989 and a professor in 1993, specializing in peace studies and gender studies, but in the U.S. she is also known for another achievement.

In the 1970's and 80's, when sexual harassment was becoming a social issue in the US, Alexander was a plaintiff in a case that led to the legal interpretation that “sexual harassment is sex discrimination”. Alexander and a group of other Yale students brought a lawsuit against their university. The suit bears her name: Alexander v. Yale University.

Alexander is from Los Angeles. She entered the well-known Yale University in 1973, hoping to become a professional flautist. It was the fourth year of co-education at Yale. The majority of the faculty and students were elite White men.

Alexander started at Yale filled with dreams and anxiety. That autumn, a male faculty member told her, “I’ll be your flute teacher.” She was flattered that she had been singled out and trusted him as someone she could depend on.

However, he began to lock the door during her lessons. Saying, “Let me check your breathing,” he felt her breasts. He also kissed her. His actions escalated, but her classmates were also rivals, and she had no one with whom she could discuss it. She felt, “If this is what it takes to study music, I’ll have to put up with it.”

One day, she hit her head in an accident with a car, and as she was stumbling home, she ran into him. “Let me give you a ride home.” She couldn’t refuse and got into his car. He took her to his apartment and raped her. She blamed herself thinking, “It was bound to happen. There is nobody in the world as stupid as me.”

There was no one she could tell. Finally she could not stand it any longer and in the winter of her sophomore year, she took off to wander in Canada. Her sister did not know what had happened but was worried and convinced her to return to school. She changed her major from music to psychology. “I’m still angry that I had to give up music that way. Even though I might have done it anyway, I wanted to be able to decide for myself.”

At that time, with the increasing number of women at Yale, a movement to protect the rights of women on campus had emerged. Alexander was not the only person who had been sexually harassed by that male faculty member and there were lots of rumors circulating about him. In her senior year, Alexander was approached by a group working on sexual harassment and asked if she would help them. She agreed. She sat down with two feminist legal scholars and for the first time, she shared the story she had kept to herself for so long. When they told her, "You were raped. You are not to blame," she realized for the first time that "I was not in a position where I could refuse."

In addition to Alexander, there was a person who had been offered a good grade in return for having sex. After finding the university unwilling to deal with instances of sexual harassment by several male faculty members, five women students filed suit in Federal District Court.

(Photo caption: "In order to prevent sexual harassment from escalating, we need to create an environment where people can talk about it from the start.")

p. 2 (Title: Sexual Harassment must be recognized as a violation of human rights)

In 1972, Title IX, a regulation preventing discrimination on the basis of sex in education, was passed by the United States government. The students claimed that Yale University was violating Title IX and demanded that a grievance procedure for cases of sexual harassment be established.

Alexander had graduated from Yale by the time the suit was filed and that was used as a reason to dismiss her from the case. Those who were still students took the struggle through an appeal, but in September, 1980 their claim ended in defeat. However, this lawsuit provided an incentive for universities throughout the United States to establish sexual harassment grievance procedures. The court ruled that, "It is perfectly reasonable to maintain that academic advancement conditioned upon submission to sexual demands constitutes sex discrimination in education."

An American human rights organization ranks the plaintiffs of Alexander v. Yale University as one group among the nine people who have had the most influence on establishing gender equality in education.

(Photo caption; left: Alexander engaged in volunteer activities in Hiroshima. Her shirt reads, "Don't tread on me.")

Alexander and her friends struggled to establish each of their rights at the newly co-educational Yale University. After quitting flute, Alexander joined the crew and used Title IX to demand gender equality there, too. The male crew had a boat house with showers near the river where they practiced, but the women did not. In winter, the men went to practice in warm Florida, while the women stayed in Connecticut, trying to avoid the dangerous ice on the river that would break their boats apart.

In her junior year, 40 members of the team stripped naked and after writing "Title IX" on their backs and chests with blue magic marker, they staged a sit-in in the office of the Director of Athletics. "Several days after it appeared in the New York Times, we got a trailer equipped with hot showers."

If American universities looked down on women, so did Japanese universities. After a faculty meeting, a colleague told Alexander that, "I can handle having foreigners at a faculty meeting but women...."

Alexander now also heads the university Gender Equality Office, but she says that women still comprise only about twenty percent of the faculty. There is a sexual harassment grievance

procedure but it is hard for victims to use. Alexander has helped students including international students, both officially and in her personal time. “Women students from developing countries often encounter sexual harassment because they are in the weakest position.”

Alexander says that that is where the essence of sexual harassment lies.

“In Japan, people still think of it as just an individual problem. Maybe they think that as long as they don’t do anything listed in the sexual harassment manual then they are OK. But that isn’t the problem. The idea treating the other person with respect is completely lacking.”

What we learned from the sexual harassment incident involving former finance secretary FUKUDA Junichi is that in Kasumigasaki (the national government offices), there is not even a semblance of gender equality. Finance Minister ASO Taro did not treat the situation seriously but rather said, “(the former finance secretary) might have been framed and that ‘sexual harassment is not a crime.’” In response to criticism, he showed no remorse, saying “I’ve been told it makes light of sexual harassment,” making it seem as if he was not talking about himself.

“The men who dismiss sexual harassment and scoff at the idea of asking permission before they kiss someone are not aware of their own power. We talk about gender equality but everywhere you go, men are in positions of power. If a woman does not conform to rules and standards created by men, she cannot get ahead.” People need to be aware of the long history and reality of inequality.

In the seventies and eighties, Alexander and her friends raised their voices in the United States because they believed that what happened to Alexander should not happen to anyone else.

“In those days, we didn’t have a word for sexual harassment in education. We created that term. It is important to create an environment where people can talk about sexual harassment before it escalates. But first people have to understand that sexual harassment is a serious violation of human rights. In Japan people tend to associate discrimination with race or religion, but it is much more than that.”

Editor’s memo

Alexander says that in Palestine, she continually thought about which comes first, hope or social change. There is no answer to that question, but the path of her life shows her involvement with both elements. The courage of those women students to open a space in American society teaches us where hope comes from. (Yoko) 2018.5.12