

for state regulation is much harder to promote in the US context. For all of us, however, imagining uchronia can help us push the issue of gendered time norms higher up the policy agenda in the quest for more egalitarian time cultures.

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The Women's Movement Against Sexual Harassment, by Carrie N. Baker. New York: Cambridge University Press, 2007. 288 pp. ISBN-13: 978-0-52-187935-4 (hbk.). US\$80.00

This informative and exceptionally well-researched book offers a comprehensive description of the evolution of the movement against sexual harassment that took place in the US during the last three decades of the twentieth century. Baker's training as an attorney and a women's studies scholar provides her with a broad knowledge base that she shares throughout the text. She chronicles, in extraordinary detail, the transition from a public policy that initially reflected the beliefs that sexual harassment is not sex-based discrimination, its impacts are trivial, women bring harassment upon themselves by their own behavior, and women's roles are properly restricted to the private sphere of home and family, so "women entered the public sphere at their own risk" (p. 63). However, as a result of collective action by grassroots organizations (for example, Working Women United and the Alliance Against Sexual Coercion), along with various labor unions (the United Auto Workers Union and the International Union of Electrical, Radio, and Machine Workers), public-interest law firms, student groups, government-sponsored women's commissions, and public policy groups, in less than one decade federal law began to shift public policy toward a standard embracing the view that sexual harassment constitutes impermissible sex-based discrimination.

Baker's narrative is arranged chronologically. She begins with a brief description of the federal laws that would become key to success in the fight

against sexual harassment: (1) Title VII of the 1964 Civil Rights Act, which prohibited sex-based discrimination in employment, and (2) Title IX of the 1972 Educational Amendments to the Civil Rights Act, which extended the prohibitions on sex discrimination to educational institutions (primary, secondary, and post secondary). The use of these statutes to fight sexual harassment may seem improbable to those familiar with legislative history, as neither law was passed with an expressed goal of eliminating sexual harassment.

But, cogent discussions of the many strategies utilized by women to fight sexual harassment pervade the book – even though the term “sexual harassment” didn’t enter the lexicon until 1975. As Baker notes, feminist activists coined the term to describe workplace behavior that women had experienced for centuries – sexual demands and unwanted sexual comments, looks, and/or touching. Now defined under federal case law as *quid pro quo harassment* or *tangible employment harassment*, these include situations where supervisory employees use their authority to fire, withhold pay raises, demote, or promote in order to economically coerce female subordinates to submit to unwanted sexual advances.

Also during the 1970s, the women who increasingly sought employment in traditionally male jobs such as law enforcement, fire fighting, mining, and construction experienced harassment that was not sexual in nature but was directed at them because they were women. Acts of *hostile environment harassment* include isolation, work sabotage, verbal abuse, and physical violence.

Baker lucidly interweaves feminist theory and an enormous number of specific examples to illustrate the enormity of the impediment that sexual harassment poses to women’s achievement of equality. Specifically, she notes that beginning in the 1970s, women were more likely to pursue a college education, participate in the labor force, and be dependent on their income for survival. Many factors were responsible for these trends, including older age at first marriage, increased reproductive freedom, and a consequent reduction in fertility, increasing divorce rates, and so forth. Although Title VII and Title IX outlawed sex-discrimination in employment and education, respectively, sexual harassment was not part of the statutory law, not illegal, and thus was a major factor acting to short-circuit the economic empowerment promised by greater educational and workplace opportunities. Women were fired, demoted, experienced pay cuts, and suffered negative health consequences when they refused to go along with unwanted sexual advances or when hostile environments at work left them with no other choice but to quit their jobs.

Baker explains the ways that women’s activism varied based on their personal backgrounds, particularly across the dimensions of race and class. A particularly interesting point explored by Baker is that the precedent-setting court fights to eliminate sexual harassment were all waged by

African-American women plaintiffs. African-American women's activism is analyzed as a response to the pervasiveness of the harassment they suffered and their experiences with the civil rights movement, and their consequent willingness to utilize federal court-based solutions as a mechanism for redress.

The plaintiffs in the early sexual harassment cases applied legal analyses that were well developed under Title VII case law on race discrimination – arguing that a male supervisor who fires a woman for refusing his sexual advances has committed an act of sex discrimination and thus violated the female employee's civil rights. As Baker notes, extending Title VII prohibitions against sex discrimination to include sexual harassment was an extremely novel interpretation that ultimately came to define US public policy prohibiting sex-based harassment – including extensions of the law to prohibit harassment in education, to prohibit harassment by co-workers, to prohibit same-sex sexual harassment, and to place the responsibility for preventing harassment squarely on the employer/educational institution.

White middle-class feminists made major contributions to the fight against sexual harassment using tools shaped by their experiences in the women's movement. They applied feminist theory to frame the issue as one of sexual coercion, not unlike rape. Well-utilized tools of the women's movement – including speak-outs, surveys, newsletters, and media publicity – were used to raise awareness of the problem, develop public policy on sexual harassment, and alter social norms to characterize sexual harassment as a taboo behavior.

Baker painstakingly documents how women of all races working in jobs traditionally held by men also made major contributions to the movement against sexual harassment – channeling their activism through labor unions and employee associations. Women met at conferences of their employee associations and used newsletters to share their stories. They filed lawsuits and lobbied the US Department of Labor to enforce Executive Orders 11246 and 11375, which prohibited federal contractors from engaging in acts of sex discrimination – including hostile environment harassment.

