United States and English University Responses to Student Disclosures of Sexual Violence

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Abstract

This thesis compares how universities in the United States and England respond to student disclosures of sexual violence. Despite similarities in student populations and victimisation rates (Phipps & Smith, 2012), the US and England have divergent response models for sexual violence in universities: The US has a national legal framework through Title IX while England encourages individual responses following Universities UK's (2016) *Changing the Culture* report. Only two studies discuss sexual violence in comparative university contexts: Fisher and Wilkes (2003) studied crime victimisation on US and English campuses, while Towl and Walker (2019) researched barriers to reporting sexual violence in universities across North America, Europe, and Australia. This thesis contributes to existing scholarship on sexual violence in universities by expanding the knowledge base of comparative institutional responses. Through policy discourse analysis, interviews with 26 staff members across 10 diverse universities throughout the US and England, and interviews with 19 self-selected student survivors across the two countries, this thesis argues that, in responding to student disclosures of sexual violence, these US and English universities prioritised protecting their institutional reputation over survivor wellbeing. This research utilises a close reading of experiences to offer in-depth analyses of staff and students' engagement in and perceptions of university responses; while it does not aim to extrapolate individual experiences to represent experiences of disclosure more generally, there is a clear pattern that emerges across contexts and institutions. It uses theories from feminist scholarship, sociology, education, and organisational studies to position this tendency towards protecting reputation as a reflection of neoliberalism in the academy (Phipps, 2018). Ultimately, by highlighting the commonality of reputation protection in US and English university responses to sexual violence, this thesis opens up space to challenge the global structures that produce such a similar—and harmful—response in different contexts.

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Author’s Declaration

I hereby declare that the work contained in this thesis is a presentation of original work, except where otherwise referenced, and I am the sole author. This work has not previously been presented for an award at this, or any other, university. Part of the work presented here—in a slightly reworked form—is currently under revision in a peer-reviewed journal, which has been mentioned in the thesis. All sources are acknowledged as References.

Introduction

When I began my doctorate in October 2017, the United States Education Secretary, Betsy DeVos, had announced two weeks prior that she was both repealing and reversing Obama-era guidance to universities on how to respond to reports of sexual violence. This was unwelcome news for survivors and for anti-sexual violence activists across the US: Obama-era guidance attempted to take a more victim-centred approach to campus sexual violence investigations, and DeVos believed this disadvantaged students accused of sexual violence (Saul & Taylor, 2017). As someone who engaged in anti-sexual violence activism and worked closely with the Student Conduct and Title IX offices throughout my undergraduate education at The College of New Jersey, I was among the many people who found DeVos's proposed regulations—which restricted options for survivors while increasing latitude for accused students—to be not only concerning, but also fundamentally unjust. It was this proposed policy change that spurred my scholarly interest in university responses to sexual violence. Since I had moved to England to pursue my postgraduate education, I was also naturally curious about how universities in England respond to sexual violence disclosures. I was surprised to discover that England did not—and does not—have a national legally-mandated response framework akin to Title IX in the US. Instead of a law that all universities must implement in the same way, Universities UK produced the *Changing the Culture* report in 2016, which encourages universities to implement suggested good practice in ways that work best for their institutions. Learning about this difference in response frameworks between the US and England, despite the comparable university demographics and student cultures (Phipps & Smith, 2012), is what encouraged me to research how universities in the US and in England respond to student disclosures of sexual violence.

Researching university responses to sexual violence, however, is not simply something in which I have a detached scholarly (dis)interest. Seeking out policy guidance in the US and England may have generated the specific comparative framework for this thesis, but I had and still have a vested personal interest in understanding how institutions respond to survivors of sexual violence. Many of the people I hold closest to my heart have experienced sexual violence; I have seen how responses to disclosures can offer validation and support, or can further traumatise. When those responses occur on an institutional level, such as that of a university, they tend to be magnified (Smith & Freyd, 2013). This research therefore was not an objective undertaking, but rather informed by my position as a former student activist against sexual violence, a volunteer with domestic and sexual violence charities, and a friend in whom loved ones confided—sometimes in tears immediately after, more often mentioned in mundane settings years later. In addition to my personal positioning, my scholarly positioning impacted how I approached this work: Though I conducted this thesis in an Education department, my academic background is in Women's and Gender Studies, and English Literature, which means I tend to analyse power dynamics and language when undertaking research. It is with this positioning that I present the following thesis.

Research Context

Contribution to Existing Scholarship

This research is integral because it addresses two notable gaps in existing literature on sexual violence in universities, namely university *responses* to sexual violence and comparative research on sexual violence in universities. While there is a growing niche of scholarship that analyses sexual violence within universities, its relative newness as an academic field of inquiry inherently limits the scope of existing research. In order to establish the extent of sexual violence within universities, much of the available literature is quantitative; this is especially the case in England, in which scholarly examination of the issue only began in earnest in 2010, with the *Hidden Marks* report from the National Union of Students (NUS). The *Hidden Marks* report discovered that one in seven female students surveyed had experienced a serious physical or sexual assault, and 7% experienced a serious sexual assault (NUS, 2010). More recently in the US, the largest ever quantitative study of sexual violence in US universities—the (2015) Association of American Universities (AAU) Campus Climate Survey on Sexual Assault and Sexual Misconduct—surveyed 150,072 students of all genders and all levels of study across 27 higher education institutions. The AAU Survey found that 21.2% of final year undergraduates had experienced sexual violence at some point while studying, and certain populations are more vulnerable than others, as 33.1% of final year female undergraduate students and 39.1% of transgender, genderqueer, or questioning students experienced "non-consensual sexual contact at least once. Approximately half of these were victims of non-consensual penetration" (Cantor et al., 2015, p. xiv). These victimisation rates indicate that sexual violence at both US and English universities is a significant issue that disproportionately affects cisgender women, transgender men and women, and genderqueer or gender non-conforming students.

As Phipps and Smith (2012) note, literature about university sexual violence in the US tends to focus on individuals and groups as opposed to institutions and culture. Many qualitative US studies examine groups at high risk of perpetration, such as athletes and fraternity members (Martin & Hummer, 1989; Martin, 2016; Sanday, 2007). In contrast, English and UK[1] studies on sexual violence in higher education are more structural in nature: Phipps (2018) argues that neoliberalism within the higher education system impacts how universities perceive and respond to sexual violence, while Ahmed (2017, 2020) theorises how universities hear complaints and how this affects institutional responses to them, and, most recently, Jackson and Sundaram (2020) discuss the ways in which the gender regimes of UK universities provide a conducive context for lad culture and sexual violence to occur.

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[1] To clarify: The subject of this thesis is England within the United Kingdom, but there is little disaggregated data about sexual violence in specifically English universities apart from all four United Kingdom countries.

Even in English scholarship that is more structural in its analysis, research on university responses to sexual violence remains rare. The few reports that exist are the result of Universities UK's policy aggregation and framework efforts, such as the (2016a) *Changing the Culture* report and its corresponding directory of university case studies (2017). This gap in the literature extends to US scholarship, though researchers have begun addressing it (D'Enbeau, 2017; Graham et al., 2017; Peterson & Ortiz, 2016). Perhaps the most significant research on institutional responses is that of Smith and Freyd (2013): They used betrayal trauma theory to develop the concept of institutional betrayal, and posit that when universities fail to support survivors following sexual violence disclosures, these institutional responses can exacerbate the initial trauma of sexual violence (Smith & Freyd, 2013). Ultimately, although research on institutional responses is growing, it currently remains understudied; researching how US and English universities respond to sexual violence therefore extends the knowledge base on the institutional aftermath of sexual violence.

Furthermore, the value of a comparative study between universities in the US and England should not be understated. Phipps and Smith (2012) highlight that the *Hidden Marks* report "established that women students in the UK are victimised at levels comparable to their peers in the USA" (p. 358). This revelation begs the question of why researchers have not utilised a comparative methodology in studying university sexual violence. In fact, despite evident similarities in student populations and campus cultures (Phipps & Smith, 2012), only two studies exist that analyse violence on US and English or UK campuses: Fisher and Wilkes studied crime victimisation rates on US and English campuses in 2003, while Towl and Walker (2019) most recently researched barriers to reporting sexual violence in universities across North America, Europe, and Australia. While there are similarities in terms of university cultures across the US and England, frameworks for institutional response vary dramatically across the nations: The US has a legalistic national framework for university response in Title IX, whereas England has no such regulation and thus enables a multitude of policies across universities. Due to these similarities and key difference, a comparative study of university responses to sexual violence in the US and England offers an opportunity for stakeholders in both nations to understand the issue and response options in a new light, and provides important insights on how to better support student survivors.

Research Questions

At the start of this thesis, I wanted to understand how universities in the US and in England respond to student disclosures of sexual violence. The difference in response frameworks—a legal, often punitive, national framework through Title IX in the US versus the individualised responses focused on cultural change encouraged by the Universities UK *Changing the Culture* report—led me to ask how national policy and guidance contexts impact university practices. Since I am a qualitative researcher, this project did not aim to produce generalisable results, but rather an in-depth exploration of how a variety of universities across both countries respond to sexual violence: I wanted a sample of diverse, though not nationally representative, universities in England and the US where I could interview staff engaged in response work, either from a pastoral or a student conduct perspective, about their university's procedures following a student report of sexual violence. I also wanted to explore the experiences of survivors who had reported sexual violence to their universities in order to understand the subjective dimension of institutional response; this was both a theoretical and a political choice, as survivor narratives offer insight into the lived experience of institutional policy implementation, and because US and English cultures at large tend to devalue, if not outright silence, survivors. Given these areas of interest and the aforementioned gaps in the literature, this thesis therefore asked: How do some universities in the US and England respond to student disclosures of sexual violence? I then asked three sub-questions that limited my conception of “response” to policy context, institutional implementation, and student experience:

1) How do national policies and guidance in the US and England conceptualise sexual violence and sexual harassment?
2) How do university staff in response roles (e.g. Title IX Coordinators or student welfare staff) perceive and navigate their university’s response to student disclosures of sexual violence?
3) What are student survivors’ experiences of university responses to disclosures of sexual violence in the US and England?

Methodology

Ontological and Epistemological Position

Before describing the methods used to investigate my research questions, it is necessary to articulate the position I take as a researcher with regards to how I see reality (i.e. ontology) and how I can learn of this reality (i.e. epistemology). As a feminist researcher—who seeks to uncover gendered, raced, classed, and other power dynamics produced by structural inequalities, and to highlight the material implications of these inequalities—I do not believe in the existence of an objective reality. I see what others position as “objectivity” as not neutral, but instead as a reflection of the dominant worldview, mainly that of the white, heterosexual, cisgender men that have historically driven academic research (Haslanger, 2015). My ontological position thus views reality as socially constructed. If reality is socially constructed, then people can learn about reality through interacting with others; as a result, my epistemological position holds that it is possible to gain knowledge through analysing interaction, especially written and spoken exchanges or texts. These ontological and epistemological positions have implications for both the research questions I asked and how I answered them: This research did not aim to uncover a universal—or objective—truth about university responses to sexual violence, but rather to make sense of people’s experiences of university responses based on their positioning.

