

# Institutions of Redress and the Management of Desire: A Response to Rosalind Smith

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**R**OSALIND SMITH'S ESSAY, 'CULTURES OF COMPLAINT: PROTEST AND REDRESS IN THE AGE OF #Metoo,' begins and ends with a reflexion on gendered genres of complaint. In contrast to the early modern female complaint that upheld the romantic and marital mores it lamented, the complaint emblematic of the '#metoo' and '#timesup' movements seeks redress: it demands at least reparations for some wrongdoing, be it through legal process or not, and in certain cases the rectification of the structural or institutional inequality that enables sexual harassment. And yet, as Smith notes, feminist efforts to make the complaint a catalyst for political change are thwarted by the kind of defence of men accused of sexual harassment at play in Laura Kipnis' *Unwanted Advances: Sexual Paranoia Comes to Campus* (2017) and one of its predecessors, Helen Garner's *The First Stone: Some Questions about Sex and Power* (1995). These books, the former from the United States and the latter from Australia, cast specific men accused of sexual harassment as the legitimate complainants, wronged by the system tasked to investigate and rule on their alleged wrongdoing. Whereas the early modern complaint, relayed by a male narrator, made the female complainant a target of empathy *but* maintained the patriarchal status quo, Kipnis and Garner's ventriloquising of the male complaint makes men targets of empathy *to* protect the patriarchal status quo.

Smith doesn't offer much insight into a gendered history of the complaint: the 500-year jump between early modern and contemporary complaints leaves out, for instance, the complaint's role in the emergence of a mass-mediated women's culture, as described by Lauren Berlant in *The Female Complaint: The Unfinished Business of Sentimentality in American Culture* (2008). What Smith does provide is a glimpse at a present-day rhetoric that shows up not only in Kipnis and Garner's books, but also in the conservative backlash against '#metoo', '#timesup', and, in the U.S., the 2011 'Dear Colleague' letter reinterpreting Title IX as giving the federal government authority to dictate *how* institutions receiving funding should adjudicate student-on-student sexual assault allegations. Women asserting a particular expertise—say, academics who condemn sexual assault but insist that a given situation doesn't register as such, or mothers who claim to know their sons better than anyone else—posit the sadness, distress, and loss of privilege expressed by men accused of sexual harassment as evidence that these men are the true victims, that theirs are the grievances that deserve to be heard.<sup>1</sup>

The notion that Title IX might be weaponised can be appended to any law, legal process, or court order. There is no reason to believe that Title IX procedures are exceptional in this sense. But Title IX presents a limitation that goes unexamined in Smith's essay: its reliance on a discrimination paradigm. Under Title IX, sexual harassment must be adjudicated because it discriminates, or fosters an environment that discriminates, on the basis of sex. Title IX thus locates in a grey zone hurtful acts that do not discriminate along axes of gender or sexual orientation; Jane Gallop dwells in this grey zone in the polemical *Feminist Accused of Sexual Harassment* (1997). The discrimination paradigm is partly what avails Title IX to a heterosexist critique like Kipnis': the straight man, not a subject of discrimination in U.S. culture, becomes the rightful complainant against a system not built to administer his grievances.

The bulk of Smith's essay concerns not so much complaints as Kipnis and Garner's techniques for getting readers to empathise with men accused of sexual harassment and think of this empathy as having something to do with justice. Smith deciphers in *Unwanted Advances* and *The First Stone* the work of true crime writers effective at '[creating] a sense of intimacy between the narrator and the reader, neutralising any critical distance that might admit opposing views.' (At the moment of writing this response, Google Books lists *The First Stone* as speculative fiction. Whether the classification is an error or a joke, it's astute: where Smith sees a writer who captures her readers' attention with clues and revelations, Google Books' rubric hints at a writer who immerses her readers in a made-up

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<sup>1</sup> Kathryn Hendricks, a Ph.D. candidate in sociology at the University of Chicago, is researching organized responses to sexual assault allegations, notably by the mothers of male college students accused of sexual harassment.

