

The Bureaucratic Pleasures of Policing Sex

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Jennifer Doyle. *Campus Sex, Campus Security*. Semiotext(e), 2015. 144 pp.

Campus Sex, Campus Security is not exactly an academic book, though it treats academic themes, and certainly matters of the academy. With a style that slides from the journalistic into the aphoristic and the lyrical, the book at times has the feel of a feminist manifesto from an earlier era, at others that of a jeremiad. As an investigation into recent shifts in campus culture due to the prosecution of Title IX cases, *Campus Sex* seems destined to be read alongside Laura Kipnis' recent and controversial work, which made headlines for arguing that the vilification of erotic relationships between students and faculty essentially infantilizes the student body, renegeing on a feminist tradition that fought to recognize grown women's sexual sovereignty. I will have more to say about Kipnis' relevance shortly, but for the moment, let me focus on the topic both scholars address: a shift in how Title IX statutes are being applied on college campuses across the United States.

Title IX, for those unfamiliar with it, is a generally straightforward statute of Civil Rights legislation that was added to the U.S. Education Amendments of 1972, stating:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.¹

While this seemingly innocuous statute lay relatively dormant on college campuses for three decades, it has recently become the central pillar of a whole new architecture of administrative policing of campus life. Doyle traces its newly muscular role to an influential letter sent by the Department of Education to administrators of college and university campuses in 2011-12. Laying out the basic guidelines of Title IX, the letter portrays U.S. campuses as being in a state of sexual emergency, with abuse and rape rampant everywhere. The letter calls on administrators to diligently ensure a

¹ The full text of the amendment is available online at <https://www.justice.gov/crt/title-ix-education-amendments-1972>.

“feeling of safety” on their campuses, to protect against sexual assault and to guard against harassment and retaliation. So far so good; those certainly sound like worthy goals. But in applying those standards, something has gone terribly wrong.

Doyle opens her discussion with the famous image of Sergeant John C. Pike, his demeanor frozen in the studied nonchalance of a professional termite exterminator, unloading the contents of a pepper spray can into the faces of hooded protesters peacefully sitting on a sidewalk on the U.C. Davis campus in November of 2011. This seems an unlikely starting point for a discussion of Title IX, but Doyle connects some interesting and unexpected dots. It turns out that Pike was called to his task by the university’s chancellor, Linda Katehi, who was worried that the campus occupation might invite “non-affiliates” to Davis, specifically Occupy activists from Oakland. “The issues from Oakland were in the news and the use of drugs and sex and other things,” Katehi reportedly explained, “and you know here we have ... very young girls and other students with older people who come from the outside without any knowledge of their record ... if anything happens to any student while we’re in violation of policy, it’s a very tough thing to overcome” (Reyesno Task Force, as quoted in *Campus Sex, Campus Security*, 15-16).

It’s that phrase, “in violation of policy” that links Katehi’s motivation to Title IX. Universities found to violate this statute are placed on a watchlist of the Office of Civil Rights, which can entail serious consequences, including a loss of federal funding. The chancellor’s fears swirled around the possibility of a violation engendered by a sexual assault, sliding down a metonymic chain that linked Occupy protesters on the Davis campus with those of Oakland, and Oakland with black people, outsiders, as the phrase “university non-affiliates” implies, who are in turn linked with rapists. On the other side, Katehi imagines the university population as a vulnerable group of “very young girls” for whose well-being and sexual innocence she holds herself responsible, as stipulated—in some undefined manner—by Title IX. In attempting to avert one kind of imaginary scandal, she thus invited another.

This case provides the opening example, and in many ways lays out the definitive structure for an evaluation of many other famous campus scandals of recent years, sexual and otherwise, ranging across a wide variety of cases. Doyle discusses the 2014 *Rolling Stone* coverage of the University of Virginia woman who reported being gang raped at a fraternity, then later retracted her story; the 2011 Rutgers incident in which a man surreptitiously videotaped his roommate having sex with other men, after which the gay roommate committed suicide; the Penn State riots of 2011 following disciplinary action against a popular coach for his failure to take action against an assistant coach who was showering with pre-pubescent boys in the locker room. She also discusses cases in which students and faculty, apparently viewed as “non-

affiliates” or outsiders to campus culture, are violently assaulted by police officers for failing to present identification that is not demanded of white students or faculty.

While most of the stories Doyle cites will be familiar to anyone paying attention to US college news over the past five years, the conclusions she draws are nuanced and interesting, neither vilifying the offenders nor excusing their actions. Instead, she calls attention to the paucity of analysis both in university responses and in popular media accounts of what happened. In the case of Dharun Ravi, for example, the young man who videotaped his roommate hooking up with other men in their shared dorm room, she points out that his motivation in setting up his camera revolved around a desire to watch the tape afterwards with friends. “[W]hy he wanted to watch that, with friends, is not something that can be explained by either the word ‘bullying’ or even the word ‘homophobia,’” Doyle argues; “[i]t has something to do with the sociality of sex, and the sexuality of friendship” (56). An appropriate response to this incident, and to the others described in the book, would thus require a more discriminating interrogation of desire, an application of *sexual intelligence* and curiosity into the meaning of the incidents that transpired. Instead, administrators and the media often jump to portray the accused as a “monster,” especially if he happens to have a name or physiognomy that can be cast as racially or ethnically other.

