

TEMIDA
Jun 2015, str. 125-144
ISSN: 1450-6637
DOI: 10.2298/TEM1502125H
Pregledni rad
Priljeno: 5.9.2014.
Odobreno za štampu: 2.7.2015.

Sexual Harassment in Tertiary Institutions: A Comparative Perspective

JANICE JOSEPH*

Sexual harassment is not a new phenomenon in tertiary institutions. It has been receiving considerable attention in research and the media and public awareness has increased dramatically. However, the term sexual harassment is not used uniformly across the globe because countries have defined it differently. Consequently, prevalence of sexual harassment in education varies across cultures. This paper examines sexual harassment from a comparative perspective. It specifically focuses on the definition of sexual harassment, incidence of sexual harassment of students in tertiary institutions, effects of sexual harassment on victims; and victims' responses to sexual harassment. It also offers suggestions for curtailing sexual harassment in these institutions.

Keywords: colleges, violence against women, sexual harassment, female victims, education.

Introduction

Before the mid-1970s, the term 'sexual harassment' was not in common use. In the USA, the civil rights movement of the early 1960s resulted in the implementation of Title VII of the Civil Rights Act of 1964, which outlawed discrimination related to race, color, religion, national origin or sex. That act also created the US Equal Employment Opportunity Commission (EEOC). Today, sexual harassment is prevalent, not only in the workplace, but in educational institutions as well.

* Dr Janice Joseph is a distinguished professor of Criminal Justice at Stockton University, Galloway, New Jersey, USA. E-mail: josephj@stockton.edu.

Educational institutions are no longer the ivory towers of the past, but have become arenas for sexual victimization. Sexual harassment surfaced in schools, colleges and universities in the early 1980s, and the frequency of complaints have increased over the years. In addition, until recently, sexual harassment in education has been largely ignored by policy makers, law enforcement officers, and where it has been addressed, the focus has been on peer-on-peer sexual harassment (Leach, 2013). This paper uses a comparative perspective to examine the nature and extent of sexual harassment in tertiary institutions internationally, effects of sexual harassment, and responses to sexual harassment in these institutions. It also makes suggestions to address sexual harassment in tertiary institutions.

Literature review

Definitions of sexual harassment

Like most social constructs, sexual harassment is not easy to define, nor does it involve a homogenous set of behaviors. The interpretation of sexual harassment depends on the context. Globally, sexual harassment provisions can be found in criminal codes, labor codes, health and safety legislation, anti-discrimination and equal opportunity laws, as well as education and licensing statutes.¹ Some countries, such as the Australia, United States and in the United Kingdom, have legislation/policies that specifically prohibit sexual harassment in education while other countries have sexual harassment legislation that do not include educational institutions. Generally, international instruments define sexual harassment broadly as a form of violence against women and as discriminatory treatment², while national laws focus more

¹ The countries that have sexual harassment provisions in general anti-discrimination laws include Bulgaria and Romania. Countries that prohibit sexual harassment under its sex discrimination law include the United States, United Kingdom, Australia, and Sweden. Some of the countries that address sexual harassment in their labor codes include Spain, New Zealand, Lithuania, and Macedonia. In a few countries, such as Argentina, Israel, and Singapore, sexual harassment is a criminal offense (see UN WOMEN, n.d., Cobb, 2014; The Advocates for Human Rights, 2010).

² United Nations General Assembly Resolution 48/104 on the Declaration on the Elimination of Violence Against Women defines violence against women to include sexual harassment, which is prohibited at work, in educational institutions, and elsewhere (Art. 2(b)), and

closely on the illegal conduct. As a result, there exists a broad continuum of behaviors that is viewed as sexual harassment so there is no single definition of what constitutes prohibited behavior. However, implicit in all of these approaches is the fact that sexual harassment is unwanted sexual behavior and is harmful to the victim.

a) Conceptual definitions

Many scholars have proposed conceptually-based definitions of sexual harassment. MacKinnon, for example, argued that sexual harassment "refers to the unwanted imposition of sexual requirements in the context of a relationship of unequal power. Central to the concept is the use of power derived from one social sphere to lever benefits or impose deprivations in another" (MacKinnon, 1979: 245). Farley asserted that "sexual harassment is ... unsolicited non-reciprocal male behavior that asserts a woman's sex role over her function as worker" (Farley, 1978: 14). Similarly, LaFontaine and Tredeau proposed that sexual harassment can be defined as "any action occurring within the workplace whereby women are treated as objects of the male sexual prerogative. Furthermore, given that women are invariably oppressed by these actions, all such treatment is seen to constitute harassment, irregardless of whether the victim labels it as problematic" (LaFontaine, Tredeau, 1986: 435). Till, also, defined sexual harassment in educational institutions as behavior by authority that "the use of authority to emphasize the sexuality or sexual identity of a student in a manner which prevents or impairs that student's full enjoyment of educational benefits, climate or opportunities" (Till, 1980: 7).

encourages development of penal, civil or other administrative sanctions, as well as preventative approaches to eliminate violence against women (Art. 4(d-f)).

