

SEXISM AT THE CENTRE: LOCATING THE PROBLEM OF SEXUAL HARASSMENT

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Abstract In this article we discuss the sexual harassment that occurs within academic institutions between academic staff and students. Our interest is in analysing the ways that sexism and sexual harassment are enabled and sustained in the university environment. In particular, we are interested in interrogating the power that occurs in these relationships, and how the nature of this relation makes it difficult for students to name and refuse the harassment that occurs. We argue that sexism conceals itself through its continual movement, and that sexual harassment is perpetuated within universities through tactics that relocate the problem away from the individual and the institution. In this way, sexual harassment disappears: the problem never appears as a problem of sexual harassment. Instead, it appears as a number of other shifting problems which include the problem of the women who complain and the harm caused to academic reputations. The slipperiness of sexism means it comes to be re-circulated through social and institutional structures that keep sexual harassers in place, because sexism and sexual harassment appear always out of reach. Mechanisms within the institution set up to address sexual harassment work not only to distance the institution from responsibility for the harassment, but also to hide the harassment even in the moment when women and their allies are insistently working to try to make it appear.

Keywords sexual harassment, sexism, higher education, feminist epistemology, institutional misogyny

In recent years a number of high profile cases of sexual harassment and assault have redirected international attention to the issues of sexism and sexual violence at universities. Many of these cases have addressed student to student sexual violence. One such high-profile case took place at Columbia University where in 2014-15 Emma Sulkowicz protested the university's mishandling of her sexual assault case by carrying her mattress around campus and to her graduation.¹ The weight of Sulkowicz's mattress represented the burden placed on survivors of sexual assault when universities fail to take these cases seriously and not only force survivors to navigate their studies while living in close proximity to those who have violated them, but also tacitly accept and condone these violations as part of the conditions of study.

Other cases have drawn attention to the violence committed through

1. Roberta Smith, 'In A Mattress, A Lever For Art And Political Protest', *The New York Times*, 21 September 2014. See <http://www.nytimes.com/2014/09/22/arts/design/in-a-mattress-a-fulcrum-of-art-and-political-protest.html>.

faculty to student sexual harassment. For example, the University of Colorado Boulder (CU Boulder) made international news in 2014 when an independent report found the philosophy department to be characterised by ‘unacceptable sexual harassment, inappropriate sexualized unprofessional behavior, and divisive uncivil behavior’.² The report went on to note that the effect of these behaviours was to alienate women from the workplace, with female faculty avoiding campus and making efforts to leave the department in disproportionate numbers.

While many of these cases have been located within philosophy departments, and while disciplines may express and reproduce sexism in distinct ways, sexual harassment is not confined to particular disciplines. Similarly, while many of the cases that have received international coverage are located at US institutions, the problem of sexual violence at universities is in no way specific to the US. In the UK a 2014 survey conducted by the National Union of Students found that sexual harassment on UK campuses was ‘rife’, with 37 per cent of women and 12 per cent of men reporting that they had experienced unwanted sexual advances while at university.³ And while two thirds of respondents said they had been witness to students tolerating unwelcome sexual comments, 60 per cent said they were unaware of university procedures to prohibit these behaviours. This may be why Phipps and Young have found that two-thirds of surveyed students describe sexual harassment and violence as a normal part of university life.⁴

In this article we discuss the sexual harassment that occurs within academic institutions between academic staff and students. Our interest is in thinking about the ways that sexism and sexual harassment are enabled and perpetuated in the university environment. In particular, we are interested in interrogating the power that occurs in these relationships, and how the nature of this relation makes it difficult for students to name and refuse the harassment that occurs. What are the mechanisms, both social and institutional, that enable, circulate and conceal sexism, and what work do they do? How can we think about the mobility of sexism enabled by these mechanisms, and how does the movement of sexism make the work of those in universities committed to ending sexism even harder?

In pursuing these questions, we draw upon materials predominately gathered from experiences in UK higher education, which has its own particular institutional structures. This includes, for example, the structure of PhD study, which pairs students often with a single supervisor and no mandatory course work. However, we also draw on narratives from US spaces, showing continuities in the experiences of power in these two contexts.

EXPERIENCE AND GENERATING FEMINIST EPISTEMOLOGIES

Our engagement with sexual harassment within the academy has grown from our work with the UK-based blog project *Strategic Misogyny*. *Strategic*

2. University of Colorado Boulder, *Report on Site Visit Conducted by The American Philosophical Association Committee on the Status of Women at the University of Colorado Boulder*, 31 January 2014.

3. Sally Weale, ‘Sexual Harassment Rife at UK Universities, Says NUS’, *The Guardian*, 15 September 2014. See <http://www.theguardian.com/education/2014/sep/15/sexual-harassment-rife-universities-nus-survey>. Jack Grove, ‘NUS: Sexual Harassment “Rife” On Campus’, *Times Higher Education*, 15 September 2014. See <http://www.timeshighereducation.co.uk/news/nus-sexual-harassment-rife-on-campus/2015731>. article.

4. Alison Phipps and Isabel Young, ‘Neoliberalisation and “Lad Cultures” In Higher Education’, *Sociology*, 49, 2 (2015), pp305-322.

5. Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory*, Crossing Press, New York 1983, p17. Hereafter *Politics of Reality*.

6. <http://everydaysexism.com/>

7. <https://beingawomaninphilosophy.wordpress.com/about-2/>

Misogyny was founded to collect and publish experiences of sexism and sexual harassment in the academy in order to make sexism and sexual harassment more visible. Marilyn Frye writes in *The Politics of Reality* of the importance of recognising and making sexism visible. She describes her struggle to identify sexism and of the particular challenges she faced in convincing others of the sexism she perceived.⁵ For Frye, sexism is reproduced by this refusal to recognise sexism for what it is. In response to feminist scholars such as Frye, the goal of *Strategic Misogyny* is to acknowledge and recognise sexism through exposing sexist acts by naming them, and connecting stories of sexism across universities in the UK to begin to chart the systematic nature of this sexism. In this way, the blog functions as a feminist archive.