Title IX moves through these stories like an adrenalized heartbeat, animating and revving up responses through the erection of a whole administrative apparatus that surveils the student body, inhibits classroom discussion of potentially injurious topics, disciplines faculty relations, polices, interrogates, and punishes. Title IX has a drive of its own in this story, always moved by the fear of an intrusion, a sexual assault on a student presumed to be defenseless. “Title IX is the administrative structure through which the university knows what exposure feels like, what vulnerability is. *It is the sex of bureaucracy,*” Doyle proposes (24). This is a fascinating concept—the notion that bureaucratic entities are sexed, that they maintain a kind of libidinal drive. And if we apply the same sexually intelligent approach that Doyle calls for elsewhere to the case of academic bureaucracy itself, the portrait of sexual drive these various examples paint appears somewhat complicated: obsessive and paranoid in motivation and sadistic in practice. In their insatiable drive to identify potential threats, in the clear pleasure they take in punishing and nullifying the “non-affiliate” other, the harasser, the sexual offender, the monster, campus administrations have lost all equanimity, sense of fairness and balance. They have themselves become monstrous harassers.

This is where Doyle’s book comes closest to Kipnis’ two recent essays, “Sexual Paranoia Strikes Academe” and “My Title IX Inquisition,” both of which appeared in the *Chronicle of Higher Education* in 2015. In the first of these, Kipnis likewise claims that the university infantilizes the student body, treating all students as that “very

young girl” in need of protection. In welcoming Title IX-driven revisions to university policy, she argues, faculty, students and administrators have sacrificed a vision—hard-fought by an earlier generation of feminists—of women as sovereign sexual agents. The new protections treat students as hothouse flowers, Kipnis argues, policing sexual relations between faculty and students, and even classroom discussions, in a manner that assumes students to reside in a prolonged state of tutelage. Kipnis herself came under attack for the publication of “Sexual Paranoia Strikes Academe,” however, when students invoked Title IX to charge her with fostering a “rape culture” on campus. The second article, “My Title IX Inquisition,” describes her own surreal interactions with the bureaucracy of Title IX investigations. She was shocked to discover how little due process governed the proceedings: she had no right to learn what specific accusations had been leveled against her until she was required to respond to them; she had no right to an attorney; no right to refrain from responding to all questions put to her. In short, the citizen rights we take for granted in our relations with the legal authority of the state seem to stop at the gates of the university.²

This aspect of Title IX’s role on college campuses is missing from Doyle’s book. While *Campus Sex, Campus Security* showcases the libidinal drive of Title IX and its inability to adequately comprehend the complexity of many sexual dynamics, Doyle has nothing to say about *how* it has been put into practice, or the concrete rules (such as they are) that govern these investigations. This lack is somewhat baffling, because Doyle herself has personal experience with that investigative apparatus and seems to bear the scars of her encounter with it. Her book opens with a prologue in which she describes how she filed her own Title IX charges against a student who was stalking and harassing her, then leveled a second complaint against the administration for how the first charge was handled (she never explains the nature of that secondary complaint). Ultimately, Doyle found herself under scrutiny in an administrative hearing for her own scholarship, which, for those readers unfamiliar with it, skillfully treats sexual politics from a queer and feminist perspective. Her canny critique of sexual issues apparently disqualified her as a victim of harassment; she was not the “very young girl” that Title IX was designed to protect. In this case, the sadism of Title IX bureaucracy appears to have been leveled against the accuser, rather than the accused. She speculates that the hearing dragged on far longer than necessary while “the committee dined on the misery of my situation as the sensational story of a ‘feminist accused of harassment’” (9).

Doyle provides only the barest sketch of this event, deliberately choosing not to relate the details of her personal narrative. I, for one, wish she had. There are places where

² Kipnis is currently writing a book about the prosecution of Title IX cases in the United States, titled *Stupid Sex / Higher Education*.

I can feel the pain of her own experience haunting the story she is telling, as in this passage, describing the experience of harassed victims everywhere:

One inventories one's pain, outlines one's confusion and frustration, usually in a context in which one does not know if one has been heard, acknowledged, believed. One gets used to not being heard. One either clams up, or speaks like a hysteric—a repulsive verbal diarrhea spreads over every conversation. (34)

The use of that “one” here feels overdetermined; it is not clear whether she is ventriloquizing the pain faced by a victimized student, or whether she is describing her own experience. Similarly, there is an unusual stridency in her tone when she adopts a first-person plural voice at the conclusion of the book to describe a number of violent break-ups of Occupy protests on U.C. campuses:

We gather, we surround, we ask, we are surrounded. The police do something incomprehensible. They fire PepperBalls into—at—the crowd.... They spray us, in our faces. They throw us to the ground, drive a baton into our sides, whack our hands with their sticks and break our fingers, they drag our friends, our teachers, our students to jail. By their hair. And we scream. (99)

The “we” here, clearly intended to express solidarity, adopts the perspective of bodies the speaker does not inhabit, eyes stinging from pepper spray, fingers broken, and hair dragged out by the roots. But in doing so, the book loses its focus. While the Davis protest may show clear links to Title IX policies, it is not clear how they relate to police responses on the other campuses to which this passage refers. That first person plural pronoun thus appears as a kind of flight, a foggy substitute for a more grounded description of Doyle's own very real bodily encounter with the Title IX apparatus. The final effect, at least for me, is that the book at times loses the incisive, balanced tone that makes her language so persuasive in some of her more academic titles, such as the brilliant *Hold it against Me: Difficulty and Emotion in Contemporary Art* (2013), a work in which the narrative voice remains embodied and present throughout.

Nevertheless, *Campus Sex, Campus Security* is a book that deserves to be widely read and discussed. It is a serious wake-up call, an important intervention into a major shift that is taking place in higher education today. In the praiseworthy interest of reining in sexual harassment and rape on college campuses, campus citizens have become complicit in allowing Title IX to mobilize university administrations into a frenzy of activity that has sacrificed due process and basic fairness. It is time for university unions, faculty governance bodies, student rights organizations, and civil rights groups to recognize the nature of this overreach and to start fighting back. Doyle's book represents an admirable call to arms in that battle.

Works Cited

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