The ILO Committee of Experts on the Application of Conventions and Recommendations has confirmed that sexual harassment is a form of sex discrimination covered by the Discrimination (Employment and Occupation) Convention (No. 111) of 1958.

The Charter of Fundamental Rights of the European Union specifically enshrines the right to be free from discrimination on the basis of sex, and Article 23 obligates states to ensure equality between men and women in all areas. This principle has been, further, elaborated through several directives dealing with sexual harassment.

b) Behavioral definitions

There exists a broad range of behaviors that may constitute sexual harassment. The Working Women United Institute, for example, has suggested that sexual harassment can be defined as repeated or unwanted verbal or physical sexual advances, sexually derogatory statements or sexually discriminatory remarks which are offensive or objectionable. It can include the following: "verbal sexual suggestions or jokes, constant leering or ogling, 'accidentally' brushing against your body, a 'friendly' pat, squeeze, pinch or arm around you, catching you alone for a quick kiss, the explicit proposition backed by the threat of losing your job, and forced sexual relations" (The Working Women United Institute, 1978: 1). Other scholars (Betts, Newman, 1982; Fitzgerald, 1990), have proposed similar behaviors as constituting sexual harassment.

In general, there are three major elements to the behavioral definition of sexual harassment. First of all, the behavior has to be sexual in nature which includes jokes, innuendos, flirting, forced fondling, and attempted or actual rape. In other words, the behavior must have a sexual connotation to it. The second element is that the behavior has to be deliberate and repetitive. However, some first-time behaviors are so offensive that they can be considered deliberate, inappropriate, and sometimes illegal. In most instances, the behavior has to be repetitive before it can be considered sexual harassment. The third element of the behavioral definition is that sexual harassment is unwelcome by the victim. This means that the behavior is unacceptable to the victim. This is determined by the victim's indication that it is unacceptable or the behavior may be so severe that it is automatically considered unwelcome (Webb, 1998). Gruber (1992) who analyzed court cases, proposed a typology in which he identified eleven specific types of harassment consisting of four types of verbal requests, three verbal remarks, and four non-verbal displays. The *verbal requests category* includes sexual bribery, sexual advances, relational advances; and subtle pressure/advances. *Verbal remarks* include personal remarks (for example, offensive and embarrassing comment, jokes, or teasing) directed to a particular woman. Finally, the *nonverbal category* includes sexual assault, sexual touching, sexual posturing (for example, body language, vulgar gestures), and sexual materials (Gruber, 1992).

c) Legal definitions

In 1980 the United States Equal Opportunity Commission defined sexual harassment in the workplace as a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this behavior explicitly or implicitly affects an individual's employment and interferes with an individual's work performance. It also creates an intimidating, hostile, or offensive work environment.

The EEOC's Guidelines define two types of sexual harassment: *quid pro quo* and hostile environment. According to the Guidelines *quid pro quo harassment* occurs when submission to, or rejection of such conduct by an individual, is used as the basis for employment decisions affecting an individual. *Quid pro quo* sexual harassment includes any attempts to extort sexual cooperation by means of threats (either subtle or explicit) of job-related consequences by someone with authority, usually a supervisor or manager. In cases of *quid pro quo* sexual harassment, the courts have held that the employer is strictly liable and responsible, even if the employer did not know that the harassment was occurring and even if the company had policy forbidding such behavior. A hostile environment is created when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment (U.S. Equal Employment Opportunity Commission, 1999).

So, in general, sexual harassment in the United States occurs when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or participation; (2) submission to, or rejection of such conduct, is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive working or educational environment.

At the European level, sexual harassment refers to a situation where unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, which violates the dignity of a person and creates an intimidating, hostile, degrading, humiliating or offensive environment (European Directive 2002/73/EC). The European Directive 2002/73/EC (Official Journal of the Euro-

pean Communities, 2002) defines sexual harassment as discrimination in EU law and is, therefore, prohibited in employment, access to employment, vocational training and promotion. The Recast Directive 2006/54/EC (Official Journal of the European Union, 2006)³ replaced the 2002/73/EC and encouraged Member States to address sexual harassment by taking effective measures to prevent this phenomenon. This Directive has also made it clear that harassment related to sex and sexual harassment are two separate concepts and forms of discrimination. It, therefore, identifies sexual harassment as discriminatory, similar to the U.S. concept, rather than a violation of one's dignity. However, what is reflected in the sexual harassment laws in 33 European countries is a double approach to the definition of sexual harassment, in which various countries' definitions include the words "with the purpose or effect of violating the dignity of a person". Both, the European Union (EU) and the Council of Europe (CoE) view sexual harassment as illegal behavior and The European Commission of the EU identifies three types of harassment: physical, verbal, and nonverbal sexual harassment (Official Journal of the European Communities, 2002; Official Journal of the European Union, 2006; UN WOMEN, n.d., Numhauser-Henning, Laulom, 2012).

