

Foreword

A fundamental tenet of the American legal system is uniform application of the laws based on an objective standard. But, as this disturbing, even haunting narrative makes clear, a single nongendered standard of reasonable conduct—the “reasonable person”—remains as elusive as ever.

Through case after case involving hostile environment sexual harassment, domestic homicide, stalking, and rape, Forell and Matthews reveal a harrowing truth: “the reasonable person” is little more than a mask for “the reasonable man” it replaced. Man remains the measure of woman and as a result the law continues to condone men’s victimization of women. Taking to heart another fundamental tenet of law—that law is a system of values—the authors propose a radical departure: if we truly believe in rights to bodily integrity, individual agency, and autonomy, why not make woman the measure of man?

The authors’ proposal that a reasonable woman standard should apply in all cases of sexual harassment, stalking, domestic homicide, and rape is uncompromising and provocative—a frontal challenge to the male standard that remains deeply embedded in American law. Whether or not the reader embraces their proposal, there is no turning back from the legal reality their narrative so baldly exposes.

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