Strategic Misogyny joins a number of other blog projects that have arisen in the last few years as receptacles for accounts of sexism. Perhaps most prominent amongst these in the UK is the *Everyday Sexism* project. The project catalogues the daily experiences of sexism women encounter by allowing users to post their experiences to the blog and to Twitter. *Everyday Sexism* describes its purpose as a means to ‘show the world that sexism does exist, it is faced by women every day and it is a valid problem to discuss’.⁶ This model has been taken up by other online projects, including our own. In this article, we draw our materials from blogs dedicated to tracking academic sexism. Predominately, we rely on stories submitted to *Strategic Misogyny*. The stories we have encountered through this space are the foundation of our research. We have also included testimonies posted to *Being a Woman in Philosophy* and *Feminist Philosophers*, as well as from reports of harassment covered in media articles. The US-based *Being a Woman in Philosophy* project collects stories about the gendered nature of the discipline of philosophy.⁷ A related project, *Feminist Philosophers*, also maintains a section cataloguing first person accounts of sexism in academia. We have included narratives from these sites because of the richness they offer as archives, and in order to suggest international interconnections between certain gendered experiences of sexual harassment in the university. While sexual harassment does not only happen to women, in all the accounts drawn upon in this article the narrators self-identify as women. We have selected narratives that, though they may appear extreme to those less familiar with the experiences of women who face sexual harassment during their studies, to us are familiar. During our time as students and while working on the *Strategic Misogyny* project we have found them to be surprisingly common accounts.

When women speak of the sexual violence they have experienced, these accounts tend to be widely discounted and disbelieved. We have chosen instead to presume these testimonials are truthful, and to treat them as such. We are, as Frye describes it in *The Politics of Reality*, granting these accounts social ‘uptake’. Frye’s discussion of uptake explains how anger can be refused by a receiver who fails to recognise its cause. Sue Campbell further extends the discussion of the power relations implicated in social responses to emotional

utterances by showing how anger is sometimes understood as bitterness when the cause of the anger is dismissed. For a charge of bitterness to be issued there must be a ‘collaboration of a certain mode of expression (recounting of injury) with a certain mode of response (failure to listen)’.⁸ The failure to listen is itself a tactic that blocks what the anger seeks to expose: it shifts the responsibility from the behaviour that is angrily described to the expresser herself who experiences anger. In this article we give the accounts we work with social uptake by taking them seriously, attending to the ways that various strategies seek to shift attention *away* from what these accounts attempt to expose, and in this way we hope to enable the sexual harassment and violence faced by women to appear.

Engagement with testimony and women’s experiences also allows for different accounts of the university to emerge that challenge hegemonic narratives. By turning to the accounts of women who have experienced sexual harassment at university, we are attempting to situate our article with these perspectives, in order to make locatable knowledge claims.⁹ In her discussion of feminist epistemology and the politics of knowledge, Lorraine Code argues that testimony occupies an unstable position within epistemologies due to the ways the subject’s claim to having a verifiable experience is mediated through the positions she is judged to occupy.¹⁰ For women of colour and women in working class positions this is exacerbated. The focus on testimony allows for counter accounts of the university to emerge from the perspective of those who are marginalised within the institutional space.

Code draws upon the work of Miranda Fricker in contending that women’s testimony can be relegated and dismissed through practices of ‘epistemic marginalisation’. Fricker describes the injustice that can occur when we are denied the capacity to perform everyday epistemic practices that involve ‘conveying knowledge to others by telling them, and making sense of our own social experiences’.¹¹ Fricker identifies two forms of epistemic injustice that can occur: testimonial and hermeneutic. Testimonial injustice occurs when the prejudice of the hearer causes a person to be ‘wronged specifically in her capacity as a knower’ (*Epistemic Injustice*, p20). Such marginalisation can result in the pre-emptive exclusion of certain groups from a community of informants or knowers, and the questioning of a person’s experience as being credible. In contrast, hermeneutic injustice refers to a person’s social experience being ‘obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource’ (p155). Fricker argues that hermeneutic tools used to make sense of the social world are unevenly distributed, resulting in some groups suffering ‘an unfair disadvantage in making sense of their own social experience’ (p146). In this article we describe the ways that women, in their capacity as knowers, are marginalised when experiencing and then speaking of the experience of sexual harassment. As we outline, this excludes women from making sense of sexual harassment.

8. Sue Campbell, ‘Being Dismissed: The Politics of Emotional Expression’, *Hypatia*, 9, 3 (1994), 50.

9. Donna Haraway, ‘Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective’, *Feminist Studies*, 14, 3 (Autumn 1988), pp. 575-599. <http://doi.org/bvtwq4>

10. Lorraine Code, ‘Feminist Epistemology and the Politics of Knowledge: Questions of Marginality’, in *The Sage Handbook of Feminist Theory*, eds. Mary Evans, Clare Hemmings, Marsha Henry, Hazel Johnstone, Sumi Madhok, Ania Plomien and Sadie Wearing, Sage, London 2014. Hereafter *SAGE Handbook*. <http://doi.org/8x6>

11. Miranda Fricker, *Epistemic Injustice: Power & the Ethics of Knowing*, Oxford University Press, Oxford 2007, p1. Hereafter *Epistemic Injustice*.

IDENTIFYING THE PROBLEM

One of the most striking aspects of the narratives we have encountered is the difficulty many women report in naming sexual harassment. This difficulty did not result from the women feeling comfortable with the sexualised ways they were treated by those who taught them at university. The students clearly mark their immediate discomfort with the things that are said to them and the unwelcome ways they are touched. However, they also report feeling unable to object or resist their sexualisation. This raises two questions. First, what dynamics in the encounter contribute to the difficulty of naming and identifying harassment? Second, in what ways do these dynamics obscure and perpetuate sexual harassment and sexism in the university? These questions will help us examine how sexual harassment is hidden within the structures of the institution.

