

Problematizing consent: reading first-person testimonies of faculty-student relationships

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Abstract

Despite the proliferation of increasingly stringent policies regulating professor-student sexual relationships, sexualized abuses of power by university faculty remain pervasive. These policies harness a key insight from second-wave feminists: that power structures make it hard for a student to say no to her teacher. We take their insights further, and look into the structures that mediate how women students' testimonies are dismissed and distorted through the discourse on consent. We employ thick descriptive, feminist phenomenological analyses of two first-person testimonials from an undergraduate and graduate student to show that consent has at least three deleterious effects: 1) the atomisation of students' experiences, thus making the sexualised abuse of power appear less public and less severe (atomisation), 2) de-contextualisation of students' accounts by denuding them of their pedagogical context, thus rendering the inherent power asymmetry invisible (de-contextualisation), and 3) locates the responsibility for any harm the student-victim suffers with herself, thus making the institution invisible and unaccountable for what it is enabling (displacement of responsibility).

1: Introduction

In 2015, then-professor and chair of the creative writing programme at University of British Columbia (UBC), Steven Galloway, was accused of sexual assault by his graduate student. Galloway and his student were engaged in a sexual relationship. The university failed to find sufficient evidence of sexual assault, and he was fired instead for a record of misconduct (CBC News, 2016). Galloway maintained that the relationship was consensual. Breaking her silence, the student stated that it was not a consensual affair, even describing the affair as abusive and traumatic (Lederman, 2016; Proctor, 2022). The case attracted national attention, particularly when other celebrated authors, including *The Handmaid's Tale* author Margaret Atwood, signed an open letter to UBC in defence of Galloway, stating that the allegations against Galloway were "unsubstantiated and unexamined" (UBC Accountable, 2016). The case continues to this day, with Galloway suing the student for defamation.

UBC's finding a lack of evidence of assault is no surprise; sexual assault remains notoriously hard to prosecute, with consent being one of the most common and difficult defences to overcome (Wood, 2023; National District Attorneys Association, 2021). But the decision of even celebrated feminist author Atwood to defend Galloway (and by extension, the consensuality of the affair) might be surprising, even disappointing. Galloway's defenders seem to be going against the wave of public opinion since #MeToo. There is greater acknowledgement of the inherent power imbalances between a teacher and (all too often) his student, not least in the proliferation of increasingly stringent policies regulating professor-student sexual relationships, of which many in the United States have banned faculty-student relationships entirely. These policies should be seen as an achievement (not to be taken for granted today) hard-won by **radical**, second-wave feminists such as Catherine MacKinnon. Asymmetrical power structures made it hard for many women to 'say no', socializes them into saying 'yes', and therefore these (unwanted) sexual advances should be seen as sex discrimination that continue to keep women in their place.

But **liberal** feminists pushback, first in the 80s, and now against the resurgent concern over sexual violence: women have the right to do wrong, and they have the ability to say yes. Assuming that all women students have no ability to say yes, that every 'yes' is in fact a 'no', inverts the harassment

logic (of 'no means yes'), infantilises women, and freezes them into powerless positions of vulnerability to male predation (e.g. Snitow, Stansell and Thompson [1983], cited in Srinivasan, 2021, p. 127). Janet Halley (2016) worries that universities' uptake of affirmative consent is a conservative move that would punish sex-positivity and undermines women's own knowledge of their desires. Above all, liberal feminists like Halley are concerned that turning to legal and punitive apparatus, including university policies, will not empower women, but strengthen tools of repression.

Those of us concerned about the continued and disproportionate sexual violence women students face, despite the proliferation of protective policies in universities, are caught in a dilemma (Richards & Nystrom, 2020; Gavey 2005). Neither the radical nor the liberal positions are satisfactory. Liberal feminist criticisms that ask for consideration and hesitation before turning to punitive policies, sometimes lend themselves to vindicating sexual proclivities of that disadvantage students. In knee-jerk fashion, some even call for the relaxation of affirmative consent standards for sexual harassment and sexual assault in response to the rise of blanket bans of faculty-student relations in the United States (Halley, 2016, p. 258). Unfortunately, the realities of women students' vulnerabilities are all too clear to the radical feminists. Yet the radical feminist often retreats into what Brown calls a "strand of feminist foundationalism" (1995, p. 42). This foundationalism is rooted in an epistemology that merely inverts "masculinist reason and science" by assuming unified and coherent subjects (e.g. that of a woman student-survivor), and thus carves out the feminist's job as that of uncovering the "truth of women's existence" obscured by the subordination and silencing of women (Brown, 1995, pp. 41–42).

Ultimately, **critical** theorists point out, the liberal and radical feminist positions operate within the same sandbox of liberal imagination: a "rational-actor model" that offers women-student-agents the option to accept or responsibility to refuse advances (Brown, 1995, p. 40). In police and university investigations of alleged assault, women students' testimonies are only relevant and heard as witnesses to their own experiences, in service of determining whether an act was consensual. They are hardly ever heard on their own terms. We call the preoccupation with ascertaining the truth of a survivor's desires, whether among academic feminist discourse or in state and university policies, the **consent paradigm**. We define the *consent paradigm* as the notion that **consent should serve both as a legal litmus test of sexual violence and the moral standard that can be applied across different settings (including institutions of higher learning) to distinguish between permissible and wrongful sexual behaviour**. The liberal and radical feminist positions, just like the investigation and discourse on Galloway's case, are caught in the consent paradigm, and effectively decentre a most crucial dimension: what happened, continues to happen, and can happen to the student.

We take the radical feminist insight into power structures even further *by* recentering students' testimonies. We do so by acknowledging that our epistemological foundations and subjectivities exist in the realm of "the sheerly political", that notions of the good and right are outcomes of "amoral contests", and look into the political conditions that incentivise, constrain, and morph students' self-understandings and the uptake (and dismissal) of their experiences (Brown, 1995, p. 45). We join feminist **critical** theorists' insights into the construction and ruse of consent, seeing consent as at best necessary but insufficient to secure sex equality (Brown, 1995; Lacey, 1998; Alcoff, 2018; Loick, 2020). In other words, we give up stable epistemological foundations and disavow moral critique as argumentation, in order to return epistemic authority to the students, and open up alternative ethical possibilities for the very institutions feminist theorists are trained, accredited, and from which many women are turned away from through sexual violence.