Research Methods

I investigated these research questions using a feminist qualitative multi-method approach to triangulate my data. Although this research was feminist in nature—explained at length in my methodology chapter—feminism is not a research method, but rather “a perspective that can be used to develop an innovative method” (Reinharz, 1992, p. 241). Given this position, I combined policy discourse analysis and semi-structured interviews, which were part of my overall feminist methodology because I grounded them in an awareness of gendered, raced, and classed power dynamics. In order to answer sub-question one about policy conceptualisations, I conducted a critical discourse analysis (Fairclough, 1989, 1992) of the 2011 Dear Colleague Letter, a document outlining how universities in the US should apply Title IX to protect students from sexual violence, and the 2016 Universities UK *Changing the Culture* report, which suggests culture change practices universities should use to prevent and respond to sexual harassment, violence, and hate crime. To research my second and third sub-questions on staff and survivor experiences respectively, I used semi-structured feminist interviews. Feminist interviewing is mode of conducting interviews which contends that traditional interviews inherently privilege the interviewer over the interview participant; it actively works to disrupt this hierarchical relationship through encouraging the participant to drive the interview and encouraging the interviewer to participate in discussion (Oakley, 1981). This form of interviewing works especially well with sexual violence trauma survivors because it emphasises giving control to the interview participant, who, in recounting an experience of sexual violence, is speaking of an experience in which someone else took away their control (Campbell et al., 2010; Newman & Kaloupek, 2004).

Interview Samples

I created a sampling frame for US and English universities to ensure that the sample of universities where I interviewed staff was diverse, though not nationally representative and contacted staff directly to participate. In England, I interviewed 13 staff members across five universities, including a small (under 10,000 undergraduates) urban post-’92 religious university, a small urban pre-’92 liberal arts university, two large (over 15,000 undergraduates) urban post-’92 former polytechnic universities, and a mid-size (between 10,001 and 15,000 undergraduates) elite suburban Russell Group collegiate university. In the US, I also interviewed 13 staff members across five universities spanning a small (under 10,000 undergraduates) private religious university, a small public liberal arts college, a large (over 20,000 undergraduates) public university, a small elite private science university, and a mid-sized (between 10,001-20,000 undergraduates) Ivy League university. My total staff interview sample included 26 staff members across 10 universities in England and the United States.

While I planned to interview students at the same universities where I interviewed staff in order to conduct case study analysis, I was unable to recruit students at these universities. I began this attempted recruitment in England, where I first conducted staff interviews, through advertising with the staff interviewees and through Students’ Union officials, yet received no participants after a month. I then issued an open call for participants on Twitter, which produced self-selected student participants. In England, I spoke to seven student survivors across four universities: Three students were non-binary while four were cisgender women; all students were white; two disclosed during postgraduate study while five disclosed during their undergraduate education; and five attended Russell Group universities while two attended the same pre-’92, non-Russell Group university. In the United States, I had a self-selected student sample of 12: Of these participants, 10 were cisgender women, one was a transgender woman, and one was a cisgender man; 10 were white while one was Black and one was Asian-American; four disclosed during postgraduate study while eight disclosed during their undergraduate career; and three attended private universities, eight attended public state universities, and one attended an Ivy League university. My final student sample included 19 survivors across English and US universities.

Data Analysis

Following the interviews, I gave participants a chance to comment on the initial transcript. I then coded interviews in NVivo 11 using a mix of deductive and inductive coding. I used thematic analysis and Fairclough's (1989, 1992) method of discourse analysis to explore the macro- and micro-levels of narrative, word choice, and meaning in participant responses. This involved close reading at multiple levels: At the textual level of spoken responses, at the '"discursive practice"' (Fairclough, 1992, p. 4) level to understand what existing discourses participants were using to make sense of their experiences, and at the institutional level to understand the context in which participants spoke. As mentioned previously, I also used Fairclough's critical discourse analysis methods for my selected policy/guidance documents. This produced a total selection of texts—initially spoken then transcribed, as well as initially written—analysed using the same method, which enabled a comparative analysis of response discourses at the policy level (guidance documents), at the institutional level (staff interviews), and at the experiential level (student interviews). Ultimately, this multi-level analysis produced a comprehensive understanding of several US and English university responses to student disclosures of sexual violence thus far unseen in scholarship.

Overview of Thesis Structure

Before discussing findings, the thesis offers necessary contextual background. This context takes the form of a literature review and theoretical framework that details existing scholarship on sexual violence in universities and describes the main concepts which I use in my analysis. Following the literature review, the methodology chapter critically discusses my ontological and epistemological positions as well as the research methods, thesis design, and challenges encountered in data collection. After the methodology chapter, there are five chapters that present the findings of my data analysis. In presenting this argument, I organised the findings chapters according to theme as opposed to according to research question.

The first two findings chapters focus on structural mechanisms in universities that (in)advertently work to protect the institution’s reputation. Chapter one illustrates how universities in my sample engaged in institutional airbrushing (Phipps, 2018), my originally-developed concept of institutional embellishment, and symbolic structures (Edelman, 1992) to prioritise institutional reputation in responding to sexual violence disclosures. This first chapter also includes the policy discourse analysis of national guidance documents, and argues that the policy contexts of the US and England create contexts in which US universities tended to engage more frequently in institutional airbrushing, or the erasure of sexual violence from the public eye (Phipps, 2018), while English universities tended to engage more frequently in institutional embellishment, or the creation of nominal offices that make the university appear capable of responding to sexual violence but are not used for this in actuality.

Chapter two continues this structural analysis by arguing that the very infrastructure of universities—beyond the techniques described in the previous chapter—impedes their ability to respond in survivor-centric ways to disclosures. It argues that decentralised infrastructure, in particular, simultaneously harms students and protects the university by making it difficult and labour-intensive for survivors to formally report. Chapter two also looks at context-specific impediments, which includes collegiate universities in England and staff serving as “mandatory reporters” of sexual violence in US universities. I start to engage with the structure versus agency debate in organisational studies—which asks whether it is the structure of an organisation or the actors within it that drive change (Abdelnour et al., 2017)—in this chapter, as it addresses the physical structure of universities while chapter three analyses staff agency.

Chapter three extends the structure versus agency discussion by contextualising staff experiences navigating university responses within their own universities. It begins by presenting a conceptual framework to delineate people as individuals versus people as actors within universities, and explores the question of who is “the university.” The framework combines Kallinikos’s (2003) theory of roles with Bourdieu’s (1988) theory of habitus to argue that university staff are simultaneously constrained and enabled to act based on the limitations of their roles following a socialisation process that orients them to act in ways that support the goals and values of the overarching organisation, which in turn reflect the neoliberal values of the western research agenda. Following this framework, I use a case study of one US and one English university to demonstrate that staff perceptions of university response efficacy depend on staff positioning: Frontline student support staff tended to be more critical and wield less institutional power than their more senior, less critical policy compliance staff counterparts. I explore this disparity in perception through an analysis of gendered labour roles in the neoliberal university.

Findings chapters four and five centre the experiences of student survivors following disclosures of sexual violence to their universities. Chapter four analyses the experiences of five survivors whose universities appeared to protect their assailants over themselves as survivors following disclosure. It draws on Phipps’s (2018) theory of power/value relations—the intersection of someone’s position in the university (e.g. full professor, undergraduate student) and their position in larger gendered, raced, classed hierarchies—to claim that in these instances when perpetrators added more perceived “value” to the university compared to the survivor, university staff acted in ways that protected the more valuable perpetrator. The chapter closes with a proposed theoretical framework for understanding how staff enact these power/value relations enable such responses by combining Bourdieu’s (1991) concepts of legitimate language and authorised speakers and Ahmed’s (2017c) theory of complaint as a technology of hearing.

Chapter five offers a chronological timeline of survivor disclosure experiences that starts prior to reporting and ends by examining the institutional aftermath of their disclosures. It details how the majority of English students in my sample had difficulty finding where to report, and how this obfuscation of reporting information protects universities by making it appear as if sexual violence occurs less frequently than it actually does. Once students in both the US and England identified where they could report, typically by finding a nominal office or resource, they felt confident that their university would be able to effectively support them. This confidence disappeared after students disclosed as they continued to engage with the reporting office, and experienced institutional betrayal. An unexpected theme that arose from student interviews was self-reported feelings of naivete, as survivors felt foolish for thinking—because of the presence of nominal response offices that did not then support them—that their universities would care for them; I argue that this affective response is a direct result of a structural choice, and universities are responsible for this retraumatisation of survivors. The chapter closes by describing how universities reject survivors as members of the community, and what implications this has for students.

This thesis concludes by explicitly answering all research questions and summarising the main findings from the policy discourse analysis and interviews with university staff and students. It makes clear that these US and English universities’ tendency to protect their reputations over student wellbeing reflects a deeper systemic issue in western academic culture: Due to the structural differences in US and English university responses, yet this shared response, this preoccupation with institutional reputation cannot be localised in one geographic region or type of university. Since it cannot be localised, I argue that we must look beyond universities at the larger structures that incentivise such behaviour, such as the focus on university rankings, which I connect to the western neoliberal research agenda. The thesis concludes with recommendations for future research as well as suggestions for practitioners to improve university responses and better support student survivors.

Literature Review and Theoretical Framework

Introduction

This chapter situates the thesis within the broader field of scholarship on sexual violence in universities, including institutional responses, and explains the theoretical framework used in the findings chapters. It provides a justification for the overarching research question—how do some universities in the United States and England respond to student disclosures of sexual violence?—by first establishing a basis for comparison between universities in these two countries, which highlights similarities and differences across contexts. These similarities include the ideology underlying (different, yet both marketized) funding models as well as student demographics and sexual violence victimisation rates. I also acknowledge country-specific differences in university structure that could potentially impact institutional responses to sexual violence disclosures. Following this discussion of comparative dynamics, I describe the impact of sexual violence on university students to demonstrate the ethical rationale behind this research. A comprehensive discussion of the dynamics of sexual violence in universities, however, is beyond the scope of this literature review; additional contextual information about past prevalence studies and perpetrator profiles is available in Appendix A.

As mentioned in the thesis introduction, the main contextual difference informing this comparative research is that of the national policy context, namely the presence (in the United States) or absence (in England) of a national legal framework to which universities must adhere in responding to sexual violence. Given this significant difference, the literature review focuses predominantly on response models in the United States and England. After establishing a basis for comparison and describing the impact of sexual violence in universities, I address the lack of comparative studies in this area, and discuss the two studies that do analyse sexual violence in the US *and* in England or the UK as a whole: Fisher and

Wilkes’s (2003) examination of campus crime victimisation rates and, more recently and more specifically, Towl and Walker’s (2019) study of reporting rates of and response models for sexual violence at universities throughout Europe, North America, and Australia. I then analyse the university response models available in the US and England respectively, and present notable critiques of each. There is, however, significantly more criticism available for the US model than the English model; to account for this discrepancy, I discuss institutional and/or national response models proposed by feminist anti-sexual violence academics and activists in England.