Sexual harassment in tertiary institutions

Legislation/Policies of sexual harassment in tertiary institutions

Internationally, sexual harassment in tertiary institutions was ignored by law makers and others in authority. However, recently some countries are addressing this situation. In 2011, Pakistan, for example, in attempt to stop sexual harassment at education institutions, has decided to institute stiff measures by implementing the Protection against Harassment of Women at Workplace Act 2010 in 128 public sector Higher Educational Institutions (HEIs) across Pakistan. This was to ensure that students attending these institutions are not subjected to intimidating, offensive and hostile behaviors or be coerced by male lecturers to have sex in exchange for grades. However, by 2013, 80 percent of the universities had not implemented the anti-sexual harassment regulations, so the government threatened to withhold funds from

³ See more about both directives mentioned above in: Numhauser-Henning, Laulom, 2012.

such universities until they implement the policies (Education Pakistan, 2011). In 2012, France approved legislation that makes sexual harassment a crime and it covers sexual harassment in educational institutions. The violation of the new French law is punishable by up to three years in prison. South Korea is toughening its rules against sexual abuse after several well-publicized cases of sexual harassment have occurred in universities in Korea (The Star/Asia News Network, 2014). Australia has included schools, colleges and universities in its Sex and Age Discrimination Legislation Amendment Act 2011 (Australian Human Rights Commission, n.d.). In the United States, sexual harassment in education is an unwelcome behavior of a sexual nature that interferes with a student's ability to learn, study, work or participate in school activities. It is a form of discrimination under Title IX of the Education Amendments of 1972 (U.S. Equal Employment Opportunity Commission, 1999).

Nature and extent of sexual harassment in tertiary institutions

In their landmark book *The Lecherous Professor*, Dziech and Weiner, stated that sexual harassment occurs in institutions of higher learning because: "University living is male living on male terms, and women discover that one of the easiest ways to violate those terms is to raise troublesome issues that call attention to gender" (Dziech, Weiner, 1990: 151).

Leach (2013), in a recent study, reported that sexual harassment in education is higher in countries with weak educational systems, low levels of accountability, high levels of poverty, and gender inequality. Also, it is more prevalent in institutions where educators are poorly trained, underpaid, and severely undersourced (Beninger, 2013). According to Sharma (2013) sexual harassment in education includes: 1) inappropriate sexualized comments or gestures; 2) unwanted physical contact such as touching, pinching or groping through to threats of exam failure; or 3) sexual assault and rape. Sexual harassment, could, also include sexual favors in exchange for good grades or preferential treatment in class. The perpetrators can be students, lecturers, teachers or administrative staff.

a) Europe

Rademakers and associates (2008) found that sexual harassment was common in medical schools in the Netherlands. A study conducted by a Charles University research team reports that over three quarters of Czech university students have, at some point, been the victims of sexual harassment (Borufka, 2010). A study found that 50 per cent of students believe sexual harassment is prevalent on university campuses in the United Kingdom (Haidrani, 2013). Recently, the National Union of Students (NUS) indicated that sexual harassment and a “lad culture” exists on university campuses in the UK, with more than a third of women reporting being subjected to unwelcome advances in the form of touching, including inappropriate groping. The NUS defines the lad culture as consisting of behaviors and attitudes that belittle, humiliate, joke about or even seem to condone rape and sexual assault (Weale, 2014).

b) Middle East

Harassment is not only rampant on Egypt’s streets but is evident on university campuses (Lynch, 2013). A recent study conducted by the ‘I Saw Harassment’ documented cases of sexual harassment occurring on university campuses in Egypt, such as Cairo University and Assiut University. As a matter of fact, Cairo University has recently established the Anti-Harassment and Combating Violence against Women Unit and is headed by Cairo University President Gaber Nassarn (MENAFN – Daily News Egypt, 2015). In Lebanon, nearly 18 percent of 221 women surveyed from institutions, such as the American University of Beirut, University Antonine and Beirut Arab University were harassed by their professors. Although Tunisia is one of the most liberal Arab states, sexual harassment by professors is commonplace in Tunisia (Lynch, 2013). In Libya, the prevalence of sexual harassment varies between universities but is common nationwide. It is pervasive on the university campuses in Tripoli, and women – and men – are working against it (Lynch, 2013).

c) Africa

Norman, Aikins and Binka (2012) found that in Ghana, both, the traditional and contrapower forms of sexual harassment are prevalent in public universities and professional institutions. In Zimbabwe, students are sexually exploited by lecturers in many of the universities in that country (Dhlomo et al., 2012). Sexual harassment in these institutions is tolerated because most of the victims engage in transactional sex with male professors because of the economic pressure to afford university fees (Beninger, 2013). Norman, Aikins, and Binka (2013) reported that women are 61% more likely than men (39%) to be sexually harassed in medical schools in Ghana.