world.) While it is true that Kipnis and Garner fashion themselves as investigators of investigative procedure, the proximity they cultivate with their readers also owes much to a mix of faux outrage and insult that recalls a brand of talk radio or gossip column. Early in *The First Stone*, Garner performs shock amidst a mundane episode: 'One morning in August 1992 I opened the *Age* at breakfast time and read that a man I had never heard of, the Master of Ormond College, was up before a magistrate on a charge of indecent assault: a student had accused him of having put his hand on her breast while they were dancing. I still remember the jolt I got from the desolate little item: *Has the world come to this?*' (15) Kipnis begins *Unwanted Advances* by fashioning herself as an oracle, somehow aware that future generations will look back at the present as a time of collective hysteria: 'Lately I've been thinking that future generations will look back on the recent upheavals in sexual culture on American campuses and see officially sanctioned hysteria. They'll wonder how supposedly rational people could have succumbed so easily to collective paranoia, just as we look back on previous such outbreaks (Salem, McCarthyism, the Satanic ritual abuse preschool trials of the 1980s) with condescension and bemusement' (1). Smith hypothesises that readers might side with Kipnis and Garner out of fear of being accused of, or coming to view themselves as, irrational.

*Unwanted Advances* and *The First Stone*, Smith argues, amount to little more than 'exercises in conviction that succeed when they hold the reader in their spell, discarding anything outside their narrators' version of the facts, and submitting to the communities of sympathy that they work so hard to generate.' Smith isn't alone in underscoring Kipnis' talents as a writer. Claire Potter, whom Smith cites, opens her largely positive assessment of *Unwanted Advances* with a 'disclaimer:' 'I would read anything Laura Kipnis wrote, even if it was written on the inside of an old candy wrapper. This is not because her views are easy to read, or often even right, but because she hates whiners, tackles some of the most vexed problems in erotic life, and is a lucid and fearless writer.' Juxtaposed with Smith's claims, Potter's fannish pledge of allegiance makes clear that some of Kipnis' supporters and detractors consider her writing alluring.

Smith urges readers to opt out of Kipnis and Garner's 'sympathetic community of listeners, manipulated into sharing the narrator's perspective on the speaker's plaint.' Readers, she further writes, should 'resist the genre's deeply rhetorical strategies, its emotive imperatives and truth effect persuading us how to think.' I reckon that Kipnis and Garner's books are manipulative, but I disagree that the solution is to remedy whatever false consciousness has been induced by sentimental prose. For one, there is no such thing as a pure distillation of political reasoning. There exists no realm of rational thought devoid of ambivalent emotions, dubious attempts at persuasion, and conflicting desires. What's more, some of the most compelling critiques of Kipnis' book have anchored their

arguments in personal narratives that generate empathy. In a rigorous piece published in the same forum, convened by the journal *Signs*, which includes Potter's slapdash post, Aishah Shahidah Simmons addresses the racist prejudices that inform *Unwanted Advances*—prejudices that lead to the erasure of black female survivors. Simmons further argues that Kipnis operates as if everyone agreed on what constitutes sexual harassment, assault, and rape, as if her readers could tell those apart from the benign flirting or consensual sex in which, she maintains, her male colleague partook. The strength of Simmons' piece comes in part from the personal 'Black feminist lesbian journey' that opens it. Simmons' harrowing tale of surviving incest, child abuse, and rape supplies a vital context for her assessment of *Unwanted Advances*' pitfalls. Feminists neither can nor should fix demagoguery by evacuating from discussions of sexual harassment pathos or the drama of persuasion.

The present moment, I would instead argue, calls for new descriptions of the circulation and investment of desire and emotion in the institutions legislating sexual harassment. This is a project Jennifer Doyle undertakes in *Campus Sex, Campus Security* (2015). According to Doyle, while a complaint may be successful in shifting moods or behaviours, feminists cannot confine all their fantasies of redress to institutions, like universities, which, notably through their police forces and investment portfolios, systematically discriminate against people of color, poor people, and persons with disabilities, support incarceration, and pursue segregation and gentrification agendas. The demand for redress that accompanies complaints—and not just the complaints of woman-identifying individuals—in the wake of '#metoo' and '#timesup' poses a challenge to feminists: that of expanding the imaginary of redress beyond the otherwise oppressive institutions that operate adjudication processes.

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