After analysing response models in the United States and England, the chapter concludes by describing my theoretical framework, which combines feminist theory, organisational studies, and sociological theory. In situating the university as a place where sexual violence not only occurs, but also where sexual violence disclosures are often mishandled, I draw on the theoretical framework Jackson and Sundaram (2020) use in their work on lad culture in UK universities, which combines Kelly’s (2016) concept of conducive contexts for sexual violence with Connell’s (2006) theory of gender regimes; I expand on their framework by incorporating Acker’s (2006) theory of inequality regimes. Beyond situating universities as sites of gendered inequality and sexual violence, my theoretical framework also unpacks the role of neoliberalism in US and English university responses to sexual violence (Phipps, 2018) and draws on several concepts from organisational studies, namely policy/practice decoupling and institutionalisation (Meyer & Rowan, 1977), symbolic structures (Edelman, 1992), questions of structure versus agency (Abdelnour et al., 2017), and roles (Kallinikos, 2003). Lastly, the theoretical framework utilises scholarship that explores the relationship between individuals and institutions (Bourdieu, 1988, 1991)—specifically complainants and universities (Ahmed, 2017a-c, 2020)—and issues of power (Foucault, 1978) and institutional betrayal (Smith & Freyd, 2013).

Basis for Comparison

A comparative study necessitates a level of sameness between two contexts, and there are indeed similarities between US and English universities. This section explores these similarities as the basis for comparison inherent in my main research question. The similarities between US and English universities include funding ideologies, student demographics, student cultures, and sexual violence victimisation rates. I first highlight the shared neoliberal ideology behind university funding models in the US and England before describing university student demographics and participation rates in both countries. Even with significant similarities, there are some differences in university structures—specifically around the commonality of campus-based universities and the presence of robust Women's and Gender Studies departments and feminist activism (Phipps & Smith, 2012)—which could influence university responses to student disclosures of sexual violence. After exploring the aforementioned similarities, I acknowledge and draw out these contextual differences. This section concludes by examining sexual violence victimisation rates across universities in England and the US.

US and English University Funding: Neoliberalism's Influence

Despite differences in the amount of tuition fees in each country, the United States and England share a similar funding ideology. Both countries underwent parallel ideological transformations in the mid-20th century when neoliberalism became part of the mainstream political scene, which in turn affected governmental funding for higher education. I subscribe to Shamir's (2008) definition of neoliberalism, in which he utilised work by both Carvalho and Rodrigues (2006) and Wood (1997). Shamir (2008) conceptualises neoliberalism as:

> *a complex, often incoherent, unstable and even contradictory set of practices that are organized around a certain imagination of the 'market' as a basis for 'the universalization of market-based social relations, with the corresponding penetration in almost every single aspect of our lives of the discourse and/or the practice of commodification, capital accumulation, and profit making.' (p. 3)*

The main components of neoliberalism in Shamir's (2008) definition include commodifying things that have not traditionally been products and the growth and hoarding of wealth. Shamir argues that neoliberalism, in practice and/or in ideology, ultimately "dissolves the distinction between economy and society" (2008, p. 3). In other words, social relations became less social and more economic as neoliberalism became a mainstream ideology. Citing Fisher (2006) and Tilak (2008), Naidoo and Williams explain that in 1960s England, people thought of higher education as "a public good underpinned by state funding seeking to equalise the participation of all citizens" (2015, p. 209). This public perception of a university education as an equalising force was also present in the United States; when universities failed to create equal attainment, however, public support for federal student financial aid decreased and President Reagan limited such spending in 1980 (Heller & Rogers, 2006). The move away from the welfare state model in favour of individualisation—a theory based on the notion of the completely self-sufficient individual who does not need to rely on others or the state in order to survive and which "ultimately implies the disappearance of any sense of mutual obligation" (Beck & Beck-Gernsheim, 2001, p. 21)—transformed the public vision of a university education from a public good to a private benefit (Heller & Rogers, 2006; Naidoo & Williams, 2015). In other words, "[s]tudents are no longer perceived to be potential contributors to the public intellectual capital of the nation, but instead as private investors seeking a financial return in the form of enhanced employability skills" (Naidoo & Williams, 2015, p. 213).

This reconceptualization of students reflects the neoliberal shift present in American and English policy, which includes an emphasis on personal responsibility alongside the withdrawal of federal funding support. As the public understanding of universities and students changed, so too did funding and financial aid. Starting in the 1980s in the US, merit scholarships based on academic performance became more prevalent than financial need-based scholarships, and student loans began to become a standard way to pay for university (Heller & Rogers, 2006): These changes subsequently restricted the ability of students from low-income households to attend university (Heller & Rogers, 2006) and continue to contribute to the socioeconomic stratification of US universities. Similarly in England, “the marketisation of [higher education] and the rise of the student consumer has occurred with successive governments’ attempts to shift the funding of [higher education] away from the state and on to students as customer beneficiaries” (Naidoo & Williams, 2015, p. 208). The state finally succeeded in shifting the responsibility in 2010 when the Conservative/Liberal Democrat Coalition Government announced that university student fees would cover most undergraduate teaching expenses with state subsidies limited to a few particular areas (Brown & Carasso, 2013). With this change, tuition limits for home and EU students “nearly tripled, from £3,375 in 2011-12 to £9,000 in 2012-13” (Brown & Carasso, 2013, p. 1).[2] While England’s higher education financial transformation culminated nearly 30 years after the US began its own shift, the end result is the same: A system financed primarily by students influenced by a move away from the welfare state model and the adoption of meritocracy and market logic. I will more fully discuss the implications of the neoliberal academy on student experiences of disclosing sexual violence in my theoretical framework.

US and English University Student Demographics

In addition to funding ideology, student make-up in the US and England is comparable. In the 2015-2016 academic year, 40.5% of 18-24-year-olds in the United States and 49% of 17-30-year-olds in England attended university (Adams, 2017; National Center for Education Statistics, n.d.-a, n.d.-b). The majority of these students are white and female (Higher Education Statistics Agency, 2018; National Center for Education Statistics, n.d.-a).

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[2] This announcement, published in the governmental white paper *Higher Education: Students at the Heart of the System* (Department for Business Innovation & Skills, 2011), applies only to England out of the four United Kingdom countries as higher education is a devolved issue.

Stratification within university student populations along race and economic lines still exists in both countries despite differences in definitions of class and race.[3] According to the National Center for Education Statistics (n.d.-a), in the 2016 academic year, 69.7% of white high school graduates, 57.3% of Black high school graduates, 72% of Hispanic high school graduates, and 91.9% of Asian high school graduates were enrolled in university in the US. Racial stratification is more drastic in England: For the 2016 academic year, 61.6% of students attending university were white while 7.1% were Black, 10.8% were Asian, and 5.2% were another race or mixed race (Higher Education Statistics Agency, 2018). These statistics loosely reflect the percentage of UK state-funded secondary school leavers by race: In the 2016 academic year, 76.3% of students were white (either British or non-British), 10.3% were Asian, 5.5% were Black, and 4.7% were mixed race (Department for Education, 2016).

In the US and England, more students from high-income households than any other income level attend university. In 2016, US students from low-income and middle-income households attended at the same rate (65%) (National Center for Education Statistics, n.d.-b) while English students from low-income households attended at a slightly higher rate than their middle-income household counterparts (22% versus 19%) (Higher Education Statistics Agency, 2018; Office for National Statistics, n.d.). Furthermore, university education in England is significantly cheaper than in the US, as the *Times Higher Education* states that English tuition fees are capped at £9,250 per year while “[t]uition fees range from $5,000 to $50,000 (£4,074 - £40,746) per year” at US universities, though private non-profit four-year colleges charge per year, on average, $35,830 (£27,808) (Times Higher Education, 2020). It is difficult to draw direct comparisons about cost because of the significant variation in US university pricing, but on the whole, a university education in the US tends to cost more than in England.

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[3] Regarding race, “Asian” often refers to south-Asian/Indian subcontinent in an English context yet east-Asian in an American context. Regarding class, the US uses a nebulous 3-tier high-income, middle-income, low-income SES split while England uses 8 class groupings based on type of labour the head of household does (Office for National Statistics, n.d.); for comparison purposes, I have used the Office for National Statistics’ simplified 3-tier class grouping.

Differences in University Structure and Student Cultures

Though there are similarities in funding structures and student demographics in England and the United States, there are also several differences that could impact how universities respond to student disclosures of sexual violence. One of these differences relates to student capital: I argue that students potentially hold a higher degree of social and financial capital in the US than they do in England, as exemplified by the importance of revenue-generating student athletes and fraternity members, who are also more likely to perpetrate sexual violence than other students (Appendix A). Beyond student population differences exist differences in university structure: This includes the number of centralised campuses—and relatedly, how many students live on campus—as more campus-based universities exist in the US than in England, as well the growth of more activism-based Women's Studies programs in the US contrasted with a relative decline in England (Phipps & Smith, 2012). Even with these structural differences, however, undergraduate student life in both countries often revolves around drinking, sports, and socialising. Phipps and Smith note this likeness of US and English "youth cultures" and state, "[g]iven the high prevalence of student victimisation in the USA and the severity of its consequences, it is perhaps surprising that the issue has remained marginal in the UK," especially since "women students in the UK are victimised at levels comparable to their peers in the USA" (2012, p. 358). A comparison of English and US university responses to student disclosures of sexual violence is therefore appropriate not only because of the similarity in university composition, but also because of the similarity in victimisation rates, which I explore next.

Prevalence of Sexual Violence at American and English Universities

The last commonality universities in the US and England share that is relevant for this research is their victimisation rates of sexual violence. The US began documenting prevalence rates of sexual violence in universities ten years before England did. For the sake of brevity—given that my thesis analyses institutional *responses* to sexual violence, not its existence within universities—I only present the findings of the most recent US prevalence study here; an in-depth timeline of the evolution of US prevalence studies is available in Appendix A. The numerous studies that the US conducted from 2000 to 2015 demonstrate the evolution of survey construction and researchers' ability to gauge the frequency of violence in a way that currently cannot be replicated for English studies: England has two comparable studies on sexual violence—spanning sexual harassment, sexual misconduct, and hate crime—in universities, both conducted by the National Union of Students (NUS). In what follows, I first present findings about the prevalence of sexual violence at 27 US universities through an overview of a (2015) study before describing the main findings of two NUS reports for UK universities, which respectively focus on female higher education students' experiences of sexual violence and staff-to-student sexual misconduct.

Frequency in US Universities

The most recent and most comprehensive US study on sexual violence in universities is the (2015) Association of American Universities (AAU) Campus Climate Survey on Sexual Assault and Sexual Misconduct. The AAU study is the first nationally representative study of university sexual victimisation; it spanned 27 higher education institutions and elicited responses from 150,072 student participants (Cantor et al., 2015). The AAU Survey includes the experiences of undergraduate and (post-)graduate[4] students as well as cisgender male and cisgender female students and what the authors grouped together as “TGQN” students, which includes “transgender male, transgender female, genderqueer or non-conforming gender, questioning, not listed, and ‘decline to state’” (Cantor et al., 2015, p. vii). Cantor and colleagues (2015) assert that the previous prevalence studies (Appendix A) are not generalizable due to the significant variation they found within their own sample of 27 universities. Despite this variation, the rates of sexual violence by force or incapacitation are as high or higher than past studies’ findings, with 13-30% of female students experiencing some kind of victimisation (Cantor et al., 2015). Furthermore, by including a variety of genders, the AAU Survey was able to capture important information about the vulnerability of groups other than cisgender female students:

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[4] I include (post-) here for the sake of my English audience, but postgraduate study is simply called "graduate" study in American universities.