In this paper, we analyze two first-person accounts by students who had relations with faculty. We read these testimonies with a critical eye towards the contexts in which their words were “linguistically contained, socially constructed, [and] discursively mediated” (Brown, 1995, p. 41). We read them with what Ahmed calls a feminist ear: “to hear who is not heard, how we are not heard” (2021, p. 4). We ask: What effects does the search for consent have (on the student, and the way their cases were talked about)? What interests does the consent paradigm serve? How does consent shape our understanding of faculty-student sexual relationships, as well as the students’ understandings of their experiences?

We argue that consent as an organizing ethical principle atomizes, decontextualizes, and displaces students’ experiences as they take shape in pedagogical and institutionally-enabled contexts. To elaborate, we argue that the consent paradigm: 1) atomises students’ experiences, thus making the sexualised abuse of power appear less public and less severe (**atomisation**), 2) de-contextualises students’ accounts by ignoring the pedagogical dimensions of the relationship, thus rendering the inherent power asymmetry invisible (**decontextualisation**), and 3) locating the responsibility for any harm the student-victim suffers with herself,¹ thus making the institution invisible and unaccountable for what it is enabling (**displacement**).

Our article proceeds as follows. In section 2, we outline a brief genealogy of consent in the United States, stemming from the legal recognition and subsequent adjudication of sexual harassment under Title VII and IV, situating ourselves in new literature on the grey area between consensual sex and sexual assault. In section 3, we explain our methods, focusing on our choice of case studies. We then take each of the three features of consent in turn—atomisation, de-contextualisation, and displacement—in sections 4 to 6, before concluding, in section 7, with some thoughts on our argument’s implications on university sexual misconduct policies.

2: Consolidation of the consent paradigm in university policies

Despite a few US institutions implementing 'affirmative consent' models, for the most part, the idea of consent that currently undergirds disciplinary and ethical codes governing staff and students’ sexual behaviour heavily references evidentiary standards of consent used in legal adjudications of sexual harassment. Many universities with reporting processes for harassment define sexual harassment as quid pro quo harassment (where faculty offer preferential treatment in return for sex) and behaviours that create hostile environments, such as sexist jokes (Richards and Nystrom, 2022). Many of these behaviours were illegible to universities until the last four decades. Historically, universities considered relationships between consenting students and faculty members as private matters that fell outside of the institution’s regulative realm (Richards & Nystrom, 2022). Universities started regulating sexual relations after legal recognition of sexual harassment was achieved with the efforts of feminists from the 1970s.

The women’s movement sought to situate sexual harassment in the context of broader inequalities of women as a class, i.e. as a form of sex discrimination. In a famous explication of this position, Catherine MacKinnon (1979) argued that because harassment “integrally contributes to the maintenance of an underclass or deprived position because of gender status,” it fell under the purview of prohibitions against sex discrimination (117). As a result of these efforts, sexual harassment became

¹ We acknowledge that abusive situations also happen to men students, and that abusers can also be women, but the numbers are miniscule in comparison with women students sexually abused by male professors.

a legal concept that was firmly rooted in discussions of Title VII and Title IX. In turn, the emergent threat of lawsuits under Title IX, which the 1977 *Alexander vs Yale University* brought to the fore, prompted universities to create sexual harassment codes and grievance procedures.

We hold that the creation and legal enshrinement of sexual harassment as a concept is a watershed moment in feminism. Nonetheless, it was consent that stripped sexual harassment of its associations with the discriminations women tended to face as a class, reducing it to atomistic crimes that did not occur if acquiescence from the victim was found. Against charges of sexual harassment, consent was used as a defence that alleged perpetrators employed to show that no crime had occurred. Although MacKinnon (1979) and her followers emphasised the group-based “disadvantages” that sexual harassment re-produced, and that the Equal Protections clause was meant to ameliorate, they conceded that individual women had to express that a behaviour was “unwanted” by “rejection or show of disinclination” in order for it to count as harassment (2). The emphasis on rejection in the definition soon gave rise to a consent defence, where the courts frequently sided with respondents in ruling that the claimant had consented to the alleged harassment by acquiescing in it or simply by remaining silent (Shaney 1986). In other words, consent was defined as an absence of refusal by the victim.

The consent defence meant that investigation and prosecution of sexual harassment was more an exercise of scrutinizing what the victim did (explicit refusal) or failed to do (acquiesced) in a particular time and space, a far cry from its roots as a symptom of sex discrimination and gender inequality (Ehrlich 2001). Crucially, the emphasis on demonstrating refusal obscured power asymmetries that were often present and made it hard for many to ‘say no’. These asymmetries lay not only in institutional arrangements, such as in the ability of a supervisor to fire a subordinate, but also in dominant cultural scripts that depicted male harassment of women as trivial or natural.

This erasure of power asymmetries was resisted, and reflected in the rise of an alternative understanding of consent as an affirmation, and not simply an absence of refusal. As affirmative consent, which underscored the importance of non-coerced indication of agreement, became more salient in the late 1980s and early 1990s, courts began to recognise that power differentials could cast doubt on the possibility of genuine consent. When in a landmark case *Meritor Savings Bank, FSB v Vinson* (1986) the Supreme Court held that an employee’s sexual relationship with a supervisor was not necessarily a bar to finding sexual harassment due to her subordinate relationship, universities and professional organisations followed suit by introducing policies regulating consensual sexual relationships between faculty and students, though stopping short of banning them.