Owoaje and Olusola-Taiwo (2009-2010) found that the majority of female respondents (69.8%) had been sexually harassed by male classmates and lecturers in several tertiary institutions in Nigeria. Of these, 48.2% experienced physical sexual harassment, while 32.2% had requests to do something sexual in exchange for academic favors. Imonikhe, Idogho, and Aluede (2011), who conducted a study of 200 lecturers and 200 students of tertiary institutions in Edo state, reported that the majority of the respondents agreed that sexual harassment is prevalent in these institutions. They also found that "the range of sexual harassment reported by teachers and students in tertiary institution was extensive" (Aluede, 2011: 418). Likewise, Okeke (2011) found in her study on sexual harassment of women undergraduates in the Anambra State of Nigeria that 64 percent of the participants had been touched inappropriately by a faculty member, 71 percent had experienced inappropriate gestures directed to them and 80 percent had inappropriate jokes told in front of them. Omonijo and associates (2013) examined the prevalence of sexual harassment on three faith-based private universities in the Ogun-State, South-West Nigeria. Using recorded data, between 2008 and 2012 and results from a questionnaire with female students and members of staff, they found that the majority of female students experienced sexual harassment on campus, but many did not report it to the institutions. Taiwo, O. C. Omole, and O. E. Omole (2014) investigated the occurrence of sexual harassment and its psychological implication among students in five higher education Institutions in South West, Nigeria. Results from their sample of 2500 students revealed that 97 percent of the respondents were aware of incidences of sexual harassment and of these 98.8 percent were male lecturers sexually harassing female students. The respondents also reported that poverty (55%), provo-

cative dressing (20%), and lust from the male lecturers (12%) were the main reasons for sexual harassment in these institutions.

Mamaru, Getachew, and Mohammed (2015) conducted a study with 385 female participants from Jimma University in Ethiopia. They found that 78.2 percent of the respondents had experienced physical, 90.4 percent had experienced verbal, and 80 percent had experienced nonverbal form of sexual harassment, respectively. Other studies indicate that sexual harassment is common on other university campuses in Ethiopia (see: Shimekaw, Megabiaw, Alamrew, 2013; Tora, 2013). Female students in Zimbabwe's universities report that they are increasingly subjected to sexual harassment by their lecturers (Jamela, 2011). Other research studies on different educational institutions of higher learning in many African countries revealed that sexual harassment by male faculty, staff, and students included degrading verbal remarks, unwanted touching, and other types of gender-based violence (Ade-dokun, 2004; Abati, 2006).

d) Asia and Australia

In Asia, cultural taboos surrounding sexual behaviors make it difficult to obtain evidence of sexual harassment in educational institutions. However, a recent report indicates that South Korea is faced with several sexual harassment scandals. A math professor, from Seoul National University, was accused of groping several female students. In another scandal, a professor from Chung-Ang University was suspected of molesting multiple female students and allowed to continue to teach in the institution. Other universities were criticized for accepting resignations from professors, who were accused of sexual harassment, without proper investigations and holding them liable for their wrong doings (The Star/Asia News, 2014). A study in Bangladesh found that 76 per cent of female students of higher education institutions face sexual harassment within or outside campus (The Daily Star, 2012). Other research shows that in India, Bangladesh and Nepal teachers are sexually harassing and even raping students (Sharma, 2013).

Sexual harassment of female students has taken place in both the private and public universities in Pakistan. Reports indicate, for example, that at the University of Peshawar senior teachers and heads of various departments were involved in sexual harassment of their female students (Ali, 2011). There are, also, the allegations that female students and junior female employees

were sexually exploited by faculty and administration at the International Islamic University, Islamabad (Dempsey, 2012). Recently, a student at the Quaid-i-Azam University, Islamabad, accused a professor of sexually harassing her when she visited his office for rectifying a mistake he had made in her marks sheet (Junaidi, 2014).

A recent survey by the National Union of Students has found that one in 10 female students have experienced sexual violence at an Australian university. Of these, more than a third of them reported having been sexually harassed at a university in Australia (Mackintosh, 2011). It appears that it is socially acceptable to be disrespectful to females in tertiary institutions discussed above.

Effects of sexual harassment

In their study of Jimma University female students in Ethiopia in 2014, Mamaru, Getachew, and Mohammed (2015) found that female students who were physically and nonverbally harassed suffered from psychological distress. Julie (2013) reported that sexual harassment has a significant psychological effect on the academic performance of female students. Norman, Aikins, and Binka (2012), in their study found that sexual harassment negatively affected the victim's health. Their respondents suffered psychological trauma, depression, anxiety, and loss of trust. According to Kheswa (2014), female victims of sexual harassment at universities in Africa suffer from PTSD, neuroticism, and are most likely to contract HIV and other sexually transmitted infections. Victims of sexual harassment may also develop intense anxiety, become melancholic, and exhibit irrational behaviors (Bennett et al., 2007; Nolen-Hoeksema, 2008). It is, also, not uncommon for the victims of sexual harassment to experience feeling of anger, as anger, sorrow, and embarrassment (Durmus, 2013). They also suffer from fear and trauma (Taiwo, O. C. Omole, O. E. Omole, 2014)

Sexual harassment can have a devastating impact on the education of the victims of sexual harassment. Quicoe-Duco (2010) has reported that the academic performance of the victims suffers because they find it very difficult to concentrate on their academic pursuits. This has resulted in victims' low participation to avoid unwanted attention from teachers. A study in Kenya shows that the females who experienced sexual harassment developed a

careless attitude in class and no longer took their work seriously and became undisciplined (Abuya et al., 2012). According to Okeke "A persistently hostile learning environment increases students' loss of focus in their study and contributes to a distaste for learning, which results in less involvement in academic and social activities" (Okeke, 2011: 47).