> *21.2 percent of seniors [final year undergraduate students] were victims since first enrolling at the IHE [institution of higher education]. One-third (33.1%) of senior females and 39.1 percent of seniors identifying as TGQN report being a victim of non-consensual sexual contact at least once. Approximately half of these were victims of non-consensual penetration (Cantor et al., 2015, p. xiv)*

These results speak to complex power relations at work given the demonstrated vulnerability of undergraduate women and TGQN students. It is therefore necessary to account for intersections of age, gender, sexual orientation, race, and class to fully understand the power dynamics behind sexual violence in universities, as well as institutional responses to disclosures of such violence.

Frequency in English Universities

The widespread occurrence of sexual violence in universities is not unique to the US, as the *Hidden Marks* report illustrates its occurrence across the UK. The (2010) *Hidden Marks* report, commissioned by the National Union of Students (NUS), was the first national survey to document rates of violence in higher education across England, Scotland, Wales, and Northern Ireland. The survey covered a broad range of violent acts, as it examined sexual harassment, physical violence, stalking, financial abuse, and sexual violence. Though it was a revolutionary intervention in UK higher education, issues of generalizability and scope emerge when held in comparison with US research: The NUS surveyed 2,058 female students (2010), which is less than half of the smallest sample size of the US surveys, due in large part to differences in sampling strategies: The *Hidden Marks* report utilised a self-selection sampling strategy whereas many US prevalence studies utilised nationally representative and/or random sampling (Appendix A). Of the respondents to the *Hidden Marks* survey, one in seven had experienced a serious sexual or physical assault while they were a student, and 25% experienced a form of sexual assault (NUS, 2010). Furthermore, due to the structure of higher education in the UK, the *Hidden Marks* report did not solely survey university students: "The survey covers both further and higher education, including women currently studying in higher education institutions, colleges, work-based learning, sixth-form colleges and adult learning providers" (NUS, 2010, p. 7). While all these factors make it difficult to directly compare rates of sexual violence in US and English universities, the significant rates in each context demand our attention.

Beyond acts of violence that occur between students, English researchers have recently begun analysing staff-on-student[5] sexual misconduct. This focus is partially due to a grossly mishandled staff-student domestic violence case at University of Sussex in 2016 that gained national media attention (Pells, 2017). In 2017, *The Guardian* compiled a list of staff-on-student and staff-on-staff harassment figures for a number of universities over the previous six years. This revealed that 169 students reported being harassed by a member of staff at their institutions, and that 37 staff members had left their institutions over harassment reports by students (Batty et al., 2017). Later that same year, the NUS partnered with advocacy and research group, the 1752 Group, to conduct the first national survey of current and former UK students' experiences of staff sexual misconduct, which produced the (2018) *Power in the Academy* report. This study was not representative, but rather descriptive: Of the current students surveyed, 40% experienced inappropriate sexualised behaviour from a staff member (NUS, 2018). The *Power in the Academy* report also revealed the disparity in victimisation rates across student groups, with female students in general—lesbian, bisexual, and queer female students specifically—and postgraduate students most likely to be targeted (NUS, 2018). NUS notes that staff-student sexual misconduct is a result of structural power imbalances and has serious negative effects on students' mental health and academic performance. While the US has not conducted a dedicated survey on staff-student sexual misconduct, other prevalence studies have noted it occurs: The AAU study found that female postgraduate students most frequently experienced sexual harassment from academic teachers or supervisors (Cantor et al., 2015). Although the available data is not extensive, it indicates an area that should receive more scholarly attention, especially in the US.

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[5] "Staff" here refers to academic teaching staff as well as administrative support staff.

Impact of Sexual Violence in Universities

As sexual violence in English and US universities is a widespread issue, it is important to grasp the impact it has on student survivors and university communities. Before discussing institutional response models in each country, I first discuss how sexual violence in universities affects victims, their friends and classmates, and the campus at large. This section offers an overview of some of these impacts, which include personal, interpersonal, and academic consequences. I discuss mental health ramifications for survivors as well as how sexual violence impacts survivors' existing and new relationships. I then discuss academic impacts, such as changing behaviour on campus as a protective measure, lowered academic performance, and dropping out. The section concludes with a brief discussion of the impact sexual violence has on friends and classmates of survivors, which situates sexual violence in universities as a community problem.

While the US has conducted more prevalence studies than England, England has gathered more information about the aftermath of sexual violence in universities. US frequency surveys rarely included a section for participants to elaborate on how their experience(s) affected them (Appendix A), whereas both English surveys (NUS, 2010, 2018) did. The NUS surveys offer insight into sexual violence victimisation's effect on mental health, which ranges from loss of confidence to suicidal thoughts (2010). Participants in the *Hidden Marks* survey about student-on-student violence also noted that they suffered from panic attacks, anxiety, and depression (NUS, 2010). Slightly fewer than two-thirds of the respondents who had experienced a serious sexual assault also commented on the resulting difficulties in their relationships, which included struggling to make new connections and trust new people, especially men (NUS, 2010). Types of mental health issues were not delineated in the (2018) *Power in the Academy* report on staff-student sexual misconduct, but about 15% of respondents noted that they had suffered from poor mental health; only 8%, however, sought counselling or other professional help (NUS, 2018). A 2007 study in the US of 5,446 undergraduate women, the *Campus Sexual Assault Study (CSA)*, found slightly different reported numbers of help seeking, as 22% of respondents who experienced physically forced sexual assault sought counselling, compared to the 6% of those who experienced incapacitated sexual assault (Krebs et al., 2007)[6].

In addition to mental health issues, changing behaviour as a protective measure featured in both a US and an English study: Both Krebs et al. (2007) and NUS (2018) asked respondents about any changes in their routines that resulted from their victimisation. The female CSA respondents said that they tried to avoid their attacker on campus (Krebs et al., 2007), while changed behaviour for respondents to the *Power in the Academy* survey was related to academics: "The most common change in behaviour was skipping lectures, seminars or supervision meetings, which 8% of respondents reported doing: 3% of men, 10% of women, and 17.4% of non-binary students (4 out of 23)" (NUS, 2018, p. 26). Changing routines in an attempt to protect oneself is a common experience for students following sexual victimisation in the US and England and with regards to both student-student and staff-student sexual misconduct and violence.

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[6] A comprehensive overview of this study and the ones preceding it appears in Appendix A.

Often related to post-assault mental health issues and changed routines is lowered academic performance. Jordan, Combs, and Smith (2014) make this connection more explicit:

> *[I]t follows that a woman suffering sequelae in the aftermath of a rape may experience cognitive impairment such that she is less able to concentrate, organize a set of facts, or remember details in the course of her studies. Depression or anxiety may diminish the energy a woman has to commit to academic work or decrease her ability to engage with other students due to social anxiety, shame, or embarrassment. (p. 197)*

Academic consequences for respondents to the CSA included dropping classes, changing majors, and changing universities (Krebs et al., 2007). For the *Hidden Marks* survey, 20% of participants who experienced a serious assault reported that they attended their classes less frequently (NUS, 2010), and for female *Power in the Academy* participants, academic consequences included not taking advantage of professional opportunities (e.g. conferences, field work), receiving lower marks, skipping lectures and supervisions, and changing supervisors (NUS, 2018). In the US context, Jordan et al. found that female students who experience sexual violence in university are more likely to have lower grade point averages (GPAs)[7] than women who have not been victimised, and that the level of academic consequence was directly related to the severity of the sexual violence experienced (2014). Furthermore, using a retention framework, Mengo and Black (2015) found that sexual victimisation lowered students' GPA and increased students' chances of leaving university.

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[7] This is the overall calculation of a student's marks for their degree and tends to be on a 4.0 scale with 4.0 representing all A's.

In their sample of 74 students, “[t]he dropout rate for students who had been sexually victimized (34.1%) was higher than the overall university dropout rates (29.8%)” (Mengo & Black, 2015, p. 244). As demonstrated by these studies, academic performance suffers as a result of experiencing sexual violence and can even lead to students dropping out of university.

In addition to the impact sexual victimisation has on survivors, sexual violence in universities can affect the campus community at large. In studying the emotional effect of a friend’s disclosure of sexual violence on university students, Banyard, Moynihan, Walsh, Cohn, and Ward revealed wider consequences of victimisation than originally imagined. Of the 1,241 students surveyed, almost 29% had a friend disclose an experience of sexual violence to them, and 58% of those students had more than one friend do so (Banyard et al., 2010). Students who had friends disclose to them also often expressed anger at the situation, which Banyard et al. state is significant because it “remind[s] us that unwanted sexual experiences have consequences for people beyond individual survivors” (2010, p. 252). Banyard et al.’s study highlights that sexual violence does not only affect those directly victimised, and, given the prevalence of sexual violence in universities, challenges us to think about wider community support services.

Comparative Studies of Sexual Violence in Universities

Despite significant similarities between US and English universities—including neoliberal funding models, student demographics, and sexual violence victimisation rates—only two comparative studies address sexual violence across these contexts. Most scholarship examines sexual violence in universities in a given country, as I will discuss in the following section, and while these studies can situate their findings within a specific cultural context, by not comparing a shared phenomenon, the existing literature does not interrogate whether there are larger global trends at work that contribute to the existence of and institutional responses to sexual violence in universities. Furthermore, only one of the two comparative studies (Towl & Walker, 2019) interrogates response frameworks. My research therefore sits at the intersection of two scholarly gaps: that of comparative research on sexual violence in universities, and that of institutional (university) responses to sexual violence. By examining university responses to student disclosures of sexual violence in England and the US, this thesis expands the field of sexual violence scholarship. In what follows, I discuss the existing scholarship that addresses sexual violence in US and English or UK university contexts. After exploring comparative studies, the next section then analyses the response frameworks—which include national legislation, best practice guidance, and activist work—for university sexual violence in the US and England.

Two studies examine sexual violence that occurs in universities in the US and in England or the UK as a whole. The first of these, a (2003) study by Fisher and Wilkes, incorporates sexual violence as a small subsection of a broader study on campus crime—namely burglary, theft, and violence—victimisation rates in US and English universities. Surveying 906 US students living on campus in 1993-1994 and 549 English students living on campus in January 1999, Fisher and Wilkes found that “the victimization rate among students in England was close to 90 per cent, [while] the US rate was just over 50 per cent” (p. 9). This significant disparity held true in cases of rape and sexual assault, as the rape victimisation rate per 100 students was 0.33 in the US and 0.91 in England, and the sexual assault victimisation rate per 100 students was 2.21 in the US and 5.10 in England (Fisher & Wilkes, 2003). Fisher and Wilkes analysed these findings through a lifestyle-routine activity theory, but for violent victimisation, only the English sample supported this theory: “the chance of experiencing a violent victimization on an English campus is significantly heightened for those students who through their routines expose themselves to risky and vulnerable situations,” such as partying and using recreational substances (2003, pp. 10-11). I take issue with lifestyle-routine activity analysis, as it inadvertently puts the onus of victimisation on the victim for partying and drinking when it should sit with the perpetrator who decided to assault another person. As a comparative study, however, Fisher and Wilkes (2003) is useful in gauging the historic prevalence of rape and sexual assault across campuses in the US and England.

