

## The Criminalization of Masculinity – or Institutionalized Insanity

### Description

By [F. ROGER DEVLIN](#)

Despite the field's scandalous intellectual inadequacies, as of 2014 there existed "more than 200 chairs for gender/queer studies, nearly all held by women, and around thirty interdisciplinary gender institutes," all suggesting to the callow minds of students that feminism is a field of objective knowledge analogous to physics or French literature. It was from the midst of this resentment-driven ideological ghetto disguised as a scholarly discipline that the new rules governing sex originated, and it was in American universities that they were first applied.

### Rape: Not What It Used to Be

For decades, feminists have assiduously promoted the lie that one woman in four (sometimes five) is raped while attending university. "Reputable scholars who investigate [such] claims," writes Baskerville, "readily conclude that it is not simply exaggerated but a hoax." At most, a lot of women, unprotected by traditional behavioral expectations, are learning the hard way that fornication is not the path to happiness.

When such cases were brought before ordinary courts of law, they quickly got thrown out. So universities began, under feminist pressure, to establish internal procedures to handle accusations of sexual misconduct. These do not have to abide by the principles that govern ordinary courts of law, notably the presumption of innocence. One attorney cited by Baskerville describes the result as

a disciplinary procedure where students nearly always lack lawyers, no legally trained judge oversees the process, testimony is not under oath, hearsay is freely considered, relevant evidence or even proper notice of the charges may not be given to both parties, students may be forced to incriminate themselves, and whatever "jury" is empaneled may not be of one's peers.

Such travesties of judicial procedure are now legally mandated at all colleges which receive federal funding, i.e., at nearly all of them. During the Obama presidency, Assistant Secretary of Education for civil rights Russlynn Ali even issued a directive to university officials demanding that campus tribunals adopt a lower standard of proof for cases of sexual misconduct than required by ordinary courts of law. This directive, by the way, included no period for public notice, comment, and possible amendment, as legally required for federal regulations: "it was simply an arbitrary order issued from the pen of a functionary."

Since rape (as traditionally understood) is such a serious crime, convictions have always required proof of guilt beyond a reasonable doubt. Now campus kangaroo courts are convicting men on the basis of a preponderance of evidence standard, the lowest standard recognized by law. As Baskerville points out, the only possible explanation for this change is that the authorities want not to punish more

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actual rapists, but to secure more guilty verdicts against men.

Why would an Assistant Secretary of Education for civil rights be pronouncing on how criminal cases are adjudged? Because American courts have ruled that rape and sexual assault are forms of discrimination. Such is the hold of liberal ideology over the legal minds of America that judges are apparently no longer able to imagine any other form of wrongdoing. So officially, rape is now wrong because it “discriminates against” women.

Some think the present system does not go far enough. Colorado Congressman Jared Polis advocates expelling all male students accused of sexual assault: “If there’s ten people who have been accused and under a reasonable likelihood standard maybe one or two did it, it seems better to get rid of all ten people.”

Indeed, feminist law professor Catherine MacKinnon does not think consent is a meaningful concept, and “has repeatedly suggested that virtually all heterosexual intercourse amounts to rape.” She is not a fringe figure; for many years, she was the single most cited feminist “scholar” in the world, and has repeatedly been called upon to advise the governments of individual states and Canadian provinces.

Susan Brownmiller, author of the standard feminist text on rape, called rape “a conscious process of intimidation by which all men keep all women in a state of fear.” On this view, whether a particular man is innocent or guilty of a particular act is not especially important; even the defendant who is innocent in a particular case is part of the same male conspiracy against women. As Baskerville notes, such assigning of collective guilt to categories of people is a typical mark of totalitarian regimes. It justifies us in considering feminism part of the larger phenomenon that has been called “Cultural Marxism.”

The new thinking is being written into law. California law now requires that to avoid a rape conviction, male university students must “demonstrate they obtained verbal ‘affirmative consent’ before engaging in sexual activity.” Not just obtain it, but demonstrate, in court, that they obtained it. Asked how innocent people are supposed to prove they received verbal consent, the California assemblywoman who authored the law replied, “Your guess is as good as mine.” The impossibility of acquittal seems to be the whole point of the law.

