

Critique of Controversies over Sexual Harassment in the Workplace by Legal Feminists in the United States

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Abstract

The purpose of this paper is to observe the critique and comments made by legal feminists in the United States about the controversies over sexual harassment in the workplace. In addition, their contributions to and expectations on this issue are also examined. The contents of the paper are divided into five sections. Section One will describe three different stages of the various schools of feminist legal theory and their attitudes towards issues related to sex discrimination. Section Two will provide an analysis of controversies caused by sexual harassment in the workplace, mainly focusing on the five decisions rendered by the U.S. Supreme Court in recent years. Section Three utilizes the examples of two important cases *Meritor and Harris* in order to examine contributions made by legal feminists during the earlier stage, especially the efforts of Professor Catharine A. MacKinnon. Section Four emphasizes the arguments posited by a number of legal feminists concerning three related 1998 Supreme Court decisions on sexual harassment at work. Section Five comments on the opinions written by these legal feminists in order to discuss several unsolved problems concerning this issue. Finally, the discussions derived from these problems are examined to ascertain whether they can provide insights for the local legal community, and for the purpose of contributing to the further development of

Taiwanese legal feminists.

Key Words: feminist jurisprudence (or Feminist Legal Theory), legal feminists, sex discrimination, sexual harassment in the workplace, Title VII of the Civil Rights Act of 1964