Tackling sexual violence in Higher Education. Reflections and learnings from Basque Country

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Introduction

The persistence and reproduction of sexual violence in our societies is one of the great challenges that we must face in the search for social justice. On the basis of the experience backed by the Universities Supporting Victims of Sexual Violence (USVreact)[1] project at the University of the Basque Country, in this article we reflect on how to tackle sexual violence situations in the university sphere. This text attempts to contribute to thinking and experiencing university campuses as spaces for social transformation, in which inequalities and the lack of fairness have as little impact as possible upon students and staff alike.

The USVSV Project

Gender related violence[2] constitutes a social and human rights problem which involves society as a whole. The new millennium has implied a qualitative change in public efforts within the member states of the European Union in the struggle against this violence. Their institutions have financed different programmes within an interpretative framework of gender inequality (Bustelo and Lombardo 2009). The root of this violence has been conceptualized in terms of gendered inequality, underscoring the significance of the problem: gender binarism, male domination and heterosexist socialisation. In this framework of interpretation and, above all, in the struggle against the violence, sensitisation, raising awareness, education and prevention are understood as priorities in the work to be done. This project is rooted in that context.

Academic literature on gender related violence (GRV) has shown that this violence affects women and other non-normative subjects of all ages, cultures, social classes and educational levels, and that the contexts in which it is produced are many and varied (Segato 2016; Esteban and Amurrio 2010; Osborne 2009). The university context is also one of them. Much research has already been carried out amongst the university population and within the

university sphere itself which demonstrates that rates of sexual assaults and gender related violence situations are very worrying (Anderson 2016; Bodelon et al. 2012; Legido-Marín 2010; Valls et al. 2009). However, both in Spain and in other countries in the European Union, support services for students in these situations are little known and very limited. The lack of clear institutional procedures which deal with the appropriate support typically creates a secondary level of victimisation amongst people affected by this violence.

The USVSV project is a two-year-long intervention and research programme, initiated in March 2016 and finalised in February 2018, whose main objective is to develop useful training resources that have a positive impact in preventing and tackling sexual violence in university settings. As such, specific educational materials have been developed and teaching and administrative staff has been trained (as first responders) in order to offer immediate attention to anyone who may have suffered such violence; people that serve as support and who can make sure that those who have suffered this violence are treated with respect, dignity and sensitivity towards their specific needs, as well as facilitating them with access to legal support should they want it. These training programmes have been implemented in every university that has participated in this project, specifically in 13 institutions in 6 European countries: Brunel University London, the University of Sussex and the University of York (Great Britain); Universitat Rovira i Virgili, Universidad del País Vasco/Euskal Herriko Unibertsitatea and CEPS Projectes Socials (the Spanish state); UNITO (Italy); and Panteion University (Greece), together with another seven associate partners.

This project can be considered as educational research-action that, taking as its starting point the interpretative-diagnostic framework of gender, has centred on that violence which derives from processes of differentiated and unequal sexualisation and, therefore, has been referred to as Sexual Violence. In order to understand the form in which this has been addressed in the university sphere, some prior explanation is necessary of why the concept of "Gender Related Violence" (GRV) has been chosen as an alternative to "Gender Based Violence" (GBV), given that the latter, in certain contexts like that of the Spanish state and by virtue of a 2004 statutory law, has witnessed its explanatory potential limited on too many occasions. Too often, our understanding of the violent expressions that gender oppression provokes has been reduced to some specific forms of violence, those which are very explicit, physical and located in the situation of partner relationships. The text of the abovementioned law includes mostly measures with regard to those forms of violence, ignoring many others. The GRV concept allows for broadening the gaze with regard to the different types of violence that the gender structure, based on an unquestionable binarism and inequality, provokes: forms of violence against women that do not occur between partners or those that do not originate in

specific people and which can be understood as institutional or institutionalised violence. It also incorporates an understanding of the sex-gender system in relation to the heterosexual model and the exclusions that implies, pays attention to the imposition of gender in itself as a form of violence in the shape of transphobia and other discriminations to people who are not included in the established gender models. Likewise, it suggests a perspective which does not separate gender from sexuality (Coll-Planas 2010) and which, in turn, interrelates the different power structures that run through the totality of social life (Platero Méndez 2012).