More recently and more specifically focused on sexual violence, Towl and Walker (2019) published *Tackling Sexual Violence at Universities: An International Perspective*. This book analyses the prevalence and reporting rates of sexual violence in universities across the western world. Towl and Walker studied universities in the UK, Europe, Canada, the US, and Australia using a case study approach that produced a chapter on each context and culminated in best practice guidance for universities in the UK. In addition to reporting and prevalence, the authors also discuss the policy and/or guidance context of each country. A key takeaway from *Tackling Sexual Violence at Universities* is the urgent need to increase reporting rates of sexual violence in universities—and implement supportive infrastructure for survivors—across the comparison contexts: The authors assert that “there is a need to acknowledge the existence and extent of the problem. University communities that decline to do so are part of the problem” (Towl & Walker, 2019, p. 101). Towl and Walker also found more similarities than differences in studying sexual violence across universities in Europe, North America, and Australia, and urge practitioners to “learn from each other from within and across institutions nationally and internationally” (2019, p. 9). My own data from universities in the US and England underscores this point.

Context-Specific Response Frameworks for Sexual Violence in Universities

Fisher and Wilkes’s (2003) and Towl and Walker’s (2019) work constitute the only comparative studies of sexual violence on US and English or UK university campuses. It is important to note that both studies examine prevalence and reporting rates, and focus to a lesser extent or not at all on institutional responses, which is the subject of this research. Since no other comparative studies yet exist, this section—which examines university response frameworks to sexual violence—necessarily focuses on studies limited to a single national context. As previously mentioned, the main difference between US and English university responses to sexual violence is the national framework—or lack thereof—in place: The US has a relatively standardised approach as federally mandated by Title IX and the Clery Act while England is witnessing a multitude of unique, individual university responses following Universities UK's (2016a) *Changing the Culture* report. Before analysing US responses, I must note that—as mentioned in the introduction to this thesis—Title IX regulations for responding to sexual violence officially changed in May 2020 under the Trump administration and Secretary of Education Betsy DeVos (Anderson, 2020); as none of the US students who spoke with me reported under these updated regulations, the policy context on which I focus here and in the first findings chapter is the Obama-era Dear Colleague Letter guidance. In the following section, I examine two major federal mandates and their attendant guidance for the US, while discussing the main guidance document and the work of several research projects and advocacy groups in England. Since Title IX has existed for decades longer than the *Changing the Culture* report, these sections will necessarily reflect the difference in literature (especially critique) available.

US Response: Title IX, Clery Act, and National Guidance

The main document (previously) responsible for US universities' implementation of Title IX in cases of sexual violence was the (2011) Dear Colleague Letter. It explicitly situates sexual violence as an issue covered by Title IX:

> *Title IX of the Education Amendments of 1972…prohibit[s] discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. (Ali, 2011, p. 1)*

The Dear Colleague Letter (DCL) is significant because it serves as the basis for much of universities' policies and procedures through the following guidance: Universities[8] must publish a non-discrimination notice that has the contact information of the Title IX Coordinator in an easily accessible place, they must assign the responsibility for Title IX compliance to at least one employee, and they must create and disseminate their procedures for sex discrimination complaints (Ali, 2011). There is an important distinction, however, with regards to the legal weight of Title IX and the Dear Colleague Letter: Title IX is a federal regulation which has the weight of the law behind it, while the Dear Colleague Letter is a guidance document; Towl and Walker note that the Dear Colleague Letter "did not have the force of law, but the practical effect was to require universities to comply [with Title IX] in more specific ways" (2019, p. 43). These specific ways of compliance include how universities should enact the aforementioned requirements into the investigation structure of complaints, and preventative and protective measures. For universities to ensure they carry out "prompt and equitable" investigations (Ali, 2011, p. 6), they must notify students about the grievance process and where to file complaints; carry out the complaint investigation quickly (within 60 days), impartially, and effectively, with both the complainant and the accused student present; notify all parties of the outcome of the investigation; and work to ensure there will not be repeated violence committed by the perpetrating student(s) (Ali, 2011). So as to not be a solely reactionary model, the DCL also directs universities to actively work on preventing sexual violence and harassment. This prevention work includes educating students about what constitutes sexual harassment and violence, what resources are available to them should they experience it, and the policies, disciplinary procedures, and possible sanctions in place (Ali, 2011). The Office for Civil Rights in the Department of

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[8] I use "universities" here in speaking of Dear Colleague Letter guidance as that is the context of my research, but Title IX and DCL guidance encompasses all levels of education, not just higher education.

Education—the body responsible for ensuring Title IX compliance—also urges universities to create specific materials about sexual violence and institutional policies to hand out to students, faculty, staff, and administrators alike (Ali, 2011).

Even with the extensive guidance it gives universities about investigation procedures, the DCL does not exempt educational institutions from protecting students before a conduct board determines responsibility. It states that universities must take interim measures during an ongoing investigation to protect the complainant, such as changing their housing arrangements or class schedules to prevent any interaction with the accused student, and forbidding the accused student to contact the complainant (Ali, 2011). The DCL acknowledges the nuances of power differences inherent in sexual violence as well as the resulting trauma, as it states "a school should minimize the burden on the complainant, and thus should not, as a matter of course, remove complainants from classes or housing while allowing alleged perpetrators to remain" (Ali, 2011, pp. 15-16). It also instructs educational institutions to be aware of the opportunity for retaliation against the complaint by the accused student and their associates and thus requires them to have procedures ready to respond to "retaliatory harassment" (Ali, 2011, p. 16). Should a university fail to respond appropriately and quickly to a disclosure of sexual harassment or violence, the Office for Civil Rights can revoke its federal funding (Ali, 2011). Towl and Walker state that this potential funding revocation "imposed a nationwide set of standards" for university responses to sexual violence (2019, p. 43).

Two years after the release of the DCL, Congress included a measure known as the *Sexual Assault Violence Elimination Act* (SaVE) in its reauthorisation of the Violence Against Women Act (VAWA). Griffin, Pelletier, Hayden Griffin, and Sloan (2017) explain that the Campus SaVE Act was initially an amendment to the Clery Act, a federal mandate regarding the recording and publication of campus crime statistics. The Clery Act requires universities to publish annual security reports detailing crime statistics, security policies, and procedures to support crime victims, particularly of sexual violence (Griffin et al., 2017). With regards to sexual violence, Clery mandates that universities log information such as the "'nature, date, time, and general location of each crime;'" release statistics of crimes that happen adjacent to or on campus; send out 'timely warnings' about immediate and/or ongoing threats to campus safety; and create an emergency response strategy (Griffin et al., 2017, pp. 403-404). Although the Campus SaVE Act did not become law as part of Clery, the connection between the two policies is clear. The SaVE Act requires universities to define and disaggregate acts and statistics of power-based personal violence, which includes stalking, domestic and dating violence, and sexual violence; it also offers procedural guidance on certain crimes and explicitly protects victims' rights (Griffin et al., 2017). In addition to reactive measures, the SaVE Act requires universities to give students information about available bystander intervention programs on campus or in the community, and offer power-based personal violence training programs (Griffin et al., 2017). Griffin et al. describe the purpose of the SaVE Act as follows: "It appears that the purpose of the SaVE Act was to go beyond simple symbolism of increasing perceived safety, and implement actual methods of prevention, risk reduction, and awareness" (2017, p. 405).

Following on the momentum of the SaVe Act came the first report from the White House Task Force to Protect Students From Sexual Assault, the (2014) *Not Alone* report. Like the Dear Colleague Letter, the *Not Alone* report was not a legally mandated regulation[9], but it offered recommendations to universities on how to measure and respond to sexual violence. The Task Force identified four areas in which universities and the government could work together to better protect students: understanding the scope of the problem through the distribution of campus climate surveys, more comprehensive prevention efforts, creating better response options, and increasing transparency from the oversight body, the Office for Civil Rights (White House Task Force to Protect Students From Sexual Assault, 2014). Unlike the focus of *Changing the Culture* report guidance in the UK, which stresses "culture change" through changing current infrastructure, the *Not Alone* report stressed the necessity of long-term educational programs that "address the root individual, relational and societal causes of sexual assault" as well as bystander intervention programs and programs to engage men, which led to the It's On Us campaign (White House Task Force to Protect Students From Sexual Assault, 2014, pp. 9-10). It also expanded upon the response options presented in the DCL by calling for confidential reporting options which would not automatically trigger a conduct investigation, more robust sexual violence policies, and trauma-informed training of frontline staff (White House Task Force to Protect Students From Sexual Assault, 2014). Furthermore, it clarified how disciplinary hearings should be conducted: No questions should be allowed about the complainant's sexual history with anyone other than the accused student, the accused student should not cross-examine the complainant, and adjudicators should not assume relationships preclude sexual victimisation (White House Task Force to Protect Students From Sexual Assault, 2014). This best practice guidance, while still working in the legalistic framework of Title IX, represents a slight shift toward a more victim-centred approach.

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[9] As discussed above, given that both the Dear Colleague Letter and the *Changing the Culture* report guidelines are guidance as opposed to regulation, the difference between them lies in available sanctions for failing to implement them, since the US federal government could revoke federal funding for failure to comply with Title IX guidance (Ali, 2011) where no such sanction exists in the UK.

When measuring the success of Title IX in responding to sexual violence, the government is actually measuring how successfully educational institutions comply with guidance and legislation rather than how successfully they address sexual violence. Though this approach does not look beyond the existing framework, compliance can still speak to how universities (de-)value student survivors. The Obama administration guidance led to higher levels of compliance than had been seen before in the US: According to a (2002)

Department of Justice study by Karjane, Fisher, and Cullen, only 58% of higher education institutions in a nationally representative sample had a specific policy in place regarding sexual assault and/or had proactive prevention programs on campus, but this number rose to 85% in 2015 (Richards, 2016). In replicating the (2002) study 13 years later, Richards also found increased investment in university disciplinary procedures. Ninety-eight percent stated that rules about who can attend a hearing were the same for the complainant and the accused student, 97% said that both parties will be informed of the hearing's outcome, and 84% had a process for appeals (Richards, 2016). Despite these improved procedures, there were still some universities in 2015 that did not have a basic Title IX policy (Richards, 2016). Perhaps offering an explanation for this failure, a (2017) study found a difference between types of institutions and compliance: "Large schools and public schools were more likely to have [sexual assault] policies and consent definitions compared with small schools and private schools, respectively. This difference may be related to differences in resources, capacity, and staffing" (Graham et al., p. 254). Having the infrastructure to effectively implement Title IX remains an issue for US universities.