The madness has long since spread beyond university campuses. Washington state has formally shifted the burden of proof in all rape trials to the defendant. In North Carolina, naming the person accused along with the time and place is sufficient to secure a rape conviction. Baskerville found one case in Texas where police were ordered to hide exculpatory evidence.

Rape accusers remain anonymous, but the accused do not, even after the accusation is demonstrated to be false. The past sexual history of the accuser is not admissible as evidence, but that of the accused is. Accusers are exempt from polygraph tests, but not the accused. Even a history of false accusations is not admissible.

Might crime labs step in to defend the innocent men now abandoned by the legal system? Labs have been found guilty not just of mistakes but of deliberate falsification of evidence. The Washington Post, among others, has documented how feminist laboratory technicians doctor and fabricate evidence to frame men they know to be innocent.

The Innocence Project is a nonprofit legal organization which seeks to exonerate the innocent through DNA evidence. In twenty-six years of operation, they have freed 362 wrongly convicted men who had been made to serve sentences of up to 27 years. Many of these cases, perhaps most, appear to be rape convictions, but the directors refuse to reveal the numbers.

Police investigators typically estimate false accusations of rape as running between forty and fifty percent of the total. Deception is, after all, the natural weapon of the sex which cannot get its way by force. Motivations for false accusations include providing an alibi, seeking revenge, obtaining sympathy and attention, gaining custody of children, extorting money from celebrities and, in the gender-neutral military, avoiding deployment to war zones. Feminists vigorously oppose any prosecution of false accusers.

Confronted with proof of widespread malfeasance, public officials typically complain that the justice system is “overworked and underfunded.” This is clearly a self-serving argument; as Baskerville points out, “if they simply stop accusing innocent men, they would no longer be overworked and underfunded.” We may expect wrongful convictions to continue for as long as officials owe their jobs to ensuring that they do. Rape accusations are “a thriving bureaucratic enterprise that can create business for itself by encouraging hysteria.”

## **Harassment**

Refraining from casual sex does not protect a man, who may still be accused of “sexual harassment.” This expression, which first appeared in print in 1978, originally referred to the misuse of positions of authority to extort sexual favors. Of course, as Baskerville notes, such behavior has always been contrary to codes of professional conduct, and women have long been defended in such situations by male relatives: “nothing indicates the hysteria over ‘harassment’ is a necessary but excessive response to a real problem; from the start it was another ideological power grab, using sexual dynamic and government power to emasculate and feminize.”

It should also be pointed out that, in the words of dissident feminist Camille Paglia, “for every male harasser there are ten female sycophants using their sexual attractions to get ahead.” Baskerville cites survey findings, for example, that “two-thirds of British women admit using their cleavage to advance their careers.” Sexual harassment rules do nothing to discourage such behavior.

Like other ideological terms, “sexual harassment” soon fell victim to reckless verbal inflation, until it could be used to describe any male behavior to which a woman might object. The meaning can even be extended ad hoc to fit new cases as they arise. Obviously, it is impossible to defend oneself against a charge whose meaning can be expanded at will, nor can there be any presumption of innocence in such cases: “Because the crime is offending someone, the accused is guilty by virtue of being accused.”

At universities, the concept of “harassment” is now employed to forbid and punish criticism of feminism. “Antifeminist intellectual harassment” is said to occur whenever “the appropriate application of feminist theories or methodologies to research, scholarship and teaching is devalued, discouraged, or thwarted.” A man found guilty must

spend time learning about, and even leading, activities related to women at the college. He also undertakes... to write a letter of apology to the student [who accused him], expressing his esteem for her abilities and detailing what he has learned from his [anti-harassment] training. The trainer suggests that this letter (to be submitted first to the trainer for "review") also be approved by the department chair and the university's Equal Employment Opportunity office.

Baskerville notes the similarity to communist party discipline.