Reporting of sexual harassment

There is considerable underreporting of sexual harassment in colleges and universities. The educational institution is an arena characterized by asymmetrical power relations and a gendered hierarchical structure. The imbalance of power between students, especially female students, and male teachers/professors in position of trust and authority contributes to the high rate of underreporting of this phenomenon. Because of this lack of trust, the victims are reluctant to report their victimization (Julie, 2013).

A survey in South Korean universities found that 65 percent of the victims did not report their victimization mainly because they were afraid of future victimization which could include being blamed for the incident(s), stigmatization or ridicule. In addition, in South Korea, one of the main reasons why the female victims fail to report their victimization is that the universities mandate that the victims submit their names, phone number, and details of the abuse when they file a report. Consequently, many students refrain from reporting their victimization (The Star/Asia News, 2014).

Some victims are also reluctant to report their abuse because they believe that no action will be taken against the perpetrator if they report incidents, because many of the perpetrators are not punished, especially in undeveloped countries (Leach, 2013). In Zimbabwe, most students do not report their victimization because perpetrators are not disciplined for sexual harassment (Jamela, 2011). Many do not report their victimization because some of the male perpetrators blame female students for dressing or behaving provocatively (Leach, 2013). However, a study conducted by Omonijo and associates (2013) found that 85% of the perpetrators who were caught lost their job and the others were suspended.

Addressing sexual harassment in tertiary institutions

Effectiveness of policies

In the United States, colleges and universities have been stiffing their policies in light of the fact that three years ago, the U.S. Department of Education stipulated what the institutions' responsibilities are in responding to sexual assault and sexual harassment. Under Title IX of the Education Amendments of 1972, the federal law prohibits sex discrimination at institutions that receive federal funds and requires colleges to investigate and resolve reports of sexual misconduct whether or not the police are involved. Despite these efforts, sexual harassment and interactions between professors and students are still prevalent on college and university campuses in the United States (Wilson, 2014).

The policies that are established by colleges and universities need to be implemented in order to be effective. Joubert, van Wyk and Rothmann (2011) found, in their study of higher education institutions in South Africa, that the implementation of the sexual harassment policies in South African universities were ineffective, because very few academic staff members received training and any guidance on how the policies should be utilized. Jones, Boocock, and Sem (2013) conducted a survey to test the accessibility by which a student, who thinks that she was sexually harassed, could access information about policies and support services available to them. The researchers found that the "New Zealand universities provide a poor level of information and support for students who think they may have been subject to sexual harassment" (Jones, Boocock, Sem, 2013: 44). They recommended that universities in New Zealand place greater emphasis on the content and presentation of their policies and service information online so that students can have easy access to this information. They stated that "high visibility and easy accessibility should be the guiding principles of information provision for victims but it is also critical to ensure that the process and the bodies or individuals available to assist students are clearly identified" (Jones, Boocock, Sem, 2013: 45).

Any attempt by colleges and universities to address the issue of sexual harassment must take a holistic approach to the problem. This would require more than a general policy of sexual harassment program, but it would require the efforts and support of the campus administration, faculty, employees, and students and the continual training of all members of the campus community, as well as a procedure that encourage, not merely allows, complaints.

To deal effectively with sexual harassment of students on college campuses (as well as the sexual harassment of faculty and non-faculty employees), colleges and universities should have a zero-tolerance policy toward sexual harassment. They must establish a clear policy that should include the legal definition of sexual harassment, behaviors that constitute sexual harassment, statement of campus's responsibility in investigating complaints, statement of individual's responsibility for reporting sexual harassment, statement concerning false complaints, and identification of individual(s) responsible for hearing complaints (Paludi, 1996; Paludi, Barickman, 1998). The policy statement should be reissued each year by the college president and displayed prominently throughout the campus. In addition, the policy statement must be published in employee, faculty, and student handbooks. Colleges and universities should also conduct training sessions on sexual harassment for faculty, staff, and students. These training sessions should be mandatory and held annually and have the active support and participation of the administration. Effective training programs send a clear message to all individuals that the sexual harassment policy must be taken seriously and that sexual harassment will not be tolerated by the campus administrators. Finally, tertiary institutions should enforce their policies if they are to be effective in eliminating sexual harassment.

Conclusion

Sexual harassment is a recurring phenomenon in tertiary institutions and for many years colleges and universities have been confronted with the problem of sexual harassment of students by faculty members. The main reason for the continual perpetuation of sexual harassment is the existence of weak mechanisms and redress in these institutions.

Sexual harassment undermines the integrity of the academic environment. It is a discriminatory practice that needs to be addressed. It is also a problem that is underreported and underresearched. The effects of sexual harassment on the victims are profound. The challenge for all tertiary institution is to prevent sexual harassment rather than manage it. These institutions need to carefully define sexual harassment, provide explicit grievance policies, training for students, faculty and staff, create accessible mechanisms to report cases of sexual harassment, and effectively respond to incidences of sexual harassment, and punish perpetrators who are guilty of sexual harassment.