However, the project has had to confront one issue right from the start: the different contexts in which it is situated. In the British universities (which lead the project) there is a context of social awareness with regard to sexual violence in the university setting, particularly rape, which has generated a lot of mass media attention and eventually led to a climate approximating social alarm[3]: measures to be taken are discussed and most of them lay in the punitive realm. This situation, which in the Spanish state is starting to emerge with the appearance of reports and interviews in the media, is in great measure the driving force of the training models implemented in the UK before the project, which have been mostly focused on transmitting practical knowledge about how to react in the face of potential situations of sexual violence that happen on campus rather than thinking sexual violence as a situated and structural issue.

It is, then, within this framework that the training has been designed and developed, aimed at people in different collectives in the university community. This programme attempts to raise awareness, help to identify and understand the different expressions of sexual violence in our contexts, as well as to provide the practical tools with which to reflect on and act responsibly both when it comes to reacting to and preventing the problem. The training is structured in four parts:

1. In part one the objective is to understand how sexual violence in the university setting is perceived and identified. Fictitious cases are used as a starting point for debate and group reflection. Thereafter, a guided debate takes place in which special attention is paid to the elements of power present in the cases analysed.

2. In part two an attempt is made to understand, frame and define sexual violence (SV). Following on from the debates in part one, we go more deeply into analysing the structural elements involved in SV and the interaction amongst them. Concepts such as intersectionality, gender, sexual identity and gender expression are presented, using an understandable language and based on the cases and debates in part one.

3. In part three we address the reaction to cases of SV at university. It is a question of encouraging a reaction which considers both perception and listening, concern[4], accompaniment and evaluation. Theatre forum and active listening techniques, amongst others, are used.

4. In part four tools, services and strategies are presented for an appropriate first response/action for people who have experienced some kind of sexual aggression at university.

This has been the baseline for our intervention with staff in our universities. The process of designing and implementing this intervention through training has been the basis for a series of findings that we briefly introduce in the next section.

Learnings and Reflections

Discussion has been arranged around three elements –diagnostics and studies first, then training and then protocols—which we take to be key both when it comes to reflecting on the scope of the project in which we have taken part, and as a means of thinking about and designing future research and interventions related to the impact of sexual violence in the university setting.

Diagnostics and Studies

In contrast to the case of other geographical contexts, such as that of the English-speaking world (Anderson 2016; Phipps et al. 2017; Sundaram and Jackson 2018), there is not a lot of research on sexual violence at universities in the Spanish state. In any event, this lack of research is not just limited to the university environment, but in fact can be extrapolated to other realms of social life. It should be pointed out, nevertheless, that there is a growing interest in this topic, an interest which is beginning to be reflected empirically both off (Toledo and Pineda 2016; Bows 2017) and on university campuses (Ferrer and Bosch 2014; Legido-Marín and Sierra 2010; Bodelon, Igareda and Casas 2012).

As regards research on the academic sphere, most studies analyse gender-related violence in general (Bardina and Murillo 2013) or specific behaviours (Ferrer and Bosch 2014; Bodelon, Igareda and Casas 2012). Many of these studies are limited to one (or some) universities and, generally speaking, centre on female students.

As a matter of fact, this lack of references is one of the reasons that led us to implementing a survey on the perception and rate of sexual violence amongst students at the UPV/EHU[4].

Now is not the time to stop and go into a detailed explanation of the minutiae of the survey, but it does make sense to share some reflections based both on our own experience and on a review of the literature within the state academic environment.

One of the first limitations detected is that the legal perspective permeates the designing of data collection tools (Toledo and Pineda 2016). Thus, on many occasions questionnaires include queries of the "has it ever happened to you?"/"do you have first-hand experience of this or that?" variety, questions which do not offer any information relevant to the impact of these experiences on people continuing with their everyday lives. As Patsili Toledo Vásquez suggests[5], the framing of such questions should be rethought in such a way that we can gather the differential impact which the existence of sexual violence, including even unrealised threats, has on the behaviours of women and men.