Accusations of sexual harassment are not usually tried in court. Instead, organizations such as schools and corporations are held legally liable for failure to act on female complaints. This forces them to assume the role of feminist policemen. Incentives dictate acting to minimize their own liability, not handling accusations fairly. "Universities tend to prefer the least expensive path to resolution of sexual harassment cases," writes one dissident feminist, "and this often means settling out of court, usually by paying off the complainant, regardless of the merits of the charge." Private companies best protect themselves through termination of the person accused.

The theory behind the sexual harassment movement is that men's natural attraction to women is in reality an exercise of power over them. On this view, the teenage boy screwing up his courage to speak to the girl he has his first crush on is "really" exerting power over her. Here as elsewhere, however, feminists are inconsistent when it suits them. Common sense suggests that women's newfound ability to destroy men's careers by filing false or frivolous complaints of "harassment" against them is a dangerous form of arbitrary power, but feminists never recognize it as such: for them, only men ever have power—just as, according to the same way of thinking, only Whites can be racist. Yet at the same time they insist that female bosses be able to accuse male subordinates of something called "[contrapower harassment](#)."

Also, the concept of sexual harassment is not applied to lesbians. Many women's studies professors, e.g., are notorious for trying to seduce their students. They insist there is nothing wrong with such behavior. One writes: "It is because of the sort of feminist I am that I do not respect the line between the intellectual and the sexual."

Feminists are now pushing the concept of "sexual harassment" on children. In Minnesota during one recent school year alone, over 1000 children "were suspended or expelled on charges related to sexual harassment." The authorities express frustration over the stubborn tendency of little girls to enjoy the flirtatious attention of boys; they try to convince girls as young as six to issue the scripted threat: "Stop it! That's sexual harassment, and sexual harassment is against the law."

## **Domestic Violence**

It is well established that men and women commit violent acts in the home in roughly equal numbers, and that an intact family is the safest environment for both women and children. Such facts have not prevented feminists from whipping up public hysteria over "domestic violence," for which men are presumed to be exclusively responsible. Indeed, terms like "violence against women" and "male violence" are beginning to appear even in government documents. Here again we see the quasi-Marxist assignment of criminal guilt to categories of people rather than the individuals who commit

particular illegal acts.

Such violence need not be violent: criticizing, name calling and denying money are now officially listed as forms of domestic violence. The only possible purpose of such verbal inflation, as Baskerville points out, is to target men who have not committed any violent assault. This is one reason statistics on domestic violence cannot be trusted. There is another: they are based not on convictions or even formal charges, but on “reports.” Because domestic violence is now a multi-billion dollar a year industry, interest groups and government agencies have strong incentives to manufacture false accusations and exaggerate incidents.

In practice, accusations of domestic violence are usually made to secure advantages in divorce and custody disputes. Feminist literature complains not that violent husbands are avoiding conviction, but that accused fathers sometimes retain access to their children. After all, when husbands are convicted of criminally assaulting their wives, they get locked up and no question of custody arises. It becomes an issue in divorce cases only because accusations do not have to be proven.

Bar associations and even courts themselves sponsor public seminars on how to fabricate abuse accusations. “With child abuse and spouse abuse you don’t have to prove anything,” the leader of one seminar quoted in the Chicago Tribune tells divorcing women. “You just have to accuse.” Another astonished witness reports:

A number of women attending the seminars smugly—indeed boastfully—announced that they had already sworn out false or grossly exaggerated domestic violence complaints against their hapless husbands, and that the device worked! The lawyer-lecturers invariably congratulated the self-confessed miscreants.

“Women lie every day,” writes one female Canadian judge. “Every day women in court say, ‘I made it up. It didn’t happen’—and they’re not charged.”

Divorcing wives can also get restraining orders issued against their husbands simply by claiming to be afraid. The order will usually give her the home, the children, child support and maintenance.

Another possibility is to go to a battered women’s shelter. These institutions are not what their name suggests. There are said to be over 2000 such shelters in the United States, and there simply aren’t enough battered women to keep all of them in business. Rather, they are “one-stop divorce shops” that exist mostly to separate children from their fathers.

Extended investigations [of shelters] by Canada’s National Post and others revealed a violently anti-male agenda, corruption, drug and alcohol use, child abuse, and even, ironically, violence against women. American journalist Cary Roberts found “prison-camp like working conditions, misappropriated shelter assets, falsified documents, illicit drug activities, horrific child abuse, illegal cover-ups, complacent oversight agencies, and more.”