That sexism is institutionalised, its possibility and perpetuation bound up in the structures of the institution, is a starting principle of this analysis. There is an institutional form to the way sexism operates, perpetuated at the individual and organisation level through concealment within culture, policies, the hierarchies that exist within how institutions are structured and regulated, and how responsibility is allocated. In this article we adopt a counter-institutional approach. Dorothy E. Smith's notion of 'institutional ethnography' begins as our approach does, with experience. The method of inquiry is focused on and located in the everyday lives of people, starting with 'some issues, concerns, or problems that are real for people and are situated in their relationships to an institutional order.'¹² This research strategy, undergirded by local, contextualised experiences, is then 'projected beyond the local to discover the social organization that governs the local setting' (*Institutional Ethnography*, p41). What is critical to Smith's approach is that the social relations that inform an individual's experience are investigated. The interconnectedness of these relations points to the dependency upon others within such experiences (p43). In conceiving of our archive as counter-institutional, and in starting with the everyday lives of women in universities, the experiences we draw upon enable us to consider the social organisation that governs institutions and to interrogate internal or 'official' claims that either harassment has not occurred, or that instances of harassment are 'one-off', isolated cases. It exposes the forms of testimonial injustice that take place within institutions where the credibility of women's capacity to know when sexism or sexual harassment has occurred is questioned by suggesting that such issues have been over amplified. It also exposes how institutions as hearers refuse to listen to women as verifiable sources of knowledge. Attending to institutions explicitly also helps to, as Sara Ahmed writes, 'teach us about their *implicit* significance and meaning' (original italics).¹³ There are ways in which both students and academics become institutionalised and come to 'experience institutions' that in turn influence responses to sexual harassment (Ibid).

12. Dorothy E. Smith, *Institutional Ethnography: A Sociology For People*, AltaMira Press, Oxford 2005, p32. Hereafter *Institutional Ethnography*.

13. Sara Ahmed, *On Being Included: Racism and Diversity in Institutional Life*. Durham, Duke University Press, Durham 2012, p22. Hereafter *On Being Included*. <http://doi.org/vzq>

Bringing sexual harassment that occurs within university departments into the open - into a space where it is visible and has to be addressed - can be incredibly difficult. One of the reasons for this is the intensely hierarchical structure of relationships inside the university. These hierarchical relationships enable sexual harassment in important ways. Students are structurally positioned within the university to trust those who teach them and those they learn from. In fact, the pedagogical relationship relies upon students being open to accepting the feedback their teachers provide. This creates a possibility for institutionally-enabled manipulation of students by those upon whom they are intellectually dependent. In addition to this intellectual openness, authority is enacted through the assessment system. Those who teach students are positioned to assess how well a student has understood, written and argued, and the merits of those arguments. The judgement is permanently registered on the student's academic record.

The power inherent in the teaching relationship creates an unequal dynamic that can leave students vulnerable to abuses of that power. This can happen through abusing a student's need for pedagogic guidance by treating it as an opportunity to pursue sexual access to the student. Tutorials and meetings can become dates, with feedback offered only out-of-office hours and on a one-to-one basis. Students may feel compelled to accept these invitations, as they may perceive them as the only available way to access support. For example, one student account detailed the way her request for support was used to attempt to gain sexual access to her. Her request for a tutorial was turned into an invitation to the professor's home. Seeing it as her only chance for feedback on the work, she accepted. She writes:

I was naive enough to think that we would talk about Wittgenstein, but after he flopped over me a few times, telling me that I had to have sex with him - he needed it so badly, etc. - and then beginning to force me to lie down... well, I made my escape. Caught a bus home. Got home really late and tired and felt filthy for having let him go as far as he had.¹⁴

The assault this student narrates was enabled by the particular structure of her relationship to the man as her professor. His institutional position in relation to her is directly linked to the way he gains access to her in order to harass her. Were she not dependent on him academically, she would have had no reason to accept the invitation to his home. His power over her in the academic space also creates a vexed position for the student as she must extricate herself from the situation, and yet also remain his student. As she goes on to narrate, her reliance on the professor extends beyond needing access to tutorial support. He is also in the position to evaluate her work and she is reliant on his feedback in the learning process. As she describes it, she went on to give her presentation in front of the professor, and continued to remain in a situation where she needed to accept his feedback as unbiased.¹⁵

14. <https://beingawomaninphilosophy.wordpress.com/>

15. Bias can include 'positive' bias, in which a student fears they have been assessed favourably due to a professor's sexual interest in them and not on the basis of their academic work. It can also include 'negative' bias, such as fears of penalisation in marking and negative feedback given not on the basis of the work.

Many students report the pressure this sort of dependence exerts over them. They fear alienating their harassers because of the possibility of retaliatory behaviour. Articulating the dynamic evocatively, one student writes:

I couldn't say 'no' because he would have responded with rage and revenge. He would have ruined my career. I began to hate myself for not telling anyone, for projecting a sunny image when everything was not okay. I would have loved to tell him how much I hated it when he touched me, hated his laugh, hated his disgusting ratty beard, but I was too scared about what he would do to my reputation if I tried to report.¹⁶

16. <https://feministphilosophers.wordpress.com/category/sex-with-students/>

The control and influence that professors exert over students is strongly felt as a threat held over and against those who are professionally dependent. It is difficult to say no to a person who wields institutional power over you. What student accounts make clear, is that this power can be used coercively, and threats do not have to be enacted to be strongly felt and to influence behaviour: so long as a student credibly fears the possibility of retaliatory behaviour, she may be manipulated by this fear.

It may be tempting to assume that as a student progresses through the ranks of study - from undergraduate to postgraduate to PhD - that the power of the person who teaches over the student who learns will lessen. To a certain degree this is true. However, progression through the system results in a student becoming increasingly reliant on a single member of staff. Instead of being taught by a range of different people across a variety of courses and terms, by the time a student has entered a PhD programme they are predominately reliant on a single supervisor. This is especially true in the UK system, where students have no coursework to complete and, therefore, limited contact with other academic staff. The supervisor may be the only person reading the student's work, the only person meeting with them to discuss their ideas and the only person providing feedback and guidance throughout the process of writing-up. The fear of losing this academic support can be a powerful motivator for accepting abusive behaviour. Students may elect, as the woman quoted above did, to manage abuse while fiercely hating the abuser. In this way, the problem of sexual harassment can fail to appear, precisely because it is concealed by the same structures of institutional power that enable it in the first place.