The #MeToo movement reinvigorated debates about sexual harassment and power, including second wave feminist scepticism towards consensual sex across power differentials. Extending Adrienne Rich’s ideas on compulsory heterosexuality, feminist philosophers like Angel (2021) concur that consent in heterosexual contexts is always necessarily suspect. Sociological work on heterosex reveals how sex and rape are not categorically distinct, but appear as such due to prevailing heterosexual scripts which eroticise male dominance and female submission (Gavey 2018; Gunnarsson, 2018). More specifically, these everyday scripts and practices work as “the cultural scaffolding of rape” that both compromise women’s choices in, and hence the ability to consent to, heterosex and reinforce gendered relations of power (Gavey 2018, 8). The result is that sexual violence is more often than not an extension of traditional heterosexual exchanges, and hard to identify (Gunnarsson 2018, 8). Our argument begins from the ‘grey area’ between sexual violence and consensual sex, (Gavey 2018).

Policies regulating staff-student sexual relations, particularly blanket bans, remain controversial. Some argue these policies infantilise women and freeze them into powerless positions of vulnerability to male predation (e.g. Snitow, Stansell and Thompson [1983], cited in Srinivasan 2021, 127). Blanket bans, detractors argue, rob women-students of the right and agency to have a relationship should they want to. To say that professor-student sexual relations are always non-consensual, these detractors point out, perverts their 'yes' into 'no', much like how a woman's 'no' was read as a coy 'yes' (Rodriguez, 2019; McArthur, 2017; Gallup, 1997). Robin West (2010) similarly casts this perversion as a "devaluation of the veracity and coherence of desire, and...more broadly of women's (and some men's) subjective experience" (p. 244). In not taking seriously the desires of women (formed within the patriarchy) and taking too seriously the power imbalances that pervade all her relationships, radical feminism, West alleges, has neglected to look at "the harms occasioned by the unwelcome sex to which women consent" (40). Halley (2016) takes aim not only at blanket bans, but at affirmative consent university policies, arguing that such legislation "encourages weakness among those they protect" (p. 259), harms "American sexual culture" (p. 264), and overall signals a socially conservative return to "gender mores of the gilded cage" (p. 277).

Despite West's reservations towards radical feminism, we hope to recentre the notion of sexual violence as a form of sex discrimination. But we start precisely from these subjective experiences of survivors, uncover the harms brought by consensual but unwelcome (even welcome) sex, and interrogate the conditions under which these desires are nurtured. Against Halley's fears of a reprisal of "repressive and neo-Victorian imaginings of women's sexuality" (Walters 2016, p. 7), we understand ourselves to be using our voices to enact "feminism from below", by listening to and documenting previously dismissed voices that have already spoken up against their universities (Kennedy & McCann, 2020, p. 95).

We join contemporary research on university faculty sexual misconduct that we see as also falling in step with the critical tradition. Critical feminist work inverts the relationship between theory and materials: feminist theory, on Ahmed's (2017) terms, is lived theory that draws from materials. The material we work with becomes the site for theory generation. In this reclamation we join contemporary research on university faculty sexual misconduct (Ahmed 2021; Bull and Page 2021; Whitley and Page 2016). This research reveals how, despite women's acceptance into academia as students and faculty, universities and their related norms remain hostile to women (McCarry and Jones 2021). In seeing faculty sexual misconduct as a decidedly feminist issue, the researchers foreground the precarious position of women in academia. They identify two sources of women's precarity: 1) their dialectic vulnerability to the threat of violence, as well as 2) grievance procedures that invisibilise harm by prioritizing academic reputation over the protection of staff and students (Whitley, 2022). Ahmed (2021) shows how sexism and racism are institutionalised in the ways that universities deal with complaints of misconduct, for example by keeping the complainants isolated and their grievances hidden 'behind closed doors'. When institutional structures consistently give rise to outcomes that invisibilise harm, sexual harassment and sexism are sustained. In other words, "sexism is institutionalised, its possibility and perpetuation bound up in the structures of the institution" (Whitley and Page 2015, 38).

We contend that the consent paradigm and its constitutive discourses do not properly reflect the murky reality of staff-perpetrated sexual encounters towards students, and become inadequate measures that under-detect sexual abuse and worsens student-victims' experiences when grievance procedures are activated. Earlier, we defined the consent paradigm as the principle that consent should serve as the ultimate, even if not the only, measure of the rightness or wrongness of a sexual

act. The genealogy of consent we outlined clarifies how the consent paradigm also has certain evidentiary standards, whether ‘no means no’, or ‘an enthusiastic yes’. Consequently, the consent paradigm spawns inquiries and procedures foremost concerned with what consent consists of and establishing the presence of consent. In the next three sections, we argue this narrow-minded search for consent—between two parties (**atomisation**), within synchronic episodes (**decontextualization**)—reproduces patriarchal norms by obscuring power asymmetries, and displaces responsibility for good sexual interaction onto women, rather than universities that are instead cast as neutral arbiters adjudicating between competing claims (**displacement**).

3: Method

Our engagement with faculty-student sexual relationships grew out of our personal experiences of sexual victimisation within educational settings during our time as female graduate students. Our efforts to make meaning of our experiences revealed that ours is part of a global pattern. Ahmed (2017) writes that frustration can be a feminist record, and our frustration with the persistent sexual victimisation of women students led us to action. By speaking out about sexual misconduct in our community we became available to other women as feminist ears (Ahmed 2021), hearing those who are not been heard, listening back to female faculty’s experiences of harassment when they were students, and hearing how we ourselves were not heard. A feminist ear is more than a way of listening to others’ stories; it is also about sharing in the labour of making sexualised abuses of power visible and challenging the norms that make such behaviour acceptable.