Critiques of the US Title IX Response Framework

Dissatisfaction with Title IX spans liberal critiques of how the system currently works and radical critiques of the system itself. There is a geographical discrepancy in who holds what view: The vast majority of American criticism falls into the former category, while international (i.e. European) criticism of the US system falls into the latter. When it comes to transforming the existing Title IX system, the issues raised include lack of attention to diverse student groups and experiences of violence, increasing compliance, and streamlining the process. Pérez and Hussey (2014) write about the importance of increased attention to LGBT students' experiences of sexual violence and disclosure, as the then-current system did not properly address the dynamics of violence in same-sex encounters. In looking at the punitive model, Koss, Wilgus, and Williamsen (2014) suggest that integrating restorative justice throughout a university's response will not only increase Title IX compliance, but also work more effectively to find a suitable resolution for all parties involved through heightened community accountability. D'Enbeau (2017) also raises the issue of 'organizational tension' present in universities' responses to sexual violence, exemplified in priorities: Certain stakeholders, such as conduct officials responsible for investigating and sanctioning, want clarity in the process where others, such as counsellors, want to respect the complexity of sexual violence. At a systemic level, Peterson and Ortiz argue that the Office for Civil Rights' current functioning works against the goals of Title IX at the detriment of survivors: It "address[es] discrimination faced by individuals (such as a denial of interim measures) only after conducting systemic investigations…the availability of individual relief [is] dependent on how quickly the investigation of institution-wide systemic discrimination is resolved" (2016, pp. 2139-2140). These collective critiques depict a system that only works for certain people and only sometimes, or only long after the initial complaint arises.

Radical critiques take Title IX's inadequacy as an opportunity to envision something different. One notable radical critique from an American scholar offers a rights-based empowerment approach as the solution. Noting several issues with university responses to sexual violence—specifically how the punitive model results in a "zero-sum game" between the rights of the accused versus the rights of the complainant (p. 314), and how the rape mythology written into policy hurts survivors (e.g. 'masked stranger' and 'good victim' subjectivities inherent in criminal law, from which Title IX borrows)—Hartmann (2015) suggests a different model. Her vision includes educating university officials and students about rape and rape myths to produce a campus culture that is intolerant of sexual violence, ensuring that students can identify and will subsequently report sexual assault, and creating effective working partnerships with local organisations such as rape crisis centres (Hartmann, 2015). She further notes that this model "will involve accused students in the university disciplinary process as an educational, as opposed to punitive or shaming, experience" (Hartmann, 2015, p. 318).

The Universities Supporting Victims of Sexual Violence (USVreact) project, in developing best practice first response training for European universities, also shares Hartmann's criticism of American response and further notes that failure to comply is a widespread issue (Alldred & Phipps, 2018). While I will discuss the English system in the following section, it is important to note here that USVreact's best practice takes the opposite approach to one aspect of Title IX: Instead of suggesting a designated staff contact to handle all sexual violence complaints, USVreact encourages having an expert staff member for support in addition to "all staff [having] the capacity to respond to disclosures appropriately (in emotional as well as procedural terms)" (Alldred & Phipps, 2018, p. 46). Relatedly, Tani (2017), citing Leon's study of the 2014 Office for Civil Rights investigation of University of Delaware, points out that American universities may have the infrastructure in place to facilitate effective responses to sexual violence, yet limited or no institutional commitment to cultural change. This becomes increasingly clear when understood against the backdrop of Betsy DeVos's updated 2020 Title IX regulations, which reverse much of the victim-centred improvements implemented under the Obama administration: She notably upholds the myth of widespread false accusations, which results in heightened protection for accused students, such as encouraging universities to use the higher "clear and convincing" standard of proof in disciplinary hearings and allowing accused students to cross-examine complainants (Saul & Taylor, 2017; "Secretary DeVos," 2020).

English Responses: The Changing the Culture *Report*

If US universities have the infrastructure without commitment to institutional change, it appears as if English universities have recently demonstrated a higher level of commitment to ending sexual violence with little infrastructure to do so. The publication of *Changing the Culture: Report of the Universities UK Taskforce Examining Violence Against Women, Harassment and Hate Crime Affecting University Students* (2016a) was the first national effort to address this issue. Unlike Title IX in the US, which is a federal law, the *Changing the Culture* report is suggested good practice guidance, similar to that found in the Dear Colleague Letter yet without the threat of funding revocation to encourage compliance, as Towl and Walker (2019) note that Universities UK is unable to enforce compliance. As discussed, given how recently the (2016a) *Changing the Culture* report guidelines were published, there are far fewer direct critiques of these than there is criticism of Title IX; this section will therefore focus on the evolution of the *Changing the Culture* guidance from initial publication to its *Two Year On* report, the two published critiques of the *Changing the Culture* report, and on feminist groups and research projects aimed at eliminating sexual violence in universities.

In a press release, Universities UK Chief Executive, Nicola Dandridge, stated that "[t]he evidence shows that while many universities have already taken positive steps to address these issues, university responses are not always as joined-up as they could be" (UUK, 2016b, n.p.). The *Changing the Culture* report highlighted that some universities were responding, but these responses were not centralised and there was not yet an outlet for sharing best practice across the UK (Universities UK [UUK], 2016a). Based on responses from 60 of their member universities, UUK found that the majority did not have dedicated policies in place to respond to sexual violence, as this was often included under an umbrella policy for harassment and bullying (2016a). Under-reporting of sexual violence and the lack of infrastructure to report and record incidents were common issues among respondents (UUK, 2016a). Despite the absence of internal reporting mechanisms, however, many universities had developed working partnerships in their local communities with police and crisis centres (UUK, 2016a).

UUK formed recommendations based on recurrent themes in university responses. These recommendations include: achieve senior leadership buy-in, implement an institution-wide approach, work to prevent violence through forming a zero-tolerance culture and using bystander intervention training, create a system to centrally record all reports and facilitate a clear path to disclosure and support, create or strengthen partnerships in the local community (NHS, rape crisis centres, etc.), and ensure best practice sharing through UUK conferences and the creation of a case study directory (UUK, 2016a). A year after it published *Changing the Culture,* Universities UK released a directory of 30 case studies corresponding to each area identified by the recommendations (2017). As the case study selection process was one of self-nominating, it makes sense that many case studies come from institutions with funding for this work: Many of these featured universities received funding through the former Higher Education Funding Council for England (HEFCE) / now Office for Students (OfS) Catalyst project (UUK, 2017). In response to the *Changing the Culture* report, the Catalyst fund subsidised 108 projects at universities to safeguard students from hate crime, sexual violence, and online and in-person harassment with the goal of making students safer and offering them more resources and knowledge about these issues (Higher Education Funding Council for England, 2018).

One year after the publication of the *Changing the Culture* report, UUK released a preliminary follow-up report on the progress made. *Changing the Culture: One Year On* is a qualitative review of 20 higher education institutions across England, Wales, and Northern Ireland which found that universities made “[s]ignificant but highly variable progress” regarding how they respond to student-to-student sexual violence (2018, p. 6). Of the 20 institutions studied, many were in the process of implementing or had already implemented training and produced preventative information (UUK, 2018). UUK (2018) also noted that the aforementioned Catalyst funding—£2.45 million—had been instrumental, but acknowledged the limited sustainability that came with it. Demonstrated sites of cultural change included increasing buy-in from senior leadership, increasing disclosures from students, and heightened student awareness of sexual assault (UUK, 2018). These trends continued in *Changing the Culture: Two Years On* (UUK, 2019), which utilised responses to a survey from 95 of UUK's 139 member institutions "across all parts of the UK, covering a diverse range of institutions in terms of type and size" (UUK, 2019, p. 6). The area in which the survey saw the most documented change from a year prior was prevention, as many more universities had begun rolling out bystander intervention training and creating infrastructure for responding to sexual violence (UUK, 2019). Universities continued to face the challenge of proper—and continual—resourcing, both including and excluding the Catalyst fund, as those who received a Catalyst grant found it to be integral in developing and creating new projects, hiring staff, and implementing or improving training for staff and students, yet worried about their capacity to continue progress following the end of the grant (UUK, 2019). *Two Years On* also noted that many universities had begun embedding cultural change through "[u]pdating policies, regulations and procedures, [and] setting up cross-institutional working groups" (UUK, 2019, p. 8).

Critiques of the *Changing the Culture* Report Guidance

Even with these (self-reported) developments or improvements, however, scholars raise caution about the efficacy of *Changing the Culture* report guidance, given the neoliberal context in which UK and English higher education operates:

> *Where universities have been slow to even acknowledge the existence of GBV [gender-based violence] within their communities for fear of reputational damage, in the context of the increasing scrutiny of institutional cultures in relation to GBV, we may be witnessing a shift towards a normative frame whereby not* ***(being seen to be)*** *doing*

> *something about GBV will begin to seem more damaging than doing something about it. (Anitha & Lewis, 2018, p. 5, emphasis mine)*

Two significant findings of the *Two Years On* survey demonstrate the possible prevalence of performative responses to sexual violence in universities, namely a lack of transparency with university governing bodies and a lack of communication with students and staff about institutional processes (UUK, 2019). If groups who need to understand these changes—in order to determine proper resourcing (by governing bodies) or to understand what support is in place for survivors (for staff and students)—the validity of other self-reported measures of success may be called into question in the *Two Years On* report. While English universities may appear to improve institutional responses to sexual violence, Anitha and Lewis's (2018) analysis urges scholars to interrogate these visible responses in order to determine if they go deeper than surface-level, or serve only to make the university more attractive and therefore more marketable (Phipps, 2018).

Atkinson and Standing (2019), in the one dedicated piece of criticism on the *Changing the Culture* report, share Anitha and Lewis's (2018) concerns about the appearance—but contested materiality—of institutional change. Although they acknowledge that publishing the report was a positive step, they argue that,

> *[w]ith pressure from UUK to act quickly, responses are often reactive, without necessarily acknowledging and addressing the need for cultural change. In the context of the neoliberal university, addressing [gender-based violence] becomes a marketing task, where policies are written or rewritten, procedures may be altered, and the institution then publicly presents these changes in a marketable format. (Atkinson & Standing, 2019, p. 1336)*

The authors assert that three tenets of the guidance—specifically "zero tolerance" policies, a focus on lad culture, and creating a respectful student culture—fail to reckon with larger cultural issues of sexism and ultimately turn what feminists frame as an institutional problem into an individualised problem of bad behaviour (Atkinson & Standing, 2019). In addition to performative responses, Atkinson and Standing (2019) take particular issue with how UK universities do not engage with feminist researcher-activists who work on gender-based violence when implementing *Changing the Culture* report guidance: They interviewed 11 academics who were all engaged in responding to or challenging gender-based violence in their universities, and common themes across participants' experiences included highlighting how sexist university cultures fostered gender-based violence; universities' focus on measurable response outputs (e.g. reporting infrastructure, zero tolerance policies) as opposed to "encouraging any systematic attempts to change the culture around sexism and sexual violence" (Atkinson & Standing, 2019, p. 1341); and a lack of support from senior management for their academic work challenging gender-based violence (Atkinson & Standing, 2019). Ultimately, Anitha and Lewis (2018) and Atkinson and Standing (2019) represent more radical critiques of the *Changing the Culture* report's liberal solutions to sexual violence in UK universities, and advocate for genuine institutional change—not what they perceive as performative quick-fixes—based on feminist research and praxis.