Cases of sexual harassment do not occur only in intimate or secluded spaces away from witnesses. Instead, it also happens frankly and publicly: at departmental events and in seminars, in front of other students and staff members. Any number of people may witness the harassing comments or unwelcome touches. In these cases, the question of how this harassment fails to appear changes slightly. It is no longer a matter of a single student resisting harassment that is enacted privately; instead, it becomes a question of how harassment can occur so publicly and yet fail to appear as harassment. How

does the public nature of these incidents of harassment contribute to those who are harassed tolerating the abuse?

When harassment happens publicly, one important factor that the women in our archive mention as contributing to them enduring sexist and sexualising behaviour is the failure of others to object to the harassment. Narrating her experience with sexual harassment, one postgraduate student explains:

I went for drinks with a lecturer and some of the PhD students. At some point one of the male PhD students started stroking my leg under the table and at about the same time the lecturer put his hand on my thigh. I felt quite scared, but also frozen. I was in public surrounded by other people, and yet I didn't feel I could tell both of them to stop touching me. Why didn't anyone else react? Did they think this was ok?¹⁷

Significantly, the student describes herself as afraid, but also as immobilised by the unwelcome touching. She does not feel able to remove the hands from her body, and wonders why no one else reacts given that she is surrounded both by peers and those who teach her. She makes clear later in the narrative that she is sure that others could see or were aware of the sexualised attention she was receiving, and yet did not respond to it.

There are many reasons witnesses may fail to respond. Both students and staff may feel unable to respond to sexual harassment that takes place around them because of fear for their own precarious positions inside the institutional hierarchy. There may be reasons linked to fears about career retention and progression that motivate silence. The same abuse of power that makes the sexual harassment possible can also enable retaliatory behaviour against more junior members of a department who object to the behaviour. As Heike Schaumberg observes in her article on the ways institutional cultures reproduce injustices and inequalities, women are more likely on the whole to occupy institutionally less powerful positions than the men who harasses them, given that patriarchy continues to structure the academy.¹⁸ Furthermore, in the era of funding tied to league tables, the disincentive to report sexual harassment is strongly felt by all. Anything that can be seen as potentially damaging to a department is also seen as potentially damaging to all individuals affiliated to that department. In this way, and contrary to many other recent accounts of sexual harassment reporting in higher education, neoliberalism can be seen as fostering an environment where it becomes ever more difficult and ever more costly to resist abusive behaviours.¹⁹

Unfortunately, the failure to react to public instances of sexual harassment can seem like approbation. In some cases, perhaps it is approbation: a failure to see sexual harassment as harassment, as contributing to the sexualisation and subordination of female students to male desire, and as damaging to women both academically and personally.²⁰ In this case, the problem may be one of failing to identify the problem. Instead of seeing a male professor

17. <https://strategicmisogyny.wordpress.com/>

18. Heike Schaumberg, 'J'accuse...!' Crisis in the Reproduction of Anthropological Scholarship', *Anthropology in Action*, 16, 2 (2009), pp51-62. <http://doi.org/frk22k>

19. For example, see Laura Kipnis, 'Sexual Paranoia Strikes Academe', *The Chronicle of Higher Education*, 27 February 2015. See <http://chronicle.com/article/Sexual-Paranoia-Strikes/190351/>

20. There is not room here for the longer discussion of the ways in which sexual harassment is damaging to women as scholars. Part of what disappears when sexual harassment is made light of is the seriousness of the effects of harassment. As the report on the conditions at CU Boulder mentions, and as we have already referenced, an effect of on-going harassment is the disappearance of women from academia – their inability to participate, be present, and to function as scholars.

harassing a younger female student across an institutionally endorsed power differential, the student is read as a consenting adult and the power differential is ignored. In disregarding the ways that power relations might make it very difficult for a student to reject sexual attention, silence is interpreted as evidence of consent.

The failure of bystanders to object to open displays of sexual harassment can also take a more active form. Specifically, sexual harassment can be normalised through a response to it that makes light of it. When this occurs, sexual harassment is not ignored, but laughed at. This laughter becomes a way of marking that something is happening other than consensual sexual exchanges (these do not tend to evoke laughter as a response), while also condoning and enabling the behaviour. As one woman writes:

My supervisor was known in some circles as a womaniser, and his relationships with female students seemed to make people giggle instead of react.²¹

21. <https://beingawomaninphilosophy.wordpress.com/>

Another describes the harassment she immediately faced upon arrival to her department and how other students responded with laughter:

When I arrived to a welcome event for my (postgraduate) programme, one of the professors greeted me, led me over to the bar and insisted on buying me a drink. I remember he touched my waist and it felt very intimate and unwelcome, but somehow in the situation I felt like I had to go along with things. Later in the night he asked me if I was going to have sex with a friend of mine. I felt really stunned by the question, but I didn't say anything. I told some other students who had been in the department longer than I about it later and they sort of laughed it off and told me that everyone knew he was always trying it on with the students.²²

22. <https://strategicmisogyny.wordpress.com/>

In both of these cases, instead of recognising the distress of being sexually harassed, those who are witness to it treat it as laughable. This becomes the response: 'giggling' instead of reacting, 'laughing it off'. The laughter disables other responses. It says: this harassment is not serious. Don't take it so seriously! For the woman who is harassed, or who fears that she will be the next target of harassment, there is not much funny here. Yet tolerating this harassment becomes part of what is expected of her, and the social demand for that toleration is communicated through a laughing response.

Both ways of failing to object to sexual harassment - failing to react to it or reacting to it by making light of it - serve to normalise sexual harassment in the university environment. They work as modes of condoning open displays of sexual harassment and as such are powerful mechanisms for the perpetuation of sexist harassment. And in doing so, an epistemic injustice occurs as women are denied access to the capacity for making sense of and

communicating their own experience.

The openness of sexual harassment and the failure to condemn it creates a particular problem for the students who are being sexually harassed as well as for other students who may fear that the sexual harassment they witness may be directed at them next. University policies around sexual harassment are set up as policies for reporting harassment. When sexual harassment takes place openly and those around the student fail to recognise it as harassment, it creates an environment in which the student knows that others already know. The first line of objection to sexual harassment (reporting) has already been disabled. You cannot report what others already know and have already seen precisely because *it is already known*. In this way, failing to see sexual harassment as objectionable contributes not only to the production of an environment that condones sexual harassment, but also to students who face sexual harassment feeling they cannot say anything. If everyone knows what is happening, and yet no one objects to it, then what would reporting it do?