Popular hysteria about “violence against women” has also resulted in legal reforms meant to maximize convictions:

With most crimes, police generally do not arrest suspects without a warrant unless they personally witness it. Yet the mob justice surrounding domestic violence has brought the innovation of mandatory arrest, even when it is not clear that any deed has been committed at all. “No drop” prosecution is another innovation requiring prosecutors to prosecute cases they would otherwise abandon for lack of evidence or because they judge that no crime has occurred at all.

Harriet Harman, deputy leader of the British Labour Party, has proposed allowing women to kill their “intimate partners” with impunity as long as they “claim past, or fear of future, abuse.”

### **Other New Crimes**

Sexual harassment, a redefined rape, and domestic violence that need not be violent are the principal ideological weapons in the feminist arsenal, but there are several others as well.

Stalking is a crime invented in California in 1990. Within three years, every state in the union had passed anti-stalking laws. Many other countries have now joined in: a case of legislation by bandwagon. The original idea was that criminals often “stalk” their victims before assaulting them, so outlawing “stalking” would help prevent actual assaults. As one former Associate Attorney General has written: “We should not have to wait until an overt act of violence occurs to take action.”

But as with harassment, no one is able to define precisely what is meant by stalking. In effect, the new laws mean that people can be prosecuted not for acts they have actually committed, but for acts they may possibly intend to commit in the future. As Baskerville notes, this “directly violates the fundamental common law principle that a man can only be punished for a crime that he has actually committed.” Indeed, since anyone might commit a crime at some future time, “we could just arrest the entire population.”

In practice, the chief application of this juridical abortion has been in divorce cases: involuntarily divorced fathers trying to see their own children are accused of “stalking” them. Letter writing and phone calls are some of the acts which can be prosecuted by means of anti-stalking laws.

Laws against child abuse and neglect have also been made into feminist weapons in the struggle against fathers and families. Baskerville provides some historical background:

The professionalization of social work in the early twentieth century—at the instigation of feminists like Jane Addams—created a plainclothes gendarmerie with a vested interest in other people’s children. As governments wrested charitable work from churches and other private foundations, social workers became government officials with “extraordinary police powers,” though without the restraints we normally impose on police to protect the rights of the accused.

The Mondale Act, passed by Congress in 1974, mandated the establishment of Child Protective Services agencies by the states and created financial incentives for finding (or inventing) child abuse. Similar legislation quickly followed in other countries. By the 1980s, government agencies were whipping up sensational accusations of child abuse.

Eventually, the truth came out: social workers had badgered very young children to come up with lurid stories of abuse, disregarding their denials. All such stories turned out to be fabrications, but the episode left a trail of “torn-apart families, hideous injustices, psychologically damaged children, incarcerated parents, and ruined lives.” Thanks to governmental immunity laws, no one can be held liable for such outrages, even if they can be proven to have fabricated accusations maliciously. “Child protection officials,” reports Baskerville, “are recruited largely from the ranks of divorced women and from graduates of social work and ‘women’s studies’ programs, where they are trained in feminist ideology that is hostile to parents and especially to fathers.” Seized children may be deliberately taught to hate their fathers, or persuaded he has abused them.

To this day, according to one expert:

False charges can happen to any parent merely by a stranger picking up the telephone and anonymously calling a well-publicized hotline number to say, without any evidence, that a parent maltreated his or her child. This involves a massive number of children and families each year. It is almost impossible to fully insulate one’s family from the threat of a system that on very little pretense can simply reach into the home and take away one’s offspring.

As with the other new ideological crimes, there is no presumption of innocence and no clear definition of the crime: it is up to social workers to determine what counts as abuse. Baskerville comments dryly: “Free societies do not normally permit civil servants to adjudicate crime ad hoc.”

The irony, as the author points out, is that the best way to increase the chances of a child being abused is to separate it from its father. Sexual abuse in particular is extremely rare on the part of biological fathers. (This is hidden in the official statistics by counting stepfathers and boyfriends as “fathers.”) In the name of protecting children, feminists are removing their natural protectors.