References

- Abati, R. (2006, April 16) Domestic Violence in Nigeria. *Guardian*, pp. 13.
- Abuya, B. A., Onsomu, E. O., Moore, D., Sagwe, J. (2012) A Phenomenological Study of Sexual Harassment and Violence Among Girls Attending High Schools in Urban Slums, Nairobi, Kenya. *Journal of School Violence*, 4, pp. 323-344.
- Adedokun, O. (2004) Sexual Harassment in Nigerian Educational Settings: Preliminary Notes from qualitative Lagos State University. *Sexuality in Africa Magazine*, pp. 11-12.
- Beninger, C. (2013) Combating Sexual Harassment in Schools in Sub-Saharan Africa: Legal Strategies Under Regional and International Human Rights Law. *African Human Rights Law Journal*, 13, pp. 281-301.
- Bennett, J., Gouws, A., Kritzing, A., Hames, M., Tidimane, C. (2007). 'Gender is Over': Researching the Implementation of Sexual Harassment Policies in Southern African Higher Education. *Feminist Africa*, 8, pp. 83-104.
- Betts, N.D., Newman, G.C. (1982) Defining the Issue: Sexual Harassment in College and University life. *Contemporary Education*, 54, pp. 48-52.
- Dhlomo, T., Mugweni, R.M., Shoniwa, G., Maunganidze, L., Sodi, T. (2012) Perceived Sexual Harassment among Female Students at a Zimbabwean Institution of Higher Learning. *Journal of Psychology in Africa*, 2, pp. 269-272.
- Durmus, E. (2013) Sexual Harassment: University Students' Perceptions and Reactions. *Inonu University Journal of the Faculty of Education*, 1, pp. 15-30.
- Dziech, B., Weiner, L. (1990) *The Lecherous Professor: Sexual harassment on campus*. Chicago IL: University of Illinois Press.
- Farley, L. (1978) *Sexual Shakedown: The Sexual Harassment of Women on the Job*. New York: McGraw-Hill.
- Fitzgerald, L.F. (1990) Sexual Harassment: The Definition and Measurement of a Construct. In: M. Paludi (ed.) *Ivory Tower: Sexual Harassment on Campus*. Albany, NY: State University of New York, pp. 21-44.
- Gruber, J.E. (1992) A Typology of Personal and Environmental Sexual Harassment: Research and Policy Implications for the 1990s. *Sex Roles*, 11/12, pp. 447-464.
- Imonikhe, J., Idogho, P., Aluede, O (2011) A Survey of Teachers' and Students' Perception of Sexual Harassment in Tertiary Institutions of Edo State, Nigeria. *African Research Review*, 5, pp. 412-423.

- Jones, S.S., Boocock, K., Underhill-Sem, Y. (2013) ,[PDF] beinghaRasseD?'Accessing Information about Sexual Harassment in New Zealand's Universities. *Women's Studies Journal*, 1, pp. 36-48.
- Joubert, P., van Wyk, C., Rothmann S. (2011) The Effectiveness of Sexual Harassment Policies and Procedures at Higher Education Institutions in South Africa. *SA Journal of Human Resource Management/ SA Tydskrif vir Menslikehulpbronbestuur*, 1, pp. 1-10.
- Julie, A. (2013) Sexism and Sexual Harassment in Tertiary Institutions. *Gender & Behaviour*, 1, pp. 5237-5243.
- Kheswa, J. G. (2014) Exploring the Causal Factors and the Effects of Sexual Harassment on Female Students at the Universities in Africa: An overview. *Mediterranean Journal of Social Sciences*, 20, pp. 2847- 2852.
- LaFontaine, E., Tredeau, L. (1986) The Frequency, Sources and Correlates of Sexual Harassment among Women in Traditional Male Occupations. *Sex Roles*, 15, pp. 423-432.
- Leach, F. (2013) Corruption as Abuse of Power: Sexual Violence in Educational Institutions. In: G. Sweeney, K. Despota, S. Lindner (EOS). *Transparency International, Global Corruption Report: Education*. Abingdon, Oxon: Routledge, pp. 88-98.
- Mamaru, A., Getachew, K., Mohammed, Y. (2015) Prevalence of Physical, Verbal and Nonverbal Sexual Harassments and Their Association with Psychological Distress among Jimma University Female Students: A Cross-Sectional Study. *Ethiopian Journal of Health Sciences*, 1, pp. 29-38.
- Nolen- Hoeksema, S. (2008) *Abnormal Psychology: Media and Research Update* (4th ed.). Burr Ridge: McGraw-Hill Higher Education.
- Norman, I.D., Aikins, M., Binka, F.N. (2012) Faith-Based Organizations: Sexual Harassment and Health in Accra-Tema Metropolis. *Sexuality & Culture*, 1, pp. 100-112.
- Norman, I.D., Aikins, M., Binka, F.N. (2013) Sexual Harassment in Public Medical Schools in Ghana. *Ghana Medical Journal*, 3, pp. 128-136.
- Omonijo, D.O., Uche, O.C.O., Nwadiafor , K.L., Rotimi, O.A. (2013) A Study of Sexual Harassment in Three Selected Private Faith-Based Universities, Ogun-State, South-West Nigeria. *Open Journal of Social Science Research*, 9, pp. 250-263.
- Owoaje, E.T, Olusola-Taiwo, O. (2009-2010) Sexual Harassment Experiences of Female Graduates of Nigerian Tertiary Institutions. *International Quarterly of Community Health Education*, 4, pp. 337-348
- Paludi, M.A. (Ed.). (1996) *Sexual Harassment on College Campuses: Abusing the Ivory Power*. Albany, New York: State University of New York.