Our knowledge of the women’s narratives is necessarily shaped by our position as female graduate students speaking out against sexual harassment in academia. Haraway (1988), in introducing the concept of situatedness, argued for “epistemologies of location, positioning, and situating, where partiality and not universality is the condition of being heard to make rational knowledge claims” (589). Crucially, our situatedness leads us to assume (in line with global statistics)² that the students’ testimonies are sincere, and that the students, from their subordinated position, are best equipped to narrate their experiences of sexual relationships with faculty. As Code (2014) explains, women’s experiential reports of rape are routinely and notoriously discounted as anecdotally unreliable and one-sided (crystallised in the aphorism: ‘he said, she said’). In her view, sexual violence destroys a victim’s epistemic subjectivity and agency by evoking sexist assumptions, such as that women are likely to lie about being raped. Thus, we push against the common practice of disbelieving survivors of sexual violence and denying them their capacity as knowers of their own social experiences in epistemic enquiry (Fricker 2007). The destruction of a victim’s epistemic capacity and discrediting of their testimony is not only morally lamentable, but constitutes a collective epistemic loss.

The two case studies we selected are extremely detailed (we warn readers of possibly re-traumatising content). While the experiences that the students narrate may appear extreme in terms of the extent of harm suffered, they accord with the harms documented by scholars on the subject. Contrary to popular perception, research has found that faculty sexual harassers are not primarily engaged in verbal behaviour. In the majority of the cases, faculty have been alleged to engage in physical contact dominated by groping, sexual assault, and domestic abuse-like behaviours (Cantalupo and Kidder

² various country statistics show that false reports of sexual assault are between 0 and 10%, an absolute number that is far outpaced by under-reporting of sexual assault, cf. Nithiananthan, S. (2025, March 29). Why even well-meaning men fall for rape myths. *The Straits Times*. <https://www.straitstimes.com/opinion/why-even-well-meaning-men-fall-for-rape-myths>.

2018). Hence, while zooming in on the particular, we discern a pattern of male faculty's sexualised abuses of women students, a pattern that starts from, but extends beyond, verbal forms of harassment.

The written testimonies of these two anonymous students' experience of sexual instrumentation in universities appear concerned with whether their testimonies will be questioned. This anticipation of how they would be received aligns with their display of a high degree of self-knowledge, particularly of how they are likely to be received by their institutions: as unstable, shrill, and possibly just regretting 'bad sex'. By taking their accounts seriously, we hope to restore their epistemic subjectivity and focus on what their accounts attempt to expose. The final analytical account aims to reflect the shared understanding of the two women's experiences, whilst also giving some sense of individual variation within the small but rich data set (Flowers et al. 2011).

As Code (2014) notes, testimony will inevitably be someone's testimony, and will vary depending on who the knowers are. In our study, the knowers are Elena, a graduate student, and Anna, an undergraduate. (We use pseudonyms to protect their identities). Elena experienced several episodes of sexualisation by her course professor, with at least one episode taking place in a classroom. She had a history of depression prior to the episodes which she narrates, and her condition worsened as a result of this experience. The faculty's behaviour culminated in sexual contact which Elena described as traumatising.³ Elena filed a complaint with her university alleging sexual misconduct, leading to his dismissal. Her account is a composite of various aspects of our own experiences, and as a result, we are much more familiar with it than with Anna's case. This familiarity shapes the way we engage with the case as well as how we think of sexualised abuses of power more broadly.

Anna was a high-school student when she got to know the faculty⁴ who went on to sexually abuse her. The "sexual abuse, harassment, and bullying" lasted two years until she found a way to distance herself from the faculty member. Anna posted her testimony on Strategic Misogyny, a UK-based blog project founded to collect and anonymously publish experiences of sexism and sexual harassment in academia (Whitley and Page 2015). We are aware of ethical concerns around using blog posts as a source of academic narrative, such as the absence of informed consent and the sensitivity of the data we analysed. Yet our assumption is that contributors to the blog project aimed to make others aware of their experiences; in other words, that they wanted their posts to receive social uptake, albeit among a targeted audience. We were guided by the principle of doing no harm to Anna and have removed any identifying information from her narrative. We approached Anna's story as fellow survivors, and it was through the resonance of her experience with ours that we reached a breaking point in realising that sexualised abuses of power could not go on. A breaking point became a turning point (Whitley et al. 2021).

We offer thick descriptive accounts of the students' testimonials and attempt to situate them within the horizons of cultural assumptions, beliefs, and practices surrounding faculty-student sex (Geertz 1973). We believe that unpacking the "piled-up structures of inference and implication" (Geertz 1973, 313) that accompany the different gestures found in both Anna's and Elena's accounts will allow researchers to go beyond cultural stereotypes of 'lecherous professors' or 'sex for grades'. We contend that a small sample size accompanied by careful treatment that pays attention to the

³ In keeping with a survivor-centred approach, we refrain from using terms such as 'sexual assault' and 'rape' even when they may be warranted to avoid imposing our own interpretation on the students' experiences.

⁴ Although Anna uses the term 'tutor,' it is evident from the context of her description that she is referring to a faculty member rather than a graduate student. It seems likely that she uses the term in the British sense as "a teacher at a British college or university who teaches...a small group" (Cambridge Dictionary)

longitudinal aspects of each encounter will provide the space needed to explain ~~the~~ how faculty-student sexual relationships evolve and how the students experience them. Our accounts serve as an important complement to the copious amounts of survey data, studies of policies, and qualitative research via interviews already available. These studies have great value, particularly in demonstrating the prevalence of campus sexual misconduct and the grave stakes involved in researching this topic. What our analysis offers is a deeper look into the mechanisms of how faculty-perpetrated violence occur and persist in institutions of higher learning.

Lastly, in our analysis, we pay special attention to the ways orientations affect how bodies are situated towards spaces and objects. As Ahmed (2006) writes in *Queer Phenomenology*, "Orientations involve directions towards objects that affect what we do, and how we inhabit space" (p.28). She describes how in order for a male philosopher to orient towards the writing table, a woman has to do domestic labour to keep the table clean. Yet this work is erased in his preoccupation with the table. Ahmed poses the question: What happens when a woman philosopher arrives at the writing table? In our work, we explore what happens when women students arrive in spaces historically reserved for men, such as the classroom, and how those spaces and the objects that populate them serve to lock women in subordinated positions.