Anti-Sexual Violence Research and Activism in English Universities

Beyond the *Changing the Culture* report and recommendations are other projects and groups who address specific aspects of sexual violence and harassment in English universities. I introduce three of them in this section: the Changing University Cultures (CHUCL) project, the 1752 Group, and the (2016-2017) Universities Supporting Victims of Sexual Violence (USVreact) project. These three projects combine academic research with practice and/or advocacy work, and represent a spectrum of proposed response models for sexual violence in universities ranging from punitive/disciplinary to culture-change, and from liberal to radical approaches. I also offer a model of understanding various feminist response positions to sexual violence in universities.

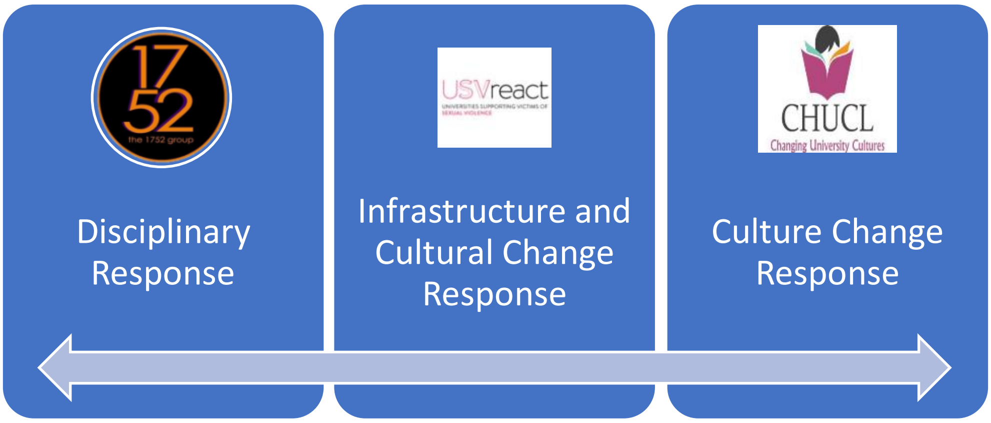
The Changing University Cultures project (CHUCL) includes Liz McDonnell, a Sociology Senior Research Fellow at the University of Sussex; Alison Phipps, a Professor of

Gender Studies at the University of Sussex; and independent organisational development consultant Jess Taylor (Changing University Cultures [CHUCL], n.d.). CHUCL "uses a combination of sociology and organisational development techniques to create a more sustainable approach to equality and diversity in higher education" (CHUCL, n.d.-b, n.p.). Its ethos focuses on working with those within universities to build the capacity for long-term, committed structural and institutional change (CHUCL, n.d.-b). Its website's home page asks those who partner with CHUCL to "commit to the process and to taking ongoing action after our investigation… We are not interested in being a box you can tick… we want to work with institutions and individuals genuinely interested in building equality and tackling violence" (n.d.-b, n.p.). Such an approach enables sustained cultural and systemic change that requires the participation of many; this appears directly in contrast to the very individualised—and performative, according to its aforementioned feminist academic critics—recommendations of the *Changing the Culture* report guidance. Although CHUCL does not exclusively work to improve institutional cultures surrounding and enabling sexual violence, it developed its Grounded Action Inquiry methodology through a commissioned project at Imperial College following an investigation of the men's rugby team for sexism (CHUCL, n.d.-a). Though the Imperial College inquiry ended in 2015, CHUCL continues its work and stands in contrast to the punitive legislative mandates laid out by Title IX in the United States.

Another group of scholars working to change higher education is the 1752 Group, whose focus is specifically on ending staff-student sexual misconduct. Aligning more closely with the United States' legalistic system than with CHUCL's investment in changing culture, the 1752 Group aims to formally prevent, document, and respond to staff-student sexual misconduct. Its strategic priorities include the creation of a national code of conduct with information on staff/student relationships, an intersectional reporting and complaints process, an independent national office for sexual misconduct with specialist advisors, a mandate that requires universities to record and publish misconduct information, addressing the long-term consequences of misconduct, and sector-wide culture change (The 1752 Group, 2017). Earlier this year (2020), the 1752 Group partnered with the law firm, McAllister Olivarius, to produce sector guidance addressing staff sexual misconduct in UK higher education; this guidance centres two main principles, which state “HEI disciplinary processes must be modified to ensure they are fair for complainants” and “[t]he process must accord equal rights to complainants and respondents” (The 1752 Group & McAllister Olivarius, 2020, p. 1) in an attempt to shift existing disciplinary processes away from a criminal justice model and towards a civil justice model. Although cultural change is listed as an ultimate goal, the majority of its aims focus on amending existing structures to hold perpetrators and institutions accountable, which differs CHUCL’s work unpacking harmful power relations. This difference, between urging tighter codes of conduct and longer-term cultural change, constitutes an ongoing debate in English anti-sexual violence feminist circles. While CHUCL and the 1752 Group share the overarching goal of transforming university cultures to be intolerant of sexism and sexual misconduct—and even share a member, as Alison Phipps of CHUCL sits on the advisory board of the 1752 Group—their methods for achieving this change diverge.

Another large-scale project is the aforementioned Universities Supporting Victims of Sexual Violence project, known as USVreact, which developed best practice disclosure response training methods for staff at universities across Europe. Brunel University London led the research and worked with seven partners across England, Spain, Italy, and Greece as well as associate partners from all aforementioned countries plus Serbia and Latvia (Alldred & Phipps, 2018). The DAPHNE strand of the European Commission’s DG Justice, Rights, Equality and Citizenship Programme funded the project, which lasted from March 2016 to November 2017 (USVreact, n.d.). The objectives of USVreact were to develop best practice care pathways and training for first response to sexual violence disclosures, create networks of people to support survivors, create and present first response staff training, and make these responses an integral and integrated part of university culture (Alldred & Phipps, 2018). The project's preliminary findings on existing best practice training methods revealed uneven development across Europe, with the UK showing the most developed training and awareness-raising campaigns (USVreact, 2017). Sexual violence in the UK, however, was also situated differently than in other European countries, as "UK universities are increasingly adopting a protectionist discourse around safeguarding (as in schools). This in turn relates to a more litigious framing of issues" (Alldred & Phipps, 2018, p. 29). Most existing training featured definitions of sexual violence, statistics about prevalence and prosecution rates, debunking common rape myths, examining barriers to disclosure, advice on how to best support survivors, and a description of long-term support methods (USVreact, 2017). The limitations that USVreact identified in existing trainings focused on the lack of examination of broad structural factors, such as the impact of campus and lad cultures on sexual violence and the absence of an intersectional analysis (2017). In addition, it highlighted that these trainings are pragmatic at the expense of generating empathy and a deeper understanding of all forms of sexual violence and their nuances (USVreact, 2017).

In the final report of the project, USVreact demonstrated the importance of procedures driving cultural change through the broad recommendations offered. These recommendations include: rolling out training at universities to create more supportive, empathetic environments for disclosure; having a designated staff specialist on sexual violence, but ensuring all staff can properly respond to a student disclosure; affording greater resources to successfully implement equality and diverse initiatives; following statutory guidance to help spur prevention and response work; and running awareness-raising campaigns to help raise the profile of the issue (Alldred & Phipps, 2018). USVreact appears to be the middle ground of the three case studies briefly examined here, as it sees concrete steps such as training and statutory directives as ultimately serving the goal of cultural change within universities. It has the widest scope of the case studies, as it spanned 21 institutions throughout Europe and trained 900 staff members (Alldred & Phipps, 2018). USVreact ultimately highlights that while England is spending more time and resources on sexual violence disclosure training compared to other European countries, there is still a significant amount of work that must be done to effectively help survivors.


17 52
the 1752 group
USVreact
UNIVERSITIES SUPPORTING VICTIMS OF SEXUAL VIOLENCE
CHUCL
Changing University Cultures
Disciplinary Response
Infrastructure and Cultural Change Response
Culture Change Response

A diagram depicting a spectrum of response tactics used by feminist researchers and activists in responding to sexual violence in universities. On one end of the spectrum sits disciplinary responses while the other end features responses that focus on changing culture.

Overview of Differences in US and English University Responses to Sexual Violence

After reviewing the existing legislation in the US and response guidance and projects in England, the differences between the systems become clearer. Despite having a longer record than England of (nominally) addressing sexual violence in universities, the US appears to be stuck within the reactive, legalistic, and punitive system of Title IX modelled upon—and sharing the rape mythology of—the criminal justice system. Most of the scholarship and criticism of Title IX coming from the US seeks to better the system instead of considering new alternatives; this might be a pragmatic recognition that changing high-level government policy is an arduous, time-consuming task. England's guidance provided by Universities UK through the (2016a) *Changing the Culture* report, however, focuses less on requiring certain policies and more on embedding an institution-wide approach with clear care pathways and reporting options. This stands in stark contrast to Department of Education's updated 2020 Title IX regulations, which disregard the emotional toll disclosure and support seeking has on survivors in favour of the tightened, higher disciplinary standard required to prove responsibility in conduct cases (Anderson, 2020). Researcher-activist responses to sexual violence in English universities take many forms, as the 1752 Group offers a rule-based approach to preventing staff-student sexual misconduct, which mirrors the US's strategy, while CHUCL and USVreact stress the need for cultural change, empathy, and community accountability as the solution to issues of sexism and sexual violence in universities.

While Phipps and Smith (2012) caution against "mobilising simplistic dichotomies" (p. 366) in comparing English and US responses to sexual violence in universities, the themes of infrastructure and commitment offer an opportunity to understand why two countries with relatively similar student cultures have taken such different approaches. The US may have a developed infrastructure for response, yet the presence of this framework and the federal sanctions it can impose then make universities more concerned with compliance than with genuinely addressing and redressing sexual violence. Conversely, without national legislation, England has the opportunity to discuss what supporting survivors and preventing sexual violence looks like without universities facing legal sanctions if their response does not fit a certain mould. The English guidance generated does not fixate on infrastructure aside from what will help student survivors (e.g. easily accessible reporting, disclosure, and support pathways). Ahmed, however, still cautions against assuming commitment will lead to action through her idea of "complaint pride:"

> *Complaint pride takes the form of statements about wanting to learn from complaints; complaint pride is expressed as being willing to listen.* ***I wonder if a fantasy of an open ear might operate in a similar way to a***

> ***fantasy of an open door, as if anyone can get in when they cannot.***
> *(2017b, emphasis mine)*

Ultimately, examining these different responses offers the opportunity to better understand the institutions themselves, as “when you make a complaint *within* an organisation so much is revealed *about* an organisation” (Ahmed 2017a, n.p., emphasis original).

Theoretical Framework

As someone with a background in literature, I arrived at this project with a preoccupation with language: I believe that what we say, whether that is through writing or speaking, and how others hear us and (mis)understand us constitutes the social world. This has shaped not only the structure of the project itself—as part of my analysis is an application of discourse analysis to sexual violence policies—but also how I interpret the findings of my interviews with student survivors and university staff. Ahrens (2006) clarifies language’s role in sexual violence response as follows: “As metaphors for privilege and oppression, to speak and to be heard is to have power over one’s life. To be silenced is to have that power denied. Silence is thus emblematic of powerlessness in our society” (p. 263). I fully explain how this focus on language reflects my positioning as a poststructuralist feminist researcher in the following methodology chapter, but raise this discussion of language here to introduce my theoretical framework.

