

BookTalk

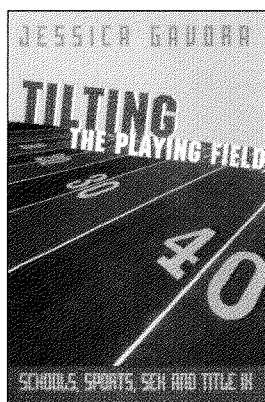
WOMEN 9, MEN 0

By Melana Zyla Vickers

Tilting the Playing Field: Schools, Sports, Sex, and Title IX

By Jessica Gavora

Encounter Books, 181 pages, \$24.95



Across the country, programs such as men's wrestling and track have been disappearing at the rate of a half-dozen every month, having

fallen prey to a bizarre twist of education policy emanating from Washington.

It's called Title IX, a 1972 statute that ostensibly bars gender discrimination in federally funded education. Well-meaning in theory, its interpretation by the Clinton administration in the 1990s has led to the carnage of men's teams. Campus athletics administrators, wary of enforcers at the Education Department's Office of Civil Rights and fearing a withdrawal of federal funds for their college, have eliminated men's teams in order to make the proportion of male to female athletes on their teams mirror the gender proportions within the student body. These quotas have forced men off teams and shut down entire male squads, while women's teams for which there was no

demand have been started up to balance the numbers.

Parity-through-amputation is perhaps the best known of the Title IX vagaries, and it is now being investigated by a commission set up under President Bush. Many more results of Title IX have been adeptly chronicled by Jessica Gavora, chief speechwriter and a senior policy advisor to John Ashcroft.

As Gavora explains in *Tilting the Playing Field*, the most harm has been done by aggressive interpretations of Title IX that go far beyond the statute's intent. Consider how the statute has been used in cases of alleged sexual harassment of children and teenage girls. Gavora points out that while sexual harassment is not even mentioned in Title IX, it has served as the basis of many successful legal actions under the law.

The most eye-popping is the case of Jonathan Prevette, a six-year-old suspended from his North Carolina school after kissing a female classmate on the cheek. Then there's the Indiana elementary school that banned fourth graders from playing "boys chase the girls" at recess, on the grounds that the age-old game constituted sexual harassment. These actions, among others, followed on the heels of a "policy guidance" issued by the Clinton Education Department's Office of Civil Rights. Among other school actions that followed the guidance, according to Gavora: Nicholas Junior High in Fullerton, California banned hugging and kissing, and, to crown the sexual-harassment curricula

that many students are now force-fed, high school students in Stevens Point, Wisconsin put on a play called *Alice in Sexual Assault Land*.

One case involving a charge of sexual harassment of one ten-year-old by another actually made it to the Supreme Court, where the use of Title IX to stamp out "sexual harassment" between children in such cases was supported.

The more familiar perversion of Title IX—to establish gender quotas in athletics—has also been given a nod by the Supreme Court. In 1997, the Supremes let stand a lower court's ruling that Brown University could not cut back its women's gymnastics team at the same time as it was cutting male teams, on the grounds that any cut in female athletes would be discriminatory as long as there were fewer women athletes than male on the campus. In the same decision, the lower court ruled that the only real test of non-discrimination in athletics was to compare the proportion of female athletes to the proportion of female students. Thanks to that decision, college administrators have considered the "proportionality test" to be their only safe harbor from lawsuits under Title IX.

If there's a flaw in Gavora's example-laden, well-written treatise, it's that she doesn't explain in detail the reasoning of the courts. Were the courts brainwashed by aggressive regulators in Clinton's Office of Civil Rights? Or are the decisions examples of the political Left dominating the legal realm? With the formidable imprimatur of the Supreme Court on

these Title IX cases, one wonders whether all is lost.

Thankfully, it is not. A new lawsuit against the U.S. Department of Education's interpretation of Title IX by the National Wrestling Coaches Association and swim, track, and gymnastics coaches brought some hope in 2002. Another positive sign is the review by the Bush commission, which is due to report its findings early this year.

Let's hope the jurists involved in the wrestlers' lawsuit and the members of the Bush commission read Gavora's book. It will give them an excellent picture of the damage done by misguided enforcement of Title IX, and a sense of how badly the law needs to be untitled.