In the next three sections, we examine through Anna's and Elena's accounts, three effects of the consent paradigm: how foregrounding consent 1) **atomises** students' experiences, making episodes of sexual violence that are often public retrospectively appear to be a private concern; 2) **decontextualises** students' accounts by denuding them of their pedagogical context, thus invisibilising the inherent power asymmetry, and the manipulation such power allows; 3) **displaces** responsibility for any harm the student-victim suffers to her (non-)actions and within herself, and away from the institution.

4: Atomisation (the public nature of sexual harassment)

The search for consent atomises the experience of a student in assuming the relevance of only an initiating party and a (non-)consenting party. What these testimonies reveal is that, contrary to the popular assumption that sexualisation of students remains hidden because it happens out of view of others, sexual advances by faculty frequently occur in the open, such as during seminars or department meetings. A corollary is that the individuals targeted by the behaviour are not the only ones affected by sexualisation. Indeed, sexualised behaviours described by the students appear as a sort of a public performance, a display of dominance. To understand the public nature of student's sexualisation, let us consider Elena's description of her first seminar with the faculty she eventually reported, when he allegedly stared at her for three hours. She narrates the discomfort at being made the centre of a 'comical scene,' and her keen awareness of the 'reception' of the professor's actions by the class:

Out of the corner of my eye, I try to observe my classmates. What a comical scene the ten of us must constitute to an outside observer, with the darkness enveloping our classroom, and the atmosphere inside so tense you could cut it with a knife. Yet everyone is pretending not to notice anything. Are they doing this out of respect for him, or do they think that I too am somehow implicated? The horror strikes me that they may think that I am coveting his attention, that they too may start seeing me through his eyes. Suddenly I am cut off from them, from the world, by some imaginary screen. And behind this screen, I am alone, with him.

Consent here is tacit yet public: Elena's classmates, in not speaking up, construct a situation where Elena is forced to tacitly accept the sexual attention from the faculty. The individualising logic of consent is experienced as isolating, an 'imaginary screen' that separates the student from her classmates. A screen is both something on which a performance can be projected, and a partition that is used to divide a room to provide concealment or privacy. In her book 'Complaint!', Ahmed (2021) explains the role that doors can play in complaints of sexual harassment: making complaints smaller by keeping those who make them apart, keeping information about harassment secret from the public. In Elena's case, the expectation that she must refuse the professor's attention if she does not want to be 'implicated' in her sexualisation functions as a similar kind of partition: separating her from her classmates (they are there to study, she is there to be an *object* of attention), making her feel smaller and 'alone'. The tension between cultural scripts that enjoin women to communicate their desires openly and socialisation practices that teach women to care inordinately about men's feelings (Angel 2021) becomes embodied in Elena's experience of dissonance. The responsibility on her to object, so as to not become the object of attention, belies that silence is often safer when it comes to public sexualisation (Hershcovis et al. 2021). The sexualised attention of the faculty makes Elena feel simultaneously hyper-visible and invisible. There is a palpable fear in the account of being made invisible, of finding herself alone with him, of the violence that too can become invisible.

That the faculty did not even need a physical door to achieve the same atomising effect underscores how in contexts of a power imbalance, sexualised abuses of power can continue to take place openly. As Ahmed (2021) notes, violence can be the imposition of intimacy within an institution, the making of something private public, the turning of a common room into a private room. We can thus interpret the faculty's actions in this scenario as a way of asserting dominance, of saying 'this room is mine'. Just as street harassment can be thought of as a way of policing public spaces and reminding women of 'their place' in the home, the public nature of the professor's actions make clear to female students that their role inside the classroom, and by extension within the university, is not to seek and receive knowledge, but to serve men's needs, as 'eye candy', flirts, or admirers.

What effect does this sexualised behaviour have on the rest of the class, the performance's 'audience'? When sexualised abuses of power are publicly enacted, other classmates become unwitting voyeurs, made to witness the sexualisation of their classmate under the guise of pedagogical guidance. Sexualised attention is turned away from them; but when sexualised attention is the only sort the instructor is ready to dispense, the instructor fails to treat his students *qua* students, and all students' access to proper education is compromised. As Srinivasan (2021) argues, sexual attention from an instructor constitutes not only a patriarchal failure against women, but also a pedagogical failure because the instructor has failed to teach. From Elena's account, we see that this professor has not only failed Elena pedagogically, but all her classmates. Yet the professor's actions are teaching the students an important lesson: that women continue to exist in the academy in subordinated positions. It is reasonable to assume that the effects of publicly undermining of one woman's right to exist as a student extends beyond Elena to her female classmates, jeopardising their intellectual confidence and sense of personal safety (Rich 1979, 25).

It is important to note that because sexualised abuses of power can occur in the open, silence around them extends beyond the silence of the victim (Hershcovis et al. 2021). By acknowledging that silence is a collective process, we can begin to question why the other students remain silent. In *Eros, Eroticism, and the Pedagogical process*, bell hooks described her experience as a new professor: "No one talked about the body in relation to teaching. What did one do with the body in the classroom?" (1993, 197). The lack of cultural scripts on what to do with the body in the classroom becomes

embodied in the students' collective silence. The professor does not need a door to conceal his actions; they remain 'hidden' by the inability of the students to articulate what is happening, and thus to offer resistance to it. This effect is exacerbated by the fact that the faculty has control over the students' grades, and in some cases, their academic futures. Universities, for all their talk about educating students about consent, tend to depict sexual violence as something that happens outside of classrooms: in dorm rooms or in places where alcohol is consumed. Universities' assumptions of what consent is echoes the culturally dominant images of violence which centre around dark and private spaces and 'stranger danger'.⁵ They thus fail to make it clear to students that the classroom too can be a violent space, and to offer them tools with which to challenge offensive actions.