COMPLAINT

In the UK, in order to register officially an objection to sexual harassment a student must make a formal complaint.²³ The language of complaint matters. Naming a formal objection to sexual harassment as a ‘complaint’ constructs the behaviour of objecting as the action ‘to complain’ about something. When a woman files an objection to sexual harassment she becomes in the language of the institution a *woman who complains*, and by extension a *complainer*.²⁴ This language becomes a way of directing attention away from sexual harassment in exactly the moment that women are insisting that it appear.

In order to understand more clearly how women who make complaints against sexual harassment become positioned as complainers, it is useful to refer to Sara Ahmed’s work. In *On Being Included* Ahmed writes of the ways that complaints of racism in the university are refused and denied. In the cases she works with, Ahmed shows how, as reports of racism emerge, universities respond by denying that there is racism and instead insist ‘everyone is happy’ (*On Being Included*, p146). In making this claim, the university can then position the one who complains of racism as the one who gets in the way of institutional happiness. As Ahmed writes: ‘To bring a problem to institutional attention can mean becoming the problem you bring - becoming what “gets in the way” of institutional happiness’ (*On Being Included*, pp146-147).

The idea that naming a problem aligns the speaker with the problem is also present in Ahmed’s figure of the ‘feminist killjoy’.²⁵ When a feminist speaks and brings up a problem - let’s say by pointing out a moment of sexism - she exposes bad feelings. These bad feelings were already there - they were a result of the sexism that the feminist is pointing to. But when the feminist

23. Complaints policies are common at UK universities and easily searchable online. The policies tend to terminate with, or escalate to, a formal complaint, often encouraging issues to be resolved prior to this stage.

24. We are writing specifically about the way that sexual harassment emerges in the university. Complaints are used for all variety of grievances in the university. One is forced to complain about racism as well as sexism.

25. Sara Ahmed, *The Promise of Happiness*, Duke University Press, Durham 2010. Hereafter *The Promise of Happiness*. <http://doi.org/vzz>

speaks, and in speaking exposes these bad feelings, they are located with her: the one who brings up the bad feeling is seen as the cause of the bad feeling. In Ahmed's work, bringing up and speaking about moments of sexism and racism that are encountered in social life are a way of 'not going along with it'. This refusal can be awkward. This is because: 'Maintaining public comfort requires that certain bodies "go along with it." To refuse to go along with it, to refuse the place in which you are placed, is to be seen as causing trouble, as causing discomfort for others' (pp68-69). These observations take on a new significance when applied specifically to the problem of sexual harassment. When it occurs, there is a very literal desire for 'some bodies to go along with it' - to register no objection to the demand for physical and emotional access from another person. As Ahmed has described, refusal (both bodily and otherwise) to go along with these demands is often constructed as causing trouble and as harming others.

In the case of sexual harassment, when women insist that it appears by speaking about it, complaining against it, and refusing to go along with unwelcome advances, there can be a tendency to locate the problem with those who point to the problem. Instead of seeing the seriousness of sexual harassment, the problem can be reconstructed as one of complaining women. Ignoring the cause for complaint, these complaining women are seen as potentially disrupting departments, placing reputations and careers in jeopardy, and interrupting other students who are also academically dependent upon the sexual harasser.

As an example of this, we can draw on a conversation one of us had with a colleague about a situation of extensive sexual harassment taking place in a university department. We say 'extensive' because it was an on-going situation which affected numerous female students each year, and which had gone on for many years. This is what happened in the conversation:

I described what I knew female students had faced in the situation and some of the incidents I had witnessed. My colleague agreed there was a problem with the way the professor in question would both make sexualised comments to his students and touch them in uninvited ways. However, the explicit naming of this situation made him uncomfortable. His assent - that this sort of thing should not go on - was a squirming assent. He shook his head at the behaviour as it was described, and admitted he was well aware of it, but that speaking of the situation also unsettled him. The response he articulated was 'yes, this happens and it shouldn't, but I wouldn't want Professor X to lose his job'.

The response marks an immediate shift from a concern for what female students in the department faced in terms of sexual harassment - and in some cases assault - to a concern for the welfare of the professor who committed these violations. To speak of the sexual harassment the professor engaged in

was potentially to imperil both his status as a professor and his employment. Therefore, the stance was that sexual harassment should not be spoken of or otherwise addressed. By implication it therefore had to remain the unchallenged condition of the department.

What is significant in this position is that instead of attending to the harm caused by sexual harassment, the harm that is foregrounded is that which might be caused to the professor who was sexually harassing students. While there was no doubt about the reality of this sexual harassment, the possibility of resistance to the harassment appeared as a threat to the professor, while the threat and harm posed by the sexual harassment to female students in the department was discounted. In this way, sexual harassment was made to disappear. As soon as it began to come into focus through its explicit naming, it immediately receded again. The focus drawn toward sexual harassment was moved to the potential for harm to be caused to the professor in question, implicitly reaffirming that what happens to him is more important than what happens to dozens of women over the span of a number of years. It also works as a mechanism to distract from, and by doing so conceal, sexual harassment.

Another example of the way that complaints against sexual harassment can be constructed as problems is drawn from the responses of other students to knowledge of a sexual harassment complaint. One postgraduate student writes of her own experience:

I made a sexual harassment complaint against my professor. No one knew it was me, but they suspected. The professor was eventually suspended from teaching, and that made other students very angry. Instead of caring about what had happened, they were angry that there had been a disruption to their studies. Several of them basically said, 'well, it didn't happen to me, so I don't care' and 'I don't want to lose my supervisor, because that's inconvenient for me.' This led to them saying, 'well, you shouldn't have complained. Your complaining has hurt a lot of people'.²⁶

26. <https://strategicmisogyny.wordpress.com/>

In this case, the student who made a sexual harassment complaint against her professor has become the target for animosity from other students. Instead of being concerned by the knowledge that a fellow student has been sexually harassed, the response locates the sexual harassment *complaint* as the source of the problem. The complaint, instead of being seen as the identification of a problem, is seen as responsible for setting off a chain of reactions which leads to the interruption of teaching, and is therefore the cause of the problem. Significantly, the sexually harassing professor is not treated as responsible either for the sexual harassment or for the eventual disruption to studies that follows from this harassment. Instead, he escapes responsibility entirely. His abusive behaviours and the harm that his actions have caused to others instead disappear through attention being paid only to the acts that reveal this harm.