This leads us directly to rethink the relationship between the way in which we understand sexual violence. As we have already noted we work with an open definition, and this may lead to the self-declaration of men as subjects who suffer sexual violence, in some cases even in higher rates than women (Luxán 2017; Azpiazu 2017). This type of data corroborates the fact that the questionnaire used is not suitable in order to understand what is happening exactly but that, nevertheless, offers many clues about the way in which this type of violence is perceived and, therefore, about how we should approach both the analysis of such violence and the different collectives which make up the university population.

As regards the approach, the analysis of the perception and impact of sexual violence within the university environment demands a combined methodological strategy, in which qualitative and quantitative methods come together. Moreover, work should be done on designing some questionnaires which are capable of measuring the impact that sexual violence has in the organization of everyday life of the people who converge on the campuses.

As regards the communities, we would like to make a note of two questions. First, the need to implicate the student community networks both in the design and in the launch of research-action interventions, projects and even diagnoses. There are active feminist and LGTBQ groups at many universities (for example, at the UPV/EHU) which, as well as having relevant information about what is going on in the classrooms and the corridors, can act as bridges and facilitate communication between the institution and the student body[6].

Second, we would point out that it is essential to understand that sexual violence does not just have an impact on students, but that it affects the university community as a whole and that, therefore, any diagnosis and/or intervention will have to take into account the existence of

different collectives within the university, together with the singularities of intra- and inter-collective relations. As is the case within the student body, the way we approach people employed at the university will determine the scope of the research and/or possible intervention. We therefore understand that is vital to make contact with the associations and unions employees are involved, as it is with the permanent structures that deal with gender and sexuality topics in each university, if any.

To finish, we would like to reflect on what role diagnoses and studies on the perception and impact of sexual violence in the universality environment should play. As we have pointed out, we understand that often such exercises, more than revealing an exact picture of what is happening, demonstrate the routes and strategies to take to prevent, detect and accompany situations provoked by sexual violence in the universality environment. And this should be, in our opinion, their objective. In other words, we contend that it is not so important to know how many times a certain behaviour takes place as it is to know what to do when it does take place, which doors we can knock on, to whom/which structure we can turn to and, above all, how we can prevent the impact of sexual violence at universities.

Training

The USVreact project insists on the importance of the training element as a form of prevention and intervention regarding sexual violence in university settings. In our case, we carried out eight-hour programmes, aimed at the faculty and administrative staff at the university. During these sessions, the instructors took turns in the task of collecting data in the form of observations and diaries and, later, they interviewed some assistants. Most of the ideas raised here derive from these data.

Bearing in mind the abovementioned differences amongst the participating universities (Alldred and Phipps, 2017), we opted for a training model based on the reality of our most immediate surroundings, namely, that sexual violence at our universities is, in general, invisible and there is still no debate about this. In fact, the analysis of the participants' prior motivations confirms this dual tendency. Thus, some women participants assert that they are happy to take part in a course that "finally" gives some time to this topic and others seem more sceptical, or need to conform that sexual violence happens at our universities.

Our model, elaborated together with USVreact colleagues at the URV, proposes a safe but controlled space in which to be able to open up the debate on specific forms that sexual violence takes in our university environment. Thus, advice on how to react in the first instance when faced with a specific case or what resources to use in the event of needing

them occupied a secondary position. We do also clearly pay attention to these elements, but only after extensive reflexive work on other elements such as what are now multiple forms of violence, a critique of the structural systems which make them possible and a profound analysis which might overcome the dynamics of victimisation and pathologisation of the aggressions, and which shifts the focus and the responsibility for change to the whole university community. Our effort has centred, therefore, on making visible those structures of power base on patriarchy, racism and classism, amongst other things, in order to locate and understand violence at the universities at the heart of that structural framework.