The performative nature of faculty members' sexualised behaviour as constituting and regulating the subordinate position of women-students is also apparent in Anna's account. She recounts an incident that took place sometime into her 'relationship' with the faculty:

After he discovered that I was attracted to a boy my age, he took me to a bar, made me confess and called me every dirty word he could think of. After that he said it's all over, asked me to leave and sat down [at] the table with other tutors, bragging and humiliating women. Intellectually manipulating students into having sex was considered to be normal among the tutors, having an affair with one – even prestige (sic).

If in Elena's case the observers of the sexualised behaviour were other students, in Anna's description the faculty member's actions are targeted at those he might consider his equals: other tutors, faculty members. It is therefore more apparent that he invites others not only to observe his sexualisation of a female student, but to share in the process of 'bragging and humiliating women'.

Note the importance of objects and spaces in both accounts. Here a table becomes the centre of a homosocial encounter, reinforcing homogeneity rather than diversity of opinion. Homosociality is non-sexual affiliative behaviour that, when performed by heterosexual men, can contribute to the maintenance of hegemonic masculinity by supporting meanings associated with identities that fit hegemonic ideals while suppressing meanings associated with non-hegemonic masculine identities. Quinn et al. (2006) contends that sexual objectification of women and competition over objectified women plays a crucial part in homosocial interactions by constructing male individuality as not only different from female but as better than female. It capitalises on the asymmetrical power of sexuality: that calling attention to a woman's gendered sexuality can function to bar recognition of her competence, rationality, trustworthiness, and even humanity, while overt recognition of a man's (hetero)sexuality is normally compatible with, and often required by, other aspects of his identity (Quinn, 2002). In Anna's story, the faculty member seems to feel his status jeopardised by her attraction to another, younger man, and finds a way to re-assert it by publicly degrading her and other women in front of other tutors. As in Elena's case, the faculty member asserts control of the public space, claims ownership of the group, which enables him to tell her to leave. The table here functions similarly to a screen: to exclude and to reinforce the exclusionary beliefs, including women only as conquests, as an 'other'. Women's seat at the table thus comes with conditions: their position is subordinate and constitutive of the male ego, and will be put back in their place if they threaten the superordinate male's ego.

Therefore, the students' accounts underscore that the presence of observers is critical both to how sexualisation of female students is performed and how it is experienced, and is something largely missed by a focus on consent. To put it otherwise: the problem is not that male professors did not ask

⁵ We are indebted to Maria Lovetere for distilling this point for us.

if they were allowed to leer at or insult women. It is the fact they did so qua their gender (Manne, 2017; 2020). The public performance of such behaviours, that enlists the unwitting complicity of witnesses, reproduces gender inequality in a manner that the consent paradigm is unable to capture.

5: De-contextualisation (effacement of power imbalances and manipulation)

The public performances of sexual harassment obscured by the atomising lenses of the Consent paradigm often precede further acts of sexual violence. A second effacement occurs when the search for consent within specific acts isolates incidents from a pattern of abuse. Notice how Anna describes her experience with the faculty: “Intellectually manipulating students into having sex was considered to be normal among the tutors, having an affair with one – even prestige (sic).” Interestingly, Elena uses remarkably similar language to characterise her relationship with the professor when she describes his actions as “a protracted and well-rehearsed campaign of emotional and mental manipulation that produced in me a feeling of psychological incapacitation and rendered me totally incapable of resisting.” These students’ accounts that allege manipulation are starkly different from the congratulatory (a successful love) or altruistic (students should feel honoured in receiving attention from their more respectable professor) ways in which such relationships used to be cast (Bull & Page, 2021; Hitt et al., 1993). To understand why both women-students perceive their interactions with the male faculty as manipulation, it is important to move beyond a time-slice approach that effaces earlier episodes of boundary-blurring behaviours which erode boundaries the student would have otherwise maintained (Bull & Page, 2021). Acquiescence becomes evidence of consent, when it is an effect of manipulation.

The word ‘to manipulate’ comes from the Italian *manipulare*, to grip with the hands. A hand as an object has multiple, often contradictory uses: a hand can give and it can take. A hand that is extended or ‘lent’ to a person in need is seen as a ‘helping hand.’ Context thus plays a crucial role in how we interpret the motivation behind an extended hand: the inherent trust that certain societal roles elicit, including teachers, means that we are more likely to perceive their behaviour as motivated by genuine care than malevolence and artifice (Sinnamon 2017). When the help that is given exceeds what is expected, it can produce feelings of indebtedness and devotion that obscure discomfort that arises when the hand starts to push against personal boundaries.

The following account by Anna captures how the faculty member uses the pedagogical relationship not only to gain trust, create intimacy, and blur the lines between what is and is not appropriate, but also how the university environment, which is generally seen as safe and nurturing and where behaviours such as drinking are normalised, affects her interpretation of the academic’s actions:

As a...high school student I attended the preparatory courses for the exams at the XXX, where he was teaching xx. He was exceptionally praising my works and told me I was talented, and this motivated me to work more...*Throughout the year, he grew up to be an authoritative figure I looked up to.*

I finished high school and passed the entry exams for the Bachelor at XXX [sic]. I met him to celebrate my attendance and he invited me to visit a summer school...with the second years in September....I didn’t know the older students back then, therefore most of the time was spent with him. He was drinking daily and heavily, and so did I in his company. During the movie screenings at the ramp, *he put his hand around my shoulder*, when other students were around. *It felt strange as I grew to trust him and expected it to be nothing but a friendly gesture.*

The hand around the shoulder creates discomfort that Anna does not verbalise. She attempted to rationalise the action and the actor—that it is a ‘friendly gesture’ from somebody she trusts—in order to accept the “strange” behaviour. To push the hand away would be to refuse the academic staff’s friendliness; it would mean to *be* unfriendly. The hand around the shoulder can be a protective gesture, but it can also signal possession. Notice again the public nature of the harassment via the presence of other students. A hand around the shoulder becomes public assertion of power and entitlement. To push the hand away is then to act against somebody with power over you, to call into question his entitlement to your body. Anna’s account continues:

We were eating in his room as he was going through a pile of old papers...and publications. He was talking in abstract phrases like “an artist is a fighter, not a kindergarten teacher”. Then he sat down next to me on the bed, and started kissing me and undressing me. All I remember was that suddenly I wanted to escape him and leave the room at that moment, but I was too drunk and dizzy to resist...