DISAPPEARANCES

The harm that the exposure of sexual harassment might cause to those invested in the maintenance of particular social and institutional power structures highlights the lack of fixity in locating the problem of sexual harassment. The problem with the nature of a problem is that it does not stick; it has a tendency first to become attached to the object that exposes the problem, making the complaint and the one who complains the problem, and then relocates in ways that cause the sexual harassment to disappear and that serve to dislocate it from the experience of harassment and gendered oppression within academic institutions.

Sexism's power lies in part with the continued (and never ending) investigation into its cause. The difficulty with such investigations is, as Judith Butler argues, that power works through concealment, 'it comes to appear as something other than itself'.²⁷ Butler draws upon Michel Foucault who argues that power's conditions of possibility are not centralised, and its exercise does not originate from a single point, but instead power has mobility as a 'moving substrate of force relations'.²⁸ The problem of sexual harassment, as a particular exercise of power connected to both individuals and institutions, becomes concealed through this movement, by it not remaining in one place. In the archive we have collected it is possible to trace how when a complaint is made, sexism slips and moves away; it is never the problem that is named. In part this occurs through what Edward Said has called 'the normalized quiet of unseen power'.²⁹ Said describes the way power works through the dominant discourse to stifle debate and shape a normalised state of affairs in such a way that means resistance becomes 'practically unrealistic, irrational, and utopian' (p32). In the case of sexual harassment in universities, this normalising power obscures and misnames women's experience of harassment and hinders access to resources that could provide women with the tools to challenge the prevailing quiet that insists through a persistent whisper, 'that is the way things are' (p32).

Operating frequently through tacitly approved concealment, institutional sexism often remains out of sight, hidden within complex complaints procedures, behind minimum communication, and through the use of confidentiality to limit damage to the reputation of the university. Therefore when sexual harassment in universities is brought up, when women refuse to go along with it any longer, and refuse it by making formal complaints, these complaining women pose a problem for the university. Because complaints can be seen as harmful at the institutional level, the university looks for ways to limit this harm and to return the institution to its normalised state of affairs. Within the bureaucracy of institutional work, therefore, implementing organisational change is resisted; instead it is easier to address that which exposes rather than causes harm. In this section we show how the mechanisms within the institution that are set up to address sexual harassment can work

27. Judith Butler, *Excitable Speech*, Routledge, New York 1997, p36.

28. Michel Foucault, *The Will To Knowledge: History of Sexuality: Volume One*, trans. Robert Hurley, Penguin Books, London 1998, p93.

29. Edward Said, 'The Public Role of Writers and Intellectuals,' in Helen Small (ed), *The Public Intellectual*, Blackwell Publishing, Oxford 2002, p31. <http://doi.org/b4t92j>

not only to distance the institution from responsibility for the harassment, but also to hide the harassment even in the moment when women and their allies are insistently working to try to make it appear.

When sexual harassment is formally recognised, the institution treats the problem of sexual harassment as a problem of an individual aggressor. This is built into the structure of the complaints process. The complaints process requires that an individual perpetrator must be named. However, it can be difficult to locate the source of the problem as a single individual. Even in instances where a single staff member is responsible for the harassing acts, in order for this harassment to circulate and remain in place any number of other individuals must enable and tolerate it, and therefore are complicit in producing and sustaining an environment that accepts this behaviour. Yet, it is very hard, within the structure of the complaints process, to name a culture or an institution as being involved in the maintenance of an environment where sexual harassment is common. One student describes her encounter with this mechanism:

When I made my complaint I really wanted to insist that it was the culture that was the issue, and not just one individual. I named several people in my complaint, but the institution directed the complaint at a single person. I was told there wasn't the process to make a complaint against the culture. For example, there was no way to hold the head of department who was overseeing the culture of harassment responsible for what happened within the department.³⁰

30. <https://strategicmisogyny.wordpress.com/>

The refusal of institutional structures to recognise the role that institutional cultures play in maintaining environments that condone sexual harassment is a means of denying responsibility. This is a further method by which responsibility for sexual harassment shifts and the problem of sexual harassment is made to disappear. By treating a reported incident of sexual harassment as a singular, one-off event, perpetrated by a singular (and excisable) member of staff, the university can maintain its reputation. All it needs to do to address the problem is to censure or remove one individual. When multiple reports of sexual harassment emerge, each case can be treated as separate and therefore distinct. When complaints are publicly reported (which is rare) and there is suggestion of a problem that extends beyond a single individual, the discourse shifts again. The case at CU Boulder is an example of this. Here, when sexual harassment became known publicly, it was claimed that the presence of the problem was overstated. While the public report developed by an independent investigation documented extensive sexual harassment and bullying, a defensive response from a faculty member insisted on both the fault of a single individual and questioned the accuracy of the representation. One academic said, 'Many acknowledged that problems existed, however they said they felt the report exaggerated the extent of the

31. Sara Kuta, 'CU-Boulder reports pervasive sexual harassment within philosophy department', *Denver Post*, 2 March 2014. See http://www.denverpost.com/headlines/ci_25035043/cu-sexual-harassment-philosophy-department

32. University of Colorado Boulder, *Report on Site Visit Conducted by The American Philosophical Association Committee on the Status of Women at the University of Colorado Boulder*, 31 January 2014.

33. Sara Kuta, 'CU-Boulder reports pervasive sexual harassment within philosophy department'.

34. See Diane Purkiss, 'The Lecherous Professor revisited: Plato, Pedagogy and the Scene of Harassment' in Clare Brant and Yun Lee Too (eds.), *Rethinking Sexual Harassment*, Sage, London 1994.

35. Carol Bacchi, 'Changing the Harassment Agenda', in Moira Gatens and Alison Mackinnon (eds.), *Gender and Institutions: Welfare, Work and Citizenship*, Cambridge University Press, Cambridge 1999. Hereafter *Changing the Harassment Agenda*.