Melana Zyla Vickers is a senior fellow at the Independent Women's Forum.

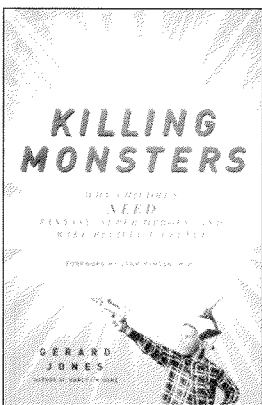
JUNK CULTURE JIVE

By S. T. Karnick

Killing Monsters: Why Children Need Fantasy, Super Heroes, and Make-Believe Violence

By Gerard Jones

Basic Books, 272 pages, \$25



The biggest cultural conflict in America during the past two decades has been between those who believe that irresponsible writers and artists are

coarsening American culture beyond reclamation, and those who argue that the Constitution guarantees unfettered "freedom of expression" and that we'll just have to accept the consequences.

Both sides share a basic assumption: That all human beings have natural im-

pulses toward violence, sexual irresponsibility, and vulgarity. While the pro-censorship camp seeks means of suppressing these urges, the liberationists want to find acceptable outlets for self-expression. Is it possible that neither side sees human beings in all of their complexity or gives full respect to individual free will?

Adding a new twist to the debate, comic book author and screenwriter Gerard Jones investigates, in *Killing Monsters: Why Children Need Fantasy, Super Heroes, and Make-Believe Violence*, exactly what young people find so attractive about imaginary violence. Jones argues that young people actually *need* to fantasize about violence, both in their play and through stories in the media and elsewhere. Doing so, he believes, gives kids an outlet for their anger and lets them see the real consequences of their own minor acts of violence, understand power relationships, and symbolically defeat the brutality they see around them.

Jones suggests that rather than causing aggressive behavior through imitation, violent entertainment provides a catharsis, noting that the baby boomers raised on a steady diet of violent comic books, TV Westerns, cop shows, and monster movies in the 1950s became the pacifists of the '60s. In the '70s, "a groundswell of sentiment against violent entertainment succeeded in altering the landscape of children's culture," removing overt violence from children's television and even some prime-time fare. Violent movies were rated R or X to keep the young out. Toy dealers phased out fake guns and swords, and the biggest maker of plastic toy soldiers stopped production. Yet juvenile crime rates *increased* dramatically.

In the 1990s, by contrast, juvenile crime rates fell, just as the children who grew up among the significantly more violent media products of the 1980s entered adolescence. Hence, Jones argues that we should not ban violent activities and entertainment, suggesting instead that parents talk with their children

about what they like about these things, and learn what's really bothering them.

That's all well and good, but it lets everyone off the hook, except parents. And here it becomes clear that despite his good intentions, Jones's ideas provide no solution at all. The tension between our baser impulses and our efforts to control them is too complex for the simple notion of catharsis to explain. Talking with one's children about why they like certain violent entertainment makes sense, but it's hardly an original idea. And telling us to empathize with our children is a pretty fatuous and gooey suggestion.

Most importantly, Jones talks only about violence, and fails to consider sex and profanity, making his argument about what's wrong with popular culture today virtually useless. Media violence can glorify bad acts, but it also usually makes clear that violence *hurts*. Perhaps this is why, as Jones notes, most people tend to get their fill of violent entertainment and move on to other things.

Today's media portrayals of sexual activity, on the other hand, are an entirely different matter. Such behavior is often romanticized, sugar-coated, and seldom shown as painful to either party. Its negative consequences tend to be divorced in time from its evident pleasures.

Today's liberal elites seem to have things exactly backwards in their attitudes toward media violence versus media sex, profanity, and crudeness. Partly for some of the reasons Jones mentions, a sophisticated attitude would allow some significant leeway for media portrayals of violence (especially when realistic portrayals of its consequences are part of the script), while avoiding alluring dramatizations of sex, profanity, and vulgarity. Yes, parents should point youngsters away from pernicious trash and toward more edifying entertainment—but so should other family members, friends, neighbors, congregations, critics, and—perhaps most of all—those who make entertainment and art their profession. Sorry,