He would talk down and shame other students, give examples of “bad cases” and “degradation”. After his monologue, *he would satisfy himself on me and I would go home from the university. He gave me excellent grades and took me along to all of the field trips that only best selected students would go while leaving the rest unaware.* Telling someone about this was unthinkable firstly because he was considered the best tutor in the XXX department, and *his students – the most perspective and talented* [sic]. It seemed then that opposing him would affect studies, my future career or have me expelled from the academy.

To manipulate is to get somebody to act in accordance with one’s wishes; manipulation is, therefore, a mechanism through which power is acquired. But an *a priori* powerful actor will find it easier to manipulate an actor with less power than vice versa. Note the importance of context—the inherently asymmetric pedagogical relationship—in Anna’s description. It is, in fact, a recurring feature of the students’ accounts that sex and violence happen in the same spaces where mentorship and teaching (are meant to) happen. Academic favours are forced on Anna as is the sex, and the inability to say ‘no’ to the former leads to a perceived sense of helplessness in resisting sex. As Ahmed (2021) remarks, much violence is tolerated because people want to preserve a relationship from which they (perceive themselves to) benefit. Going back to the hand metaphor, to push the hand away is to shut yourself off from excellent grades and new opportunities. In this context, it is evident that “[t]he stakes for her are too high, and they make the decision to pursue her own desires immensely difficult to see through” (p.). That the pedagogical relationship develops concurrently with the sexual one devalues Anna’s academic self-worth and creates a pressure against saying ‘no’ to sex.

Anna’s account thus challenges the cultural script of ‘sex for grades’ which views sex as a currency and implies an equal exchange between faculty and students. This narrative evokes an image of a sexually assertive woman who uses her body to get ahead. The ‘sex for grades’ trope is inapt firstly, because this transaction was not something Anna proposed, wanted, or had any real chance of exiting; she “wanted to escape him” but could not. Secondly, the trope implies equal exchange, but the benefits, in terms of pleasure and opportunities, and harms of such ‘exchanges’, do not accrue evenly to male faculty and female students. As Gavey (2005) asserts, to appreciate Anna’s choices we must at least consider the implications of saying ‘no’ to sex: to go from “best selected student”, “the most perspective [sic.] and talented” to ruining your life chances, risking expulsion from the academy and other forms of retaliation the tutor could leverage from his stellar reputation. When we account for earlier episodes of isolation (e.g. Anna not knowing older students in the camp), boundary testing (e.g. putting his hand over her shoulder), and her lack of access to information on what constitutes acceptable or normal behaviour (e.g. her expecting or trusting gestures to be nothing but friendly), the exchange Anna found herself in is less a fair contract and more a debt bondage.

Thus, to manipulate can mean to make the target's own desires recede in significance by making their satisfaction conditional on her continual utility to the manipulator. Indeed, one gets a clear sense from Anna just how unimportant her wishes and desires are—to the man her professor, but progressively also to her. Descriptions of what she did and how she felt in her narrative are gradually displaced by narrations of what he did, what was done to her, and how she was perceived by others. The cold-bloodedness of the sentence “he would satisfy himself on me and I would go home from the university,” and its lack of affect, is striking. The time interval between the different sexual encounters is gradually and eventually collapsed, as if one was indistinguishable from the other. We lose sight of how many incidents of abuse took place. In fact, the number seems trivial in comparison to the overall sense of objectification that Anna's account impresses on us. This transference is achieved in part because she seems to view herself, and especially her body, through a second-person perspective, simultaneously acting on the environment and watching herself act on the environment.

In many ways, self-objectification is the ‘sticking’ of narratives around women's bodies. It is an extreme effect of socialisation practices that, for instance, teach women that they are primarily bodies designed to please others, their outcomes dependent on satisfaction of men's needs (Chemaly 2018). Consider how the faculty member's sexualised behaviours produces active identification with object position in Elena:

Over the coming weeks, as he continued to single me out with his sexualised attention, my anger turned into despair. No matter how hard I worked, he would not take me seriously... The tears that never seemed to stop did not make my eyes red; they made them glassy to the point of appearing *superficial, doll-like*. In them I tried to search for the person I once was... But she was no longer there. *I had become a doll and nothing more. How could I expect others to treat me as a human?* Unable to find any convincing answers to this question, I slowly began to acquiesce.

Elena became an object: a ‘doll’ with no inner world, no history (‘the person I once was’). By searching for the *self* from without—in the mirror reflection, through a second-person perspective—Elena is bound to come up short. We are reminded of the original definition of manipulation: to grip with a hand, where the hand is a tool, a means to an end, and thus expendable. Through the conflation of perspectives, the hand becomes interchangeable: it no longer matters who the hand belongs to, the professor or the student, much like the direction of desire; the effects of manipulation are complete.

Overall, our accounts suggest that male academics who exploit pedagogical settings to sexually pursue a student strongly reinforce society's message that a woman's value is sexual, a message that is sometimes internalised by the targets. Studies report that women in a state of self-objectification have low awareness of their own internal states, including emotional and physiological responses, and are more likely to put their own wants and desires second to that of another (Franz, DiLillo, and Gervais 2016). These findings can help us make sense of Elena's emphasis on the word ‘acquiesce’ as well as Anna's later words: “He was entitled to manipulate me by making me stay with him, drink with him, have sex with him, because he was my teacher and knew “what's better for me”. Several times I cried during sexual intercourse with him that took place in...the academy.” Bodies have a way of saying no before we do (Ahmed 2021). Yet as Angel (2021) contends, a focus on consent demands that women both know what they want and express their desires assertively. It leaves no room for the kind of interactive (destructive) effects that persistent sexualisation by a faculty member can have on the student's understanding of self and her desires, and on her ability to communicate those in ways that are comprehensible to him and the society.