36. Linda Eyre, 'The Discursive Framing of Sexual

issues'.³¹ This kind of response questions the credibility of those reporting harassment in their capacity to make sense of what happened, and its personal and professional impact on their lives.

When institutional perception locates sexism at the level of the individual, a complaints procedure based on the singular model of there being a victim and an accused cannot account for the systemic nature of particular behaviours. In the case of CU Boulder, the report found that at least 15 complaints were filed and 'a significant number of faculty and graduate students have directly witnessed or been subjected to this harassment and inappropriate sexualized unprofessional behaviour'.³² Despite this, in response the university provost stated: 'We've been dealing with these cases until recently on an individual, case-by-case basis, and normally that's enough'.³³ The discursive and conceptual framing of the university as regulating authority enables cases of harassment to be treated as an individual irregularity or as a form of pathology.³⁴

In fact, as Carol Bacchi writes, part of the problem is that university grievance procedures treat sexual harassment as a problem. Bacchi argues that the grievance procedures approach adopted by universities to address misconduct positions sexual harassment as a problem initiated and produced by forces separate to and outside of the organisational system.³⁵ Bacchi contends that because the problem is not recognised to be the institution itself, the focus rests on how universities best implement procedures that will curb and prevent types of behaviour associated with individual deviancy. Bacchi specifically connects the limits of grievance procedures to an internal understanding of institutions as separate to, or outside of, the harassment process (*Changing the Harassment Agenda*, p76). These limitations include the complex nature of procedures that can be difficult for students without employment experience or training to understand and follow, and therefore form a barrier to access and participation in the process. These procedures, which address the issue of harassment through a single modality involving two individuals, serve to reposition and even reverse the roles of those involved. Bacchi describes how the procedure can 'constitute the recipient of the behaviour as the attacker and the sexual harasser as the attacked' (p76). The institution continues to be positioned as outside of the harassment in the methods by which employee misconduct is to be resolved. One of the reasons for this positioning is that, as Linda Eyre contends, the material conditions under which sexual harassment is constituted within work organisations almost exclusively involve the utilisation of individual, legal perspectives to address the issue.³⁶

One method of shifting the model of individual accountability is to begin the investigation with the university and to frame the analysis of sexual harassment with the institution at the centre. When the institution is named as the problem that needs to be investigated, individual instances of sexual harassment can be viewed as symptoms of a wider problem (*Changing the*

Harassment Agenda, p76). Therefore, instead of attempting to hold a single individual to account for sexual harassment, the spatiality and conditions in which such practices occur can become equally important. As Bacchi helps us to understand, change cannot occur until sexual harassment is no longer understood solely as a discrete, irregular or unusual event resulting from employees exhibiting dysfunctional behaviour that can be limited by workplace policy and addressed through grievance procedures administered by the university. Instead of the problem being associated with an employee, the problem must be understood as one more centrally located in the organisation itself: sexual harassment is initiated and maintained by a culture that is hostile to women (p76).

While the denial of institutional involvement in the reproduction of sexism is a tactic of hiding sexism, we do not advocate a shift entirely away from individual responsibility. Instead, the institution and the individual both share responsibility - both have responsibilities to and for the perpetuation of sexual harassment. If it is not enough to blame a single individual, who can be excised from the institution in order to make it clean; it is also not enough to locate the blame entirely with the institutional structure, and in doing so remove any responsibility for individual actions from the academic who harasses students. The movement between individual blame and institutional blame can become yet another way that sexism fails to appear.

If, during a complaints process, sexism emerges attached to an individual, as it is named it can move again, this time away from the individual to become immersed within the messiness of organisational culture. The question of who is responsible for the culture of an organisation continues to be a vexing one. Residing within the boundlessness of culture, response and responsibility for sexism become dissociated from individuals through complex relational hierarchies between academic staff and autonomous departmental silos. When the institution and its views towards women become the problem, it is the institution that must be addressed, effectively erasing the culpability of individual academic staff members. Part of the narrative of sexual harassment maintained by male academics in the archive from which we are working is the declaration that they were unaware their behaviour towards women could have been constructed as harassment, or its impact. In the case at CU Boulder, the public report states, 'many faculty members are not knowledgeable about the harms of sexual harassment on the person being harassed'.³⁷ As sexism moves, passed back and forth between the individual and the institution, the work of those in universities committed to ending sexism becomes even harder. As we argue, sexism conceals itself through this continual movement. Power as a force that moves enables sexism to be conceived as individual deviancy, and then as institutional culture. In each case, universities can report cases of where sexism is not: that it isn't all male academics, that it isn't everyone within a single department, that it isn't a problem across the university. The slipperiness of sexism means it comes to be re-circulated through social and

Harassment in a University Community', *Gender and Education*, 12, 3 (2000). <http://doi.org/bd9pdp>

37. University of Colorado Boulder, *Report on Site Visit Conducted by The American Philosophical Association Committee on the Status of Women at the University of Colorado Boulder*, 31 January 2014.

institutional structures that keep sexual harassers in place, because sexism and sexual harassment appear always out of reach. As it moves the problem can be denied; it doesn't exist here, what you have named is in fact something else.

CONFIDENTIALITY

In cases of sexual harassment confidentiality generally works as a mode of protection to shield the harassed student, to safeguard the professional reputation of the employee who is yet to be found to have a case to answer for, and to reduce the institution's vulnerability to violating libel and slander laws. However, confidentiality can also be an essential mechanism for obscuring the problem of harassment at both the individual and institutional level. In this section we look at the ways confidentiality is used as another means to displace the problem of sexism.

When a complaint is made, the problem becomes visible in ways that differ to when it is witnessed by bystanders and not reported. The complaint calls attention to the behaviour's irregularity, and holds the university to account for its workplace policies and procedures. While it appears in the open in this new form as behaviour that violates particular codes of conduct, sexism quickly disappears from view precisely due to this violation. Disciplinary policies within a university commonly state that those involved in a disciplinary procedure must keep all information relating to the case confidential. While the individual student who makes a complaint may need confidentiality to protect herself, the confidentiality afforded to the person named in the complaint and to the institution are problematic. Because power works through concealment, confidentiality enables sexism again to become obscured from view.

