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Lawsuit against CU women's studies department dismissed

The U.S. Court of Appeals ruled that the University has not harmed men with its women's studies department.

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Though Roy Den Hollander, MBA '97, thinks Columbia's support of gender studies discriminates against men's rights, the U.S. Court of Appeals ruled on Friday that the University has not harmed men with its actions.

Hollander, a controversial men's rights activist who first filed a lawsuit against Columbia in August 2008, has claimed that Columbia's support of a women's studies department was a First Amendment violation, on the grounds that, legally and constitutionally, feminism counts as a religion.

He has also charged that the discriminatory nature of a women's studies program is in violation of the equal protection clause of the 14th Amendment. His argument is that Columbia cannot use public funds for the Institute for Research on Women and Gender unless it supports an equivalent men's studies program.

The United States magistrate judge ruled last April that there was no valid injury for the plaintiff, Hollander, and the decision said that the case therefore merited no judicial authority. Later that month, Judge Lewis Kaplan of the U.S. District Court, Southern District of N.Y.,

upheld the magistrate ruling, stating that “feminism is no more a religion than physics. ... The core of the complaint therefore is frivolous.”

And last week, Hollander’s case, for now, reached the end of the line with the U.S. Court of Appeals’ decision to uphold the lower courts’ dismissals. The court argued that the prior decisions “properly dismissed the action for lack of standing as to all defendants because the plaintiff’s claims of harm amount to the kind of speculative harm for which courts cannot confer standing.”

But Hollander said on Tuesday that the fight was far from over. “I can bring this case again, and I’m going to bring this case again,” he said, arguing that the court ruling emphasizes that he has no standing, which he said leaves options open to pursue a different track of the case. Hollander said he plans to focus his complaint on government support for the “religion” of feminism, an argument that he said he can make because he is a taxpayer.

Hollander said he had expected the latest blow to his case. “I’m not surprised. When it comes to men’s rights, the courts in this country are useless,” he said.

Though representatives from the Institute for Research on Women and Gender, along with several gender studies professors, could not be reached for comment, over the course of this case, Columbia has argued that Hollander has no standing since he is simply pursuing his own personal hostility toward feminism.

The continued fight for Hollander is not about winning in court, which he acknowledges is not likely. “The only thing that I can really do with these cases is point out the hypocrisy,” he said, adding, “I believe the only way to change this is for 100,000 armed guys to show up to Washington, D.C., and demand their rights.”

Students on campus said that they were uncertain what a men’s studies program would entail.

“I think you can raise the question, but I think in doing so you have to be careful. ... There’s not a historical bias against men,” Bianca Schreiber, BC ’11, said. “There’s not ... a need for a men’s studies program in the same way.”

Robert Post, SEAS ’11, agreed, saying, “It just seems like the suggestion that there should be a men’s studies seems retaliatory.”

Phil Crone, CC '11, defended the program, saying that its purview is broader than women. "It sort of tries to talk about many different identities in terms of biology, sexuality, identification with different groups," he said. "Even though women might be in the name of the field, it doesn't solely focus on women."

But Ben Bao, a master's student at Teachers College, said that Hollander's argument for a men's study program may be valid if he has done the research. "He thinks it's useful to study, so I support his idea about that," Bao said. "I haven't heard this kind of study before, so it's very interesting."

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