

Growing the Problem of “Sexual Harassment”: Unintended Consequences

Suzanne Rice
University of Kansas

In general, I find Cris Mayo’s analysis to be provocative and insightful; and in particular, I am drawn to her idea that efforts to address gender inequality can be implicated in the tendency of young women to “disidentify.” A large part of the effort to eliminate sexual harassment has been to define the problem in ever more inclusive terms. Since it was coined some twenty-five years ago, the term “sexual harassment” has been used to describe an increasingly wide variety of speech and conduct — to the point where, conceptually, practically any speech and conduct may be construed as sexual harassment. It has also been applied to ever larger numbers of potential victims and harassers — to the point where, conceptually, men and women, teachers and students, are all both potential harassers and victims. As Cris argues, it does appear that many female students fail to see sexual harassment as predicated upon their gender. Here, I would like to suggest that the significance of sexual harassment as a manifestation of gender inequality has diminished in the minds of many as the term has been made to cover more and more dimensions of human interaction.

EXPANDING THE DEFINITION OF “SEXUAL HARASSMENT”¹

The tendency for sexual harassment to become an increasingly inclusive concept is illustrated by a series of essays published in *Signs* that respond to an article written by Phyllis Crocker, herself one of the first to call on colleges and universities to adopt a more comprehensive conception of sexual harassment.² Crocker’s main argument is that institutions of higher education should remove distinctions between “more and less” serious forms of sexual harassment and between conduct that is “deliberate,” “intentional,” and “repeated” and that which occurs rarely or unintentionally. On Crocker’s view, all definitions including these kinds of qualifiers “potentially allow for extreme laxity in preventing, correcting, or punishing sexual harassment.”³ Crocker’s proposed alternative to existing definitions of sexual harassment was to adopt “victim-based” definitions. What is allowed to count as “sexual harassment” should be defined from the victim’s perspective, rather than from the perspective of others who did not experience the problem first-hand. In proposing an open-ended approach to conceiving sexual harassment, Crocker sought to emphasize that, for some students, the request for sexual involvement itself or the single sexist joke can conceivably have detrimental consequences; much depends on the sensitivities and needs of the individual woman involved in the incident.

While applauding Crocker’s general approach to conceiving sexual harassment, Katharine A. Benson argued that she had omitted an important manifestation of the problem:

[Crocker] makes no mention of sexual harassment of women professors by their men students. There is a general lack of awareness of this type of harassment not only in Crocker's work and the official definitions [of sexual harassment] but also in other research on sexual harassment within educational institutions....My intention is not to criticize Crocker's original analysis but to extend it.⁴

Thus Benson added to existing conceptions the idea of "contrapower sexual harassment." Whereas "peer harassment" refers to situations in which the victim and the harasser are equals in certain regards, "contrapower harassment" is conceptualized as a form of abuse in which the victim has more formal power than does the abuser. Examples of this form of sexual harassment include "drawings and comments in teaching evaluations, hostile messages, or obscene phone calls that request sex or mention the professor's sexual attractiveness."⁵

While retaining Benson's basic claim that sexual harassment can be inflicted by persons with less formal authority and status than their victims, subsequent analyses conceived "contrapower harassment" more broadly than did Benson. Contrapower harassment, as conceptualized by Benson, must always be anonymous; she reasoned that if student harassers were to reveal their identity, then they could be reprimanded. The professor who knows the identity of the student who is threatening her can insist that he stop the threats, and if he fails to do so, impose a punishment. Although this kind of abuse may be anonymous in most cases, Kathleen McKinney, for one, argues that the concept of sexual harassment, in its contrapower form, should also include behavior that, in nature, cannot be anonymous.⁶ Specifically, on McKinney's view, the concept should also cover "sexist comments, undue attention, verbal sexual advances, body language, invitations, physical advances, sexual propositions, and sexual bribery." In the enactment of these kinds of behavior, a male student would make his identity known.⁷