6: Displacement of responsibility

Denuding sexual contact between faculty and students of their pedagogical context and viewing them as interactions between two consenting adults is also a way of making the institution invisible. As we have noted in section three, the faculty's sexualised behaviour frequently occurs out in the open, and yet it is met with silence. Silence is not an individual-level response but a collective process that characterises the social network where sexualised abuses of power take place (Hershcovis et al. 2021). Silence can become acceptance, a turning of a blind eye, a normalisation of abusive behaviour. Anna describes:

...[I]t was useless to resist because most of the staff silently knew or suspected what was going on, but no one questioned his behaviour. Rumours of his previous student-girlfriends began to appear, while I was socially isolated from other students and gossiped about. I felt highly self-destructive as it seemed like the only way to make him suffer.

Note how silence is directed at the staff member's behaviour, whereas Anna and previous student-girlfriends become the targets of gossip. To be given the 'benefit of doubt,' to have one's sexual life be treated as a private matter, to not become the object of gossip, is then another form of power that faculty members have. By invisibilising the power imbalance in faculty-student sex, the Consent paradigm retrospectively creates an illusion of choice in situations which are experienced by the student as lacking real choice. The corollary is that the students are made to feel responsible for their own abuse, which leads to self-blame and self-destructive behaviours. The message that this reception sends to the student is clear: the staff member's actions are right, you/your reactions are wrong. In this way, collective silence turns structures into personal issues (Ahmed 2021). And as the institution disappears from view, it becomes difficult to hold it accountable for what it is enabling (Whitley and Page, 2015).

Consent becomes a way of displacing responsibility from both the predatory professors and the institutions in which sexualised abuses of power take place, onto the student. Instead of seeing the faculty's behaviour as manipulation of students into sex, an abuse of power that is 'institutionally-enabled,' consensual sexual relationship policies allow universities to claim that the student should handle the consequences of a relationship she "consented" to. These relationships can be deemed consensual only by effacing the power imbalances and oft-accompanying manipulation; the student is presumed to have control not only of her own actions, but also of the actions of her professor towards her. The responsibility for these harms are located squarely with the student.

Where students file formal complaints, universities use consent to position themselves, not as a site and enabler of abuse, but as neutral arbiters adjudicating between two equal parties. As Page (2022) explains, the specific vulnerabilities of the student to an unequal and abusive relationship come into conflict with a perceived vulnerability of a university which receives a complaint about its employee. Complaints of sexual violence are perceived simultaneously as an indictment of the institution's failure in keeping their employees in check, and as harm inflicted on the institution rather than to the complainant (Page, 2022). Consent allows universities to minimise their precarity by displacing blame onto the student. Elena explains:

One of the most infuriating aspects of filing a formal complaint about staff sexual misconduct with the University was to have my experiences re-told to me, and in ways that directly contradicted my memories and feelings. It made little sense to me at the time why the majority of the questions that I was asked during the XXX hearing focused on what appeared as a trivial matter: my email correspondence with the respondent. Not a single question pertained to the victim impact statement

in which I enumerated the harms of his sexual predation. When the verdict came through, and an administrator explained that the Committee had established that I was in a consensual relationship with the respondent, I understood the rationale behind the [committee's] line of questioning...

After the hearing, I wished that he had hurt me physically that night. I thought that if I had some physical marks to show for the violence of my experience, I would not be forced to perform my pain over and over again.

The student's body, already a site of violence, is manipulated again to hold on to that violence so that it does not harm others. As Ahmed (2021) underscores, to have gotten to this stage in the complaint process, Elena has had to overcome numerous obstacles to make her experiences 'legible' to the institution as harm. Yet, by foregrounding consent during the hearing, the institution shifts its focus, to 'hear' about Elena's actions (here, emailing him) and 'not hear' about the harms of the professor's actions. A hearing can then become a disappearing, creating a semblance of accountability while refusing to acknowledge the institution's own complicity in abuse, creating the impression that it is 'taking the complaint seriously' while failing to enact structural change (Ahmed 2021). Consent, then, enables a double displacement: of harm from the student to the institution's reputation, and responsibility from the university to the student.

7: Conclusion

We argued, against dominant cultural discourses of sexual assault as occurring out of the blue and in dark alleys by bad strangers, and against the consent paradigm that consent be the ultimate or only lens through which an allegation of sexual violence is understood, that consent has three pernicious effects. First, that the consent paradigm only features the parties involved in the physical act of sexual violence, and thus atomises the parties (particularly the victim) where there are often many other people around in public displays of sexual attention. Second, that the retroactive search for consent in one episode of sexual violence effaces preceding episodes of boundary-testing behaviours that have the effect of manipulating and distorting the victim's own esteem and desires. Third, that the implementation of consent as the sole basis of policies regulating staff-student sexual relations leaves no room for querying institutional conditions that enabled these many public and cumulative acts of sexual violence, displacing responsibility from the institution to the victim who failed to resist.

It may be of interest to some readers whether the effects of the Consent paradigm that we discuss in this paper are the intended consequences of universities' enshrinement of consent into their policies. We have no clear answer. But we opine that the impetus for incorporating the notion of consent came from the threat of legal challenges and the institutions' concern with minimising legal risks. It is undeniable that universities benefit from the current state of affairs: by positioning themselves as outside of faculty-student sexual relationships, institutions can deny responsibility and maintain their reputations. This can explain why the Consent paradigm remains central to university policies regulating faculty sexual behaviour despite societal pressures to recognise that consent is suspect in unequal relationships in the light of #MeToo.

In place of the Consent paradigm we contend that universities should move beyond legalistic approaches that prioritise the minimisation of legal risks and towards developing ethics codes that would define the limits of appropriate behaviour in educational settings, taking heed of the duty of care that they owe their students. The solution to sexualised abuses of power by faculty, we wager, will not lie simply in blanket bans (though these are possibly necessary) but also in formulating pedagogical ethics that would define the limits of acceptable behaviour in higher education.

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