A fairly recent trend is the federal campaign against bullying, enthusiastically promoted by the Obama administration. Something everyone previously thought was childish misbehavior is now officially a federal civil rights violation. Like the other quasi-crimes we have been discussing, it has no exact definition, but is said to include “teasing, name-calling, spreading rumors, threatening, and excluding someone from a group on purpose.” A number of anti-bullying intervention programs have been established, but researchers have found none that are effective. In fact, “the average teacher actually reported more bullying after intervention than before.”

At first glance, the anti-bullying crusade may appear unrelated to feminism. But, as Baskerville points out, it has traditionally been fathers who intervened against bullies, taught their children how to protect themselves, and disciplined them if they bullied others. Not coincidentally, single mothers are the most enthusiastic proponents of anti-bullying legislation: “With the systematic banishment of fathers by feminist-controlled divorce courts, single mothers can only cope by criminalizing one another’s children.”

I shall conclude this list of newly invented crimes against the patriarchy with a small but telling recent example.

Realization of the value of breastfeeding, along with more women in the workplace, has led to attempts to develop more tolerant attitudes toward public nursing. [But] the new measures do not merely “permit” it (something that could be effected simply by removing prohibitions); they inflict penalties on anyone who objects. In some jurisdictions it is now a crime to “interfere” (whatever that means) with a woman breastfeeding.

This new legislation is a symptom of “something unhealthy about our political culture: an inability to distinguish between permitting a practice” and forbidding its disapproval. Yet moral disapproval is the only alternative to legal punishment; without it, there is “no middle ground left between criminalizing one side or the other.” The penal apparatus then becomes a political prize that must be used against our opponents if only to keep it from being used against us. Obviously, this dangerous mindset contributes to America’s present extreme political polarization.

Feminists have begun agitating against male behavioral tendencies they call manslamming, mansplaining, and manspreading—with more, no doubt, to come. As the author says, “once the principle has been established that only men can be guilty of certain crimes, few limits remain against criminalizing the peculiarities specific to them.”

## **Conclusion**

The reader may be familiar with the old feminist chestnut “rape is about power, not sex,” which goes back to the 1970s. In truth, for feminists, even sex itself is “about power, not sex.” Catherine MacKinnon, e.g., defines sex—not construes or interprets it, but defines it—as a construct of male power. On this view, the shy teenage boy screwing up his courage to speak to the girl he has his first crush on is in reality imposing a kind of force on her, virtually attempting to rape her.

How could anyone be drawn to such a perverse way of looking at human relationships? Baskerville finds a clue in the attraction of women to powerful men. This is one reason, after all, why men seek power and why the domain of power is traditionally understood as masculine: “Civilized society channels this power differential into social harmony, economic prosperity, and political stability through marriage.”



The author also makes the important point that traditional male authority within the household exists separately from the state and serves as a limitation upon it; feminist power is always allied with the state and serves to augment its power. Triumphant feminism is re-creating the “combination of political corruption, economic stagnation, swollen prison populations, and politicized criminal justice” familiar to us from Soviet communism.

By redefining men’s attraction to women as an exercise of power over them, feminists are most likely projecting their own preoccupation with power upon their enemies, heterosexual men. In Baskerville’s words, the newly ideological offenses serve to

criminalize those whose positions and power [feminists] crave for themselves and to whom they appear to be imputing their own sexual-political fantasies. Romantic and family intimacy are not merely collateral damage but the targeted enemy.

By undermining male authority, feminism is deliberately sabotaging heterosexual attraction—and, of course, sabotaging the continuation of our race.

For the new rules invented by feminism are likely to prove ineffective against those whose reproductive behavior is most governed by natural instinct. The new ideological regime is mainly altering the behavior of those most accustomed to self-control and rule-following. For this reason, I believe feminism constitutes a threat to Western civilization equal in importance to the ethnic competition more usually discussed on this site. In the end, we will be forced to choose between continuing to indulge feminism and securing our own survival.

**[Prof. Baskerville’s website](#); contains links to podcasts, reviews and his other work.**

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