Ultimately, labor unions proved to be less reliable allies than employee associations in the movement against sexual harassment. In some cases, union leaders worried about alienating their mostly male memberships. Women were also hurt by their unions' policies of discouraging members from filing grievances against other union members and by unions that came to the defense of male employees who had been disciplined by their employers for sexual harassment. Baker details how, in contrast, a small number of unions (for example, United Auto Workers and the Industrial Union of Electrical, Radio, and Machine Workers) actively supported the movement against sexual harassment – negotiating employment contracts with strong anti-harassment provisions, testifying against harassment in

public hearings at the state and federal levels, and supporting women plaintiffs in sexual harassment cases.

Successful policy movements change the status quo and thus frequently trigger a backlash. With great thoroughness, Baker describes many of the forms this backlash took in the 1980s. Serious impediments to the movement included the Reagan administration's appointment of Clarence Thomas (a nonsupporter) to chair the Equal Employment Opportunity Commission (EEOC) and major reductions in the EEOC's budget. The author cogently explains the political left's opposition to sexual harassment protections as growing out of the overall conservative backlash in the 1980s and the specific fear that conservative employers and academic administrators would use sexual harassment charges as a tool to discharge politically liberal men. Individual men, charged with harassment, increasingly fought back in the courts, bringing wrongful termination lawsuits against their employers and defamation lawsuits against women who filed charges against them. Additionally, a professionalized and media-savvy anti-harassment movement led by activists such as Phyllis Schlafly and pro-business lobbying groups resurrected arguments that sexual harassment was trivial in nature and that women brought it upon themselves.

Despite the severity of the backlash, progress toward eliminating sexual harassment continued, with a key victory occurring in the first sexual harassment case to reach the US Supreme Court in 1986. In *Meritor Savings Bank v. Vinson*, the Court held that Title VII prohibits both quid pro quo and hostile environment harassment.

The concluding chapter of the book lucidly ties together the themes of earlier chapters and differs from earlier chapters in the depth of the analysis of the events that unfolded during the critical last three decades of the twentieth century. Baker concludes that while sexual harassment has not been eradicated, public policy toward it has changed dramatically in a relatively short span of time.

Of the small number of complaints I have about this book, the most substantial one is that until the final chapter the book is predominantly a descriptive narrative of the events that unfolded, with the major analytical treatment of those events saved for the last chapter. Additionally, the term "women's movement," in the book's title is a slight misnomer. Undeniably, the movement was founded and primarily driven by the actions of women. However, Baker does discuss many important male allies in the book. These men included Warwick Furr and Michael Hausfeld, who represented early sexual harassment plaintiffs, and federal court judges Charles Richey, Spottswood Robinson, and Skelly Wright, who changed federal case law with their rulings in favor of sexually harassed women. Another important ally Baker discusses is Congressman James Hanley, who used his position as chair of the Subcommittee on Investigations of the Post Office and Civil Service to hold extensive hearings on the problem of sexual harassment. As Baker

correctly notes, the end products of these hearings had enormous ripple effects on mitigating sexual harassment throughout the private sector.

Outcomes that ultimately affected the lives of every working woman in the US labor force since the late 1970s include: (1) the development of a model sexual harassment policy and complaint procedure to be used throughout the federal government and one that subsequently served as a model for state and local governments as well as private-sector employers; (2) the completion of a scientific survey on the prevalence of sexual harassment in the federal workplace, which demonstrated the pervasiveness of harassment; and (3) the promulgation of guidelines against sexual harassment by the EEOC (pp. 112, 187).

In a book of such extraordinary detail, it is a difficult task to catch all typographical errors prior to publication and that, unfortunately, is the case here. For example: the Pregnancy Discrimination Act is wrongly stated as being passed in 1976 when it was actually passed in 1978 (p. 14); the AASC is wrongly listed in the section on organizational abbreviations as the Alliance Against Sexual Harassment when it should be the Alliance Against Sexual Coercion; and *Williams v. Saxbe* is listed in the time line of historic events as the first successful Title IX case, when it was really the first successfully litigated Title VII case. These errors don't detract from the analyses of the book but may lead readers to question the accuracy of other parts of the text.

This book may be of use outside the US for comparative purposes. However, it focuses on the US and doesn't pretend to do otherwise. Ironically, while this book is a must read for any scholar (economist, lawyer, political scientist, sociologist, historian, and so forth) who studies sexual harassment, as it incorporates analyses from these different perspectives, the book simultaneously presumes the reader has background knowledge from these various disciplines, such as the roles of various government agencies in the policy-making process and the history of the civil rights movement. For example, we learn about important anti-harassment actions taken by the federal government's Merit Systems Protection Board (MSPB) on page 86, but we do not learn the impact of this federal government agency until page 123. We read about Judge Spottswood Robinson on page 53, but we do not learn about the important role he played in the early years of the civil rights movement until page 182. A person with little or no interdisciplinary background will learn much from reading this book, but its full benefits are reserved for readers with more expertise, particularly in history and public policy.

The contribution of this book to feminist economics, in particular, is its account of how sexual harassment insidiously perpetrated workplace discrimination against women – even though public policy ostensibly sought to equalize the terms and conditions of employment. Economists

BOOK REVIEWS

working in the field of labor-market discrimination will develop a better understanding of the phenomena from reading this book.

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