However, increasingly bureaucratised contexts that centre on individual attention for the victims encourage a culture in which policies are aimed more at the affirmative and less at the transformative (Fraser and Butler 2017), which does not necessarily imply the most effective form of stopping the violence. We believe that this is the reason why, in spite of the fact that our proposal was in general received well and many participants expressed their gratitude for the existence of that space of open and radical reflection, we also received suggestions and requests to go more deeply into specific responses, guidelines to follow and procedures. In fact, the best evaluated bloc in the training was that dedicated to the competences of active listening and first response. Many of the participants on the course stated that they were uncomfortable and even shocked by "not knowing what to do" faced with a case of SV and they wanted the training to cover that need. The search for formulas, although understandable, is likewise indicative of the fact that sexual violence continues to be understood as something that can be reduced to the individual level and "manageable". We consider this tendency to have its roots in the difficulty of university institutions to question their own foundations.

Amongst the people who participated in the training we observed, likewise, some elements of resistance towards our approaches that may be related to this tendency towards the individualisation and pathologisation of the violence. During exercises dedicated to identifying different forms of violence, we observed a positive tendency to identifying diverse forms of violence beyond physical sexual violence exerted through coercion (rape). Most of the participants opted for a model of understanding that could reveal different forms of violence, and not just the most visible or obvious ones. Nonetheless, most of the resistance was expressed in the theoretical terrain when it came to establishing an critical feminist take as a method of analysing power relations that facilitate violence. Much of this resistence was expressed in the form of relativisation ("a woman can also abuse a man") or individualisation ("depending on which people, it's different"). We also came across difficulties when it came to understanding the intersectional framework, in which relations amongst different axes of

power were often understood as discriminatory ("at that moment she isn't a woman, but a grantee") or hierarchized ("her sexual option is more important than her gender") (McCall 2005).

To sum up, a rise in awareness and interest in sexual violence does not necessarily imply that a critical approach is accepted in educational settings. Therefore, the effort made by our project to consider sexual violence in its structural context still needs further development.

Protocols

Throughout the training sessions one of the main preoccupations of the assistants was, without any doubt, protocols by which to act. In recent years many Spanish universities and other institutions have been provided with protocols which regulate the procedures to be followed in cases of sexual violence. In spite of evaluating the existence of such protocols positively –currently we are participating actively in elaborating a new protocol for the UPV/EHU—we consider it important to point out certain limitations and dangers that we detected in the analytical phase of the project.

As Toledo y Pineda (2016) have indicated, the framework in which to understand sexual violence is still very centred on the legal vision, which has consequences when it comes to university protocols: these are still drawn up from a punitive paradigm based on punishment for a specific act, with a beginning, end and demonstrable consequences. In effect, many protocols expect verification mechanisms for the facts (through investigating commissions or committees), given that the presumption of innocence is considered a central element and proving the facts indispensable for any action. However, many of them do not mention the difficulty of demonstrating effectively many forms of gender-related violence and only a few of them (like for example that at the University of Granada) imbue expressions of violence with a dynamic changing character. Most indicate a series of punishable behaviours and, therefore, propose measures to stop the situation and/or make up for it, but not to have any impact on the structures which have made it possible (Cagliero 2017)[7]. An element as important as protecting the person who makes the initial complaint, and avoiding possible reprisals against her precisely for having made the complaint, does not appear to be present in most of the protocols. Since any process of reporting sexual violence becomes a renegotiation of the private and the public, in which the aggressors demand (and receive) respect for their privacy and the victims are exposed over and over again to scrutiny (Fraser 2014), it is essential to set out measures which protects victims from reprisals and avoid their re-victimisation.

In most of the protocols preventative measures are underdeveloped or, simply, non-existent. In some cases, some measures are pointed out that are termed prevention but which infer the need to disclose the protocol or its access points. However, revealing where one has to go to raise a complaint once one has experienced a violent situation differs greatly from a preventative measure. In some protocols a start is made to suggest separating the circuits of attention for people who have experienced violent situations from the need to raise a formal complaint in that regard (that is the case of the Public University of Navarre), so that whoever goes to one of the access points of the protocol[8] can make use of some support measures without necessarily going through the process of "proving" their case so that punishment will be handed out. It remains to be seen how these measures of protection and support are developed, especially in regard to two questions: the obligation to remain part of a pending issue in the event that, effectively, there is a process of judicial complaint and the powers that universities have to apply these measures (for example, measures of effective physical separation between the aggressors and the assaulted) and their possible incompatibility with more general university norms.