Paludi, M.A., Barickman, R. B. (1998) *Sexual Harassment, Work, and Education: A Resource Manual for Prevention*. Albany, New York: State University of New York.

Rademakers, J.J., van den Muijsenbergh, M.E., Slappendel, G., Lagro-Janssen, A.L.M., Borleffs, J.C.C. (2008) Sexual Harassment during Clinical Clerkships in Dutch Medical Schools. *Medical Education*, 5, pp. 452–458.

Shimekaw, B., Megabiaw, B., Alamrew, Z. (2013) Prevalence and Associated Factors of Sexual Violence Among Private College Female Students in Bahir Dar city, North Western Ethiopia. *Health*, 6, pp. 1069-1075.

Taiwo M. O., Omole O. C., Omole O. E. (2014) Sexual Harassment and Psychological Consequence Among Students in Higher Education Institution in Osun State, Nigeria. *International Journal of Applied Psychology*, 1, pp. 13-18.

Till, F.J. (1980) *Sexual Harassment: A Report on the Sexual Harassment of Students*. Washington, DC: National Advisory Council on Women's Educational Programs.

Tora, A. (2013) Assessment of Sexual Violence against Female Students in Wolaita Sodo University, Southern Ethiopia. *Journal of Interpersonal Violence*, 11, pp. 2351–2367.

Webb, S. (1998) *Step Forward: Sexual Harassment in the Workplace: What You Need to know!* New York: MasterMedia.

Wilson, R. (2014) Three Sex-Harassment Cases in Philosophy Departments Show That No Matter How Colleges Respond, No One Is Happy. *Chronicle of Higher Education*, 35, pp. A20-A24.

Working Women United Institute. (1978) *Sexual Harassment on the Job: Questions and Answers*. New York: Working Women United Institute.

Internet Sources

Ali, M. (2011) Sexual Harassment: University of Peshawar Suspends Lecturer. *The Express Tribune*. Available at: <http://tribune.com.pk/story/170748/sexual-harassment-university-of-peshawar-suspends-lecturer/>, page accessed February 24, 2015.

Australia Human Rights Commission. (n.d.) *Sexual harassment in education*. Available at: <https://www.humanrights.gov.au/sexual-harassment-education>, page accessed February 15, 2015.

Borufka, S. (2010) Czech Republic - Study Finds High Levels of Sexual Harassment at Czech Universities. Available at: http://www.wunrn.com/news/2010/02_10/02_22_10/022210_czech.htm, page accessed June 25, 2013.

Cobb, Ellen Pinkos (2014) Sexual Harassment Law Evolving Globally. Available at: <http://www.shrm.org/hrdisciplines/global/articles/pages/sexual-harassment-law-global.aspx>, page accessed June 24, 2015.

Dempsey, E. (2012) Sexual Exploitation and Rape Reported in Pakistani University. Available at: <http://www.digitaljournal.com/article/319436>, page accessed May 25, 2014.

Education Pakistan (2011) Higher Education Commission Stopping Sexual Harassment at Edu Institutions. Available at: <http://pakedu.net/pakistani-education-news/higher-education-commission-stopping-sexual-harassment-at-edu-institutions/>, page accessed September 13, 2013.

European Parliament (2000) The Charter of Fundamental Rights of the European Union. Available at: http://www.europarl.europa.eu/charter/default_en.htm, page accessed June 2, 2015.

Haidrani, L. (2013) We Must do More to Fight Sexual Harassment at University. The *Independent*. Available at: <http://www.independent.co.uk/student/student-life/we-must-do-more-to-fight-sexual-harassment-at-university-8556855.html>, page accessed July 10, 2013.

International Labour Organization. (2012) C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Convention concerning Discrimination in Respect of Employment and Occupation (Entry into force: 15 Jun 1960) Adoption: Geneva, 42nd ILC session (25 Jun 1958) - Status: Up-to-date instrument (Fundamental Convention). Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312256:NO, page accessed June 2, 2015.

Jamela, C. (2011) Zimbabwe - Sexual Harassment in Higher Education. Available at: http://www.wunrn.com/news/2011/05_11/05_16/051611_zimbabwe.htm, page accessed January 11, 2015.

Junaidi, I. (2014) Sexual Harassment Allegations Rock Quaid-i-Azam University Again. Available at: <http://www.dawn.com/news/1115223>, page accessed January 20, 2015.

Lynch, S. (2013) The Fight against Sexual Harassment on Arab Campuses. Available at: <http://chronicle.com/article/The-Fight-Against-Sexual/139465/>, page accessed January 15, 2015.