As the series of responses to Crocker's initial essay suggest, what once named situations in which an individual with more formal power sexually abused a subordinate, has expanded to also name situations in which equals and formally less powerful individuals harass their peers and superiors. Most writers arguing that sexual harassment ought to be defined more broadly seem committed to protecting women students and faculty; however conceptually, according to these broad definitions, no one would be excluded from the class of persons who may be considered potential victims and perpetrators of sexual harassment. The definition developed by Louise Fitzgerald is typical in this regard:

When a formal power differential exists, all sexist or sexual behavior is seen as sexual harassment, since the woman is not...in a position to object, resist, or give fully free consent; when no such differential exists, it is the recipient's experience and perception of the behavior as offensive that constitutes the defining factor.⁸

Given this broad definition, it is not surprising that a range of abuses suffered by gay men is now conceptualized as sexual harassment. Debbie Epstein argues, for example, that "the harassment of gay men (and men perceived to be gay) is not a separate issue, which is of relatively minor importance in understanding the harassment of women but is, rather, an important aspect of policing culturally produced boundaries of both gender and sexuality."⁹ Other authors have noted that

gays and lesbians can be harassers as well as victims of harassment. As one author states succinctly: "Sometimes a gay person sexually harasses a straight person, sometimes a gay person is sexually harassed by a straight person, and sometimes a gay person is sexually harassed by a gay person."¹⁰

CONCLUDING COMMENT

My aim in the forgoing is not to deny that there is a practically limitless variety of conduct that may be experienced as uncomfortable, if not hurtful; rather, it is to suggest that calling all such conduct "sexual harassment" may have mixed results in the struggle against gender inequality. It seems likely that the concept of sexual harassment has been expanded, in large part, in order to emphasize the seriousness of the problem and to garner resources for its elimination. Cris's discussion highlights one of the limitations of this approach. When practically any conduct enacted by any man or woman, boy or girl can be conceived as a manifestation of sexual harassment, the problem as a whole is trivialized — hardly the outcome anticipated by those developing the expansive conceptions. Instead of helping to generate united opposition, significant educational resources, or even sympathy for victims, the case of sexual harassment illustrates how well-meaning and theoretically sophisticated efforts to address gender inequality can have the unintended consequence of actually fostering a sense of indifference to, if not immunity from, the specific gender-linked problem at issue.

1. For a more comprehensive account of how the concept of "sexual harassment" has expanded over time, see Suzanne Rice, "The 'Discovery' and Evolution of Sexual Harassment as an Educational Issue," *Initiatives* 57, no. 2 (1996): 1-13.

2. Phyllis L Crocker, "An Analysis of University Definitions of Sexual Harassment," *Signs: Journal of Women and Culture* 8 (1983): 697-707.

3. *Ibid.*, 703.

4. Katharine A. Benson, "Comments on Crocker's 'An Analysis of University Definitions of Sexual Harassment,'" *Signs: Journal of Women and Culture* 9 (1984): 516-17.

5. *Ibid.*, 517.

6. Kathleen McKinney, "Sexual Harassment of University Faculty by Colleagues and Students," *Sex Roles* 23 (1990): 421-38. A similar conceptualization of "contrapower harassment" is found in Elizabeth Grauerholz, "Sexual Harassment of Women Professors by Students: Exploring the Dynamics of Power, Authority, and Gender in a University Setting," *Sex Roles* 21 (1989): 789-801.

7. McKinney, "Sexual Harassment of University Faculty," 429.

8. Louise F. Fitzgerald, "Sexual Harassment: The Definition and Measurement of a Construct," in *Ivory Power: Sexual Harassment on Campus*, ed. Michele A. Paludi (Albany: SUNY Press, 1990), 24, quoted in Michele A. Paludi and Richard B. Barickman, *Academic and Workplace Sexual Harassment* (Albany: SUNY Press, 1991), 7.

9. Debbi Epstein, "Keeping Them in Their Place: Hetero/sexist Harassment, Gender, and the Enforcement of Heterosexuality," in *Sexual Harassment: Contemporary Feminist Perspectives*, ed. Alison M. Thomas (Philadelphia: Open University Press, 1997), 158.

10. Carrie Herbert, *Sexual Harassment in Schools: A Guide for Teachers* (London: David Fulton, 1992), quoted in Debbi Epstein, "Keeping Them in Their Place," 161.