The access points are still problematic in this regard. The survey we mentioned previously indicates that most of the student body would attend to people close by in the event of experiencing any violent situation: they would disclose it to friends (67.4%) and/or family (47.2%). Likewise, only 6% of the sample knew of the existence of a protocol at the university, 3% knew how to activate it and, yet, 33% stated that they knew some group or association that could be of support. It seems clear that the points of entry to complaints and reports about sexual violence have to be visible and above all located in "bridge" spaces between the university institution and the student body, where associations and groups are of some help. Likewise, making sure these spaces of reporting and/or complaining are safe for those who use them implies accepting them as spaces that are not neutral to gender, class, race, sexuality and other elements. Setting out safe spaces implies considering at the political level that not everyone feels safe in the same places and with the same procedures.

Finally, we would like to reflect on the participation. None of the protocols we analysed came out of open processes of debate on campuses. In the best of cases they were drawn up by commissions or groups of experts. In spite of the difficulties and limitations deriving from the university environment itself, we consider it necessary to go more deeply into participation and the incorporation of the needs and ideas of students, faculty and other staff at the universities, by means of inductive processes.

Final Conclusions

Our conclusions revolve around there elements which have been discussed throughout the article. As regards diagnoses, it is important to design diagnostic processes which involve communities and start from the idea that violence exists in all social spaces and, therefore, in our universities too. We understand that diagnoses may contribute to publicizing and greater understanding of the issue, but not to proving or refuting the existence of sexual violence. Abandoning this positivist principle (which is therefore, blind to gender and other oppressions) is a crucial task in which the tools proposed by feminist epistemologies can be of help. At the training level, we believe it important to overcome "risk prevention" models in order to advance towards critical training models which bring into play beliefs and practices in university institutions with all their singularities and that imply spaces in which to expand the limits of the possible. As regards protocols, it is essential to move from a management model for cases of violence (motivated in great part by the obligation to have regulations) to models which combine the necessity to attend to the specific needs of those who experience violent situations with the incentive of participative dynamic processes of social change and transformation through feminist and queer empowerment.

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2   The concept of gender related violence was used in the project "Gap Work: Improving Gender-Related Violence Intervention and Referral Through 'Youth Practitioner' Training" project code: JUST/2012/DAP/AG/3176. We have also retrieved this concept for the project that concerns us now, and we will explain it shortly in this same section.

3   We would like to clarify that media attention and social alarm with regard to sexual violence is not always positive. It creates difficulties when it comes to exploring violence beyond moralisation and criminalisation and likewise it has the effect of limiting the freedoms of women and other non-normative subjects, transmitting a form of fear which reinforces patriarchal approaches (Barjola 2018)

4   Another of the motives was that the USVreach project would be aimed exclusively at staff employed at the university and it seemed expedient to make the most of the situation in order to gather information on students. The questionnaire was distributed both online and in paper form and 715 valid responses were collected.

5   We would like to thank Patsilí Toledo Vásquez for the discussion surrounding this subject raised during the conference "Strengthening university networks against sexual violence," held at the URV (Tarragona) in 2017.

6   In many associations and students of an activist nature we have come across a lot of suspicion and mistrust with regard to the university as an institution and its capacity to resolve violent situations with a minimum of efficiency and depth. This, added to the very idiosyncrasy of groups and collectives at universities—namely that they are very changing and dynamic and in many cases without any permanent structures—makes collaboration a difficult task which requires a great deal of attention, transparency and care on the part of the institutions. We believe, however, that this process is vitally important.

7   We would like to acknowledge gratefully the contributions of Sara Cagliero at the URV, a project researcher in Tarragona who has undertaken a more detailed analysis of the Catalan protocols and who has contributed to our analysis.

8   The access points are in general official echelons and/or services at universities, although in some cases different access points such as unions are taken into account.