An academic staff member can be suspended on full pay pending an investigation into alleged misconduct, and the reasons for the suspension are treated with confidentiality; indeed this has been referred to in at least one public case as a 'neutral suspension'.³⁸ While the institution silences students through mandatory confidentiality during the investigation, students may also engage in self-censorship due to the very real fear of recrimination for identifying the problem. The silence around these issues often does not protect students. As one early career academic explains, the secrecy imposed by confidentiality functioned to obscure the sexual harassment that had taken place from public view. She writes:

Secrecy did not protect me or the other women. It didn't even protect the university management. The only person it protected was the professor, whose years of abuse were hidden from the public eye.³⁹

The secrecy of university proceedings means that instead of the institution

38. James Meek, 'Science Stars Spurn Oxford's Spires', *The Guardian*, 2 September 2000. See <http://www.theguardian.com/uk/2000/sep/02/highereducation.researchassessment.exerciseeducation>

39. 'Suspension is a Feminist Issue', *Times Higher Education*, 30 October 2014. See <http://www.timeshighereducation.co.uk/comment/opinion/suspension-is-a-feminist-issue/2016601.article>

documenting sexism as public record, it effectively erases the sexism. Only the current university knows of the disciplinary proceedings. This enables sexism and the risk of harassment and abusive behaviour to be passed along to the next institution. The academic staff member who has engaged in abusive behaviour is free to continue his career even in the case that he is forced to leave his position. Again, the early career academic quoted above writes:

...not only did the secrecy place a further burden on the women who had already endured harassment, it also potentially placed women at other institutions in danger in the future. Because there is no record of what happened, the professor (who eventually resigned) was free to go on and teach elsewhere.

When an academic facing disciplinary proceeding resigns during the confidential investigation process, all record of the proceeding is suppressed. As the academic has not been found guilty at a disciplinary hearing and has not been formally dismissed, confidentiality clauses prevent the disclosure of details relating to the disciplinary case. A resignation is advantageous to the academic who is guilty of the charges because he is now free to construct a narrative to account for his resignation because there is no formal public record of the circumstances of his departure, but it is also advantageous to the institution which no longer has such an individual employed. Because of the ways this situation is mutually beneficial, universities will sometimes offer confidentiality even when they have found an academic guilty of the charges. The agreement protects the university and in doing so protects the professor and his reputation. Heidi Lockwood, an Associate Professor of Philosophy in the US who has written about the sexism women face in philosophy, illustrates the simplicity of the scenario in which serial predation by academics occurs:

Philosophy Professor X, who taught at University Y, engaged in unwanted sexual contact with Student A. After learning that Professor X had also allegedly engaged in sexual misconduct with Students B and C and possibly D, Student A decided to file a formal complaint, in the interest of protecting future students and doing the right thing and justice and all that lofty stuff. University Y found Professor X guilty of sexual misconduct, and, for various non-transparent but predictable reasons, decided to quietly offer Professor X a non-disclosure agreement and an attractive voluntary severance package. Professor X got by with a little help from his academic friends, and rode his golden parachute to University Z, where he met Student E, with whom he had non-consensual sex.⁴⁰

This scenario erases the issue of responsibility and how it is abdicated at each point that the transgression could have been named and investigated. As Lockwood argues, as well as not being equipped to deal with criminal

40. Heidi Lockwood, 'Whose Problem is it?' *Daily Nous*, 17 July 2014. See <http://dailynous.com/2014/07/17/whose-problem-is-it-guest-post-by-heidi-lockwood/>

misconduct cases such as sexual assault, there are compelling business reasons for universities to maintain confidentiality, especially when the accused has a strong academic reputation. If potential damage to reputation is one reason for confidentiality, there is counter evidence to suggest that the strength of a male academic reputation can withstand a sexual harassment charge. Professional performance becomes another institutional mechanism used to erase claims of sexism. As employment for those without years of experience within a university becomes increasingly difficult, academic reputation becomes more valuable, and as a commodity it becomes something that can be bought. In this way, sexism disappears, and along with it neither the current nor new institution is tarnished. This is because the institutional responsibility for sexism rests not with the university where the academic resigned, since the problem has been removed, nor with the hiring institution who is not responsible for the person's prior behaviour, if indeed they have knowledge of it at all.

INSTITUTIONAL QUIET

Finally, in closing, we want to mention briefly a way that the institutional handling of sexual harassment complaints, even in cases where complaints are upheld, can alienate students from their own experiences. The institution's refusal to declare publicly what, if any, disciplinary actions have occurred means students who bring cases of sexual harassment may not be kept informed of the disciplinary case. A student in an anonymous article published in *The Guardian* describes the damage done by two incidents of sexual assaults that occurred while she was studying and the lack of accountability for what resulted: 'As in my previous experience, I can't access the investigation report or know the outcome beyond being informed that a policy violation was found'.⁴¹ Here the student is effectively shut out of the complaints procedure and goes on to describe how in the first instance the man who raped her went on to complete his graduate degree. In the second incident the student resisted being involved due to the stress of the complaints process. In both cases the university authorised an outcome that was never disclosed to the student.

This scenario repeats. After 31 current and former University of California Berkeley students filed two federal complaints against the university alleging the mishandling of sexual assault investigations, a review of four California universities conducted by the California State Auditor found that in more than half of the cases reviewed the universities could not demonstrate that complainants were informed of investigation outcomes.⁴² Both examples point to how lack of information can work as a further means of concealment. The student is left in a state of flux and without resolution. She must wait indefinitely, unknowing and never informed of whether or not the risks she has taken in complaining have reached any sort of resolution. The effects

41. 'In academia, there is no such thing as winning a sexual harassment complaint', *The Guardian*, 9 August 2013. See <http://www.theguardian.com/commentisfree/2013/aug/09/academia-winning-sexual-harassment-complaint>.

42. California State Auditor, 'Sexual Harassment and Sexual Violence: California Universities Must Better Protect Students By Doing More to Prevent, Respond To, and Resolve Incidents,' Report 2013-2014.

of this are deeply felt by some women. Returning to the imagery of Said's 'normalised quiet of unseen power,' institutional quiet becomes yet another means, among the institutional and legal frameworks we have discussed in this article, to enable sexism to remain out of sight, to conceal behaviour and to return the institution to a normalised state of affairs.

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