Mackintosh, E. (2011) Sexual Assault, Harassment Plague Female University Students. Available at: <http://www.crikey.com.au/2011/03/24/s-xual-assault-harassment-plague-female-university-students/>, page accessed February 3, 2015.

MENAFN - Daily News Egypt (2015) Egypt-Sexual harassment in University Campuses ,Endemic': I Saw Harassment. Available at: <http://menafn.com/1094193492/Egypt->

Sexual-harassment-in-university-campuses-endemic-I-Saw-Harassment, page accessed April 30, 2015.

Numhauser-Henning, A., Laulom, S. (2012) *Harassment Related to Sex and Sexual Harassment Law in 33 European Countries: Discrimination Versus Dignity*. European Network of Legal Experts in the Field of Gender Equality. Available at: http://ec.europa.eu/justice/gender-equality/files/your_rights/final_harassement_en.pdf, page accessed June 25, 2014.

Official Journal of the European Communities (2002) Directive 2002/73/ec of the European Parliament and of the Council of 23 September 2002. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:269:0015:0020:EN:PDF>, page accessed June 24, 2015.

Official Journal of the European Union (2006) Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0054>, page accessed June 24, 2015.

Okeke, C.M.A (2011) Impact of Sexual Harassment on Women Undergraduates' Educational Experience in Anambra State of Nigeria. Seton Hall University Dissertations and Theses (ETDs), paper 6. Available at: <http://scholarship.shu.edu/cgi/viewcontent.cgi?article=1005&context=dissertations>, page accessed March 10, 2015.

Quaicoe-Duho, R. (2010) Sexual Harassment in Tertiary Institutions - A-Myth-Reality. *Daily Graphic*. Available at: <http://pathwaysghana.blogspot.com/2010/02/sexual-harassment-in-tertiary.html>, page accessed March 3, 2015.

Sharma, Y. (2013) Harassment, Sexual Abuse Corrupts Education Worldwide. *University World News*. Available at: <http://www.universityworldnews.com/article.php?story=20131001155054992>, page accessed November 18, 2013.

The Advocates for Human Rights (2010) Stop Violence Against Women: Civil Law. Available at: http://www.stopvaw.org/civil_law.html, page accessed June 24, 2015.

The Daily Star (2012) 76% Female Students Face Sexual Harassment in Bangladesh: Study. Available at: <http://www.asianewsnet.net/news-37398.html>, page accessed October 22, 2013.

The Star/Asia News Network (2014) *Universities in South Korea Toughening Rules Against Sexual Harassment Amid Scandals*. Available at: <http://www.straitstimes.com/news/asia/east-asia/story/universities-south-korea-toughening-rules-against-sexual-harassment-amid-s>, page accessed January 17, 2015.

UN WOMEN (n.d.) Sources of International Law Related to Sexual Harassment. Available at: <http://www.endvawnow.org/en/articles/492-sources-of-international-law-related-to-sexual-harassment.html>, page accessed June 24, 2015.

UN WOMEN (n.d.) Placement of Sexual Harassment Laws in National Legislation. Available at: <http://www.endvawnow.org/en/articles/493-placement-of-sexual-harassment-laws-in-national-legislation.html?next=494>, page accessed June 24, 2015.

United Nations. (1993) Declaration on the Elimination of Violence against Women. Available at: <http://www.un.org/documents/ga/res/48/a48r104.htm>, page accessed June 2, 2015.

U.S. Equal Employment Opportunity Commission (1999) Sexual harassment. Available at: http://www.eeoc.gov/laws/types/sexual_harassment.cfm, page accessed January 23, 2015.

Weale, S. (2014) Sexual Harassment Rife at UK Universities. *The Guardian*. Available at: <http://www.theguardian.com/education/2014/sep/15/sexual-harassment-rife-universities-nus-survey>, page accessed March 15, 2015.

JANICE JOSEPH

Seksualno uznemiravanje u visokoškolskim ustanovama: komparativna perspektiva

Seksualno uznemiravanje u visokoškolskim ustanovama nije nov fenomen. Ova pojava zaokuplja značajnu pažnju istraživača, ali izaziva i veliko interesovanje medija i šire javnosti. Međutim, različite države koriste različite definicije seksualnog uznemiravanja, pa se pojam seksualno uznemiravanje ne koristi svugde na isti način. To ima za posledicu razlike u pogledu prevalencije seksualnog uznemiravanja u obrazovnom sistemu između različitih kultura. U radu je seksualno uznemiravanje analizirano iz komparativne perspektive. Poseban akcenat dat je terminološkom određenju pojma seksualno uznemiravanje, incidenciji seksualnog uznemiravanja studenata u visokoškolskim ustanovama, posledicama koje seksualno uznemiravanje ostavlja na žrtve i odgovorima žrtava na seksualno uznemiravanje. U radu su, takođe, dati predlozi za suzbijanje seksualnog uznemiravanja u ovim ustanovama.

Ključne reči: koledž, nasilje nad ženama, seksualno uznemiravanje, žrtve ženskog pola, obrazovanje.