Before elaborating on my focus on language and how this informs my theoretical framework, it is worth noting that, while this thesis was comparative in nature, it did not utilise theories of comparative (higher) education. Broadfoot (2000) explains how comparative education studies have often been solution-focused, typically in the form of promoting policy borrowing between contexts; although I present recommendations in the conclusion, this thesis did not seek to solve a problem, but rather to analyse the underlying conceptualisations of sexual violence and sexual violence response in US and English university contexts. What this thesis does share with comparative higher education studies, however, is its focus on conceptualisation: Teichler (1996) argues that “comparative research is a gold mine for the early stages of conceptual restructuring. And comparisons are indispensable for understanding a reality shaped by common international trends” (p. 463). As explained above, a “common international trend” that I see impacting institutional responses to sexual violence is neoliberalism in US and English universities.

My theoretical framework combines several different schools of thought to triangulate my findings: I draw on literature from feminist theory, organisational studies, and sociology to make sense of possible interconnections between written policy (sub-question 1), staff navigation of university processes (sub-question 2), and student survivors’ experiences of institutional responses to their disclosures (sub-question 3). I have divided my theoretical framework into three main sections: situating the university in its broader social and economic context, examining how universities as organisations operate, and unpacking theories of interpersonal dynamics. I begin this framework below by extending Jackson and Sundaram’s (2020) theoretical framework, which situates universities as a conducive context for sexual violence and analyses how universities enable and propagate gendered inequality. I then introduce Phipps’s (2018) theory of how neoliberalism in universities impacts responses to sexual violence. Following this discussion of the context of universities, I then discuss several key concepts from organisational studies, which help elucidate the relationships between individuals (e.g. students, staff) and institutions (e.g. universities). I close this section by describing the theories I draw from sociology, which span power relations, dynamics of hearing and language, theories of complaint, and institutional betrayal.

Situating The University

In analysing university responses to student disclosures of sexual violence, it is first necessary to situate the university as the context in which sexual violence occurs. As a feminist researcher, I view sexual violence as a manifestation of unequal gendered power relations (Brownmiller, 1975), since cisgender men disproportionately commit sexual violence against cisgender women and transgender people (Cantor et al., 2015). I explain this point further in the following methodology chapter, but raise it here in order to discuss what potentially enables sexual violence to occur within universities. I utilise Kelly's (2016) theory of "conducive contexts" to argue that universities in the US and England enable sexual violence to exist, and draw on both Connell's (2006) theory of gender regimes and Acker's (2006) theory of inequality regimes to describe how gendered inequality shapes the context of internal university structure. I close this section by discussing Phipps's (2018) theory of neoliberalism within universities and its impact on sexual violence response.

A Conducive Context for Gender Inequality and Sexual Violence

Sexual violence occurs in many settings, but certain features of universities make it more likely to occur within them. To understand how this occurs, I extend the theoretical framework presented in Jackson and Sundaram's (2020) book on staff perspectives on lad culture in UK universities by drawing both on Kelly's (2016) theory of conducive contexts and Connell's (2006) theory of gender regimes; I utilise these theories to acknowledge how the gendered make-up of universities contributes to sexual violence and also how this make-up enables and explains university responses to sexual violence disclosures. Jackson and Sundaram (2020) state that "[u]niversities themselves can be understood as microcosms of the wider societal and cultural context, rather than as 'special' or unique sites in relation to sexual violence" (p. 117). They note, however, that universities are "conducive contexts" (Kelly, 2016) for sexual and gender-based violence (Jackson & Sundaram, 2020). Kelly (2016) defines a conducive context as one "in which violence is most commonly encountered by women and girls: spaces in which forms of gendered power and authority and matrices of domination are in play" (n.p.). In other words, Kelly (2016) asserts that organisations or spaces where authority is granted along gendered lines—which nearly always locates authority with men, not women or other genders—allows violence against women and girls to flourish.

This hierarchical power structure is present in many US and English universities, and I utilise Connell's (2006) theory of gender regimes and Acker's (2006) theory of inequality regimes to explain the (gendered, raced, classed) organisation of power within universities. Citing Grant and Tancred (1992), Connell argues that "organizations create and reproduce gender divisions of labor, cultural definitions of masculinity and femininity, and ways of articulating men's and women's interests" (2006, p. 838). She situates patterns of gendered interactions and interrelations within a given organisation as a gender regime, which constitutes the gendered division of labour, gendered power relations, affective (emotional) relations, and gendered symbols and culture (Connell, 2006). Whereas Connell's theory focuses exclusively on how organisations (re)produce gender, Acker (2006) focuses on the intersection of gender, race, and class inequality: She asserts that "[a]ll organizations have inequality regimes, defined as loosely interrelated practices, processes, actions, and meanings that result in and maintain class, gender, and racial inequalities within particular organizations" (2006, p. 443). Both scholars identify bureaucracy and its attendant hierarchical configuration as a structure conducive to inequality, as white middle- and upper-class men tend to dominate in the highest reaches and often keep women, especially working class and/or women of colour, stuck in lower positions with less power (Acker, 2006; Connell, 2006). Taken together, the concepts of conducive contexts for gender-based and sexual violence, gender regimes, and inequality regimes offer necessary contextual information for unpacking institutional responses for sexual violence. These responses do not occur within a vacuum; I argue that the structure of organisations impacts both staff experiences within their response roles and student experiences (attempting to) access help, and as such, these theories support the analysis of my second and third sub-questions.

Universities as Neoliberal Institutions

While the theories of Jackson and Sundaram (2020), Kelly (2016), Connell (2006), and Acker (2006) facilitate analysis of universities' internal structure, I look to Phipps's (2018) work on neoliberalism and universities to demonstrate how larger external political agendas impact internal university practices. To better understand how a university responds to a complaint—how it works and for whom (Ahmed, 2018)—it is necessary to situate it in its larger social context, that of a neoliberal institution. Phipps (2018) describes the neoliberal university as an institution that "supplies knowledge commodities for 'self-betterment', economic growth, and [supports] state relations with capital" (p. 229). Performativity—a phenomenon that Ball (2012) describes as the "link[ing of] effort, values, purposes and self-understanding to measures and comparisons of output" (p. 19), or the valuing of what can be seen and measured—becomes indispensable at all levels of the academy, from the publications of a single lecturer to institutional ranking on the international level (Phipps, 2018). Phipps (2018) notes another similarity between universities and neoliberalism, that of appearing to champion unfettered meritocracy but in actuality maintaining the power of the dominant class; this occurs through processes that individualise people, make each person responsible for their own survival, and subsequently withdraw state support as a result. The values of individuality, personal responsibility, and limited institutional support have grim implications for responding to sexual violence; Phipps (2018) argues that "these [market] ideologies situate harassment and violence within 'reckonings', in which institutional impact of disclosure is projected and totted up" (p. 230) through actions such as institutional airbrushing, which attempts to invisibilise unsavoury facts about the university (e.g. the presence of sexual violence) in order to protect its income via student recruitment or research grants. It is important to note that Phipps is writing about the English academy, but much of this applies to US universities as well.

Phipps (2018) theorises neoliberalism's effect on power dynamics within universities through the concept of power/value relations, which speak to both someone's position within the university and also in society at large regarding categories like race, class, gender, and sexual orientation. These relations identify how, by occupying certain positions, certain people become (in)dispensable to the university. Furthermore, power/value relations can be both weaponized by perpetrators and used by universities to deflect reports of violence (Phipps, 2018). She highlights this with an example: "Compared to the eminent professor, the complainant is dispensable" (Phipps, 2018, p. 234). In other words, what value a person can bring to a university—through notable publications, grant money, name recognition (Phipps, 2018)—becomes caught up with gendered, racialized, and classed hierarchies to position a perpetrator as potentially defendable (if they provide enough value) or a student survivor as expendable (if they do not add value, or pose a risk to capital by disclosing publicly). Phipps discusses this weaponization of privilege as well when she states, "[w]hen sexual harassment and violence are reckoned up institutionally, the patriarchal impulse to shield privileged men is intensified by the fact that the reputation of the perpetrator operates as a proxy for that of the university" (2018, p. 234). This framework works well for understanding staff-student sexual misconduct, but can also work to explain how universities treat their students differently in cases of student-to-student sexual violence, such as cases involving high-profile student athletes in US universities (Appendix A). Phipps's theory of reckoning up in the neoliberal university puts forth several key concepts that help explain why students receive (usually unsupportive, if not outright retraumatising) responses from universities following their disclosures.

Understanding Universities as Organisations

Whereas the above section of my theoretical framework situates universities as places where gendered and other inequalities flourish within a broader patriarchal neoliberal landscape, organisational studies offers insights into how universities operate. Given my research question focuses on university responses to sexual violence, I needed to be precise in how I understand “the university” as an institution and how people—both staff and students—move within it; organisational studies facilitated this necessary analysis. It also serves as a bridging mechanism between my methods of policy discourse analysis and of interview critical discourse analysis which allowed me to make connections across findings from these somewhat disparate questions, as organisational studies discusses policy creation and how organisations (do not) implement policy. In what follows, I briefly explain the main concepts I use from organisational studies, which include institutionalisation (Meyer & Rowan, 1977), decoupling (Meyer & Rowan, 1977), symbolic structures (Edelman, 1992), structure versus agency (Abdelnour et al., 2017), and roles (Kallinikos, 2003).

Institutionalisation and Decoupling

In their germinal (1977) work, Meyer and Rowan put forth a theory of organisations as acting in ways that grant them legitimacy with outside stakeholders by ceremonially adopting common-sense ideas of best practice. This focus on legitimacy, they argue, occurs particularly in organisations operating in highly institutionalised contexts: They define institutionalisation as “the process by which social processes, obligations, or actualities come to take on a rulelike [sic] status in social thought and action” (Meyer & Rowan, 1977, p. 341). It is difficult to describe from where exactly such rules arise because they are ubiquitous:

> *the elements of rationalized formal structure are deeply ingrained in, and reflect, widespread understandings of social reality. Many of the positions, policies, programs, and procedures of modern organizations are enforced by public opinion, by the views of important constituents, by knowledge legitimated through the educational system, by social prestige, by the laws, and by the definitions of negligence and prudence used by the courts.*
> *(Meyer & Rowan, 1977, p. 343)*

In other words, institutionalised organisations are organisations that work in a field where there are legal mandates and/or general public consensus about how exactly they should operate. These common sense ideas of how organisations should operate often encourage organisations in a given industry to adopt the same internal structures and procedures (Meyer & Rowan, 1977).

In such an institutionalised context, Meyer and Rowan (1977) assert that organisations—in order to retain positive public approval and financial support—appear to adopt similar practices, although these practices might actually hinder how they operate. This discrepancy leads to a split “between the formal structure of an organization and its actual day-to-day work activities” (Meyer & Rowan, 1977, p. 341). In order to both maintain external legitimacy and internal efficiency, organisations put in place the structures assumed to be required for institutionalised organisations of their type, yet tend to work around these structures in order to achieve maximum productivity—a phenomenon known as decoupling (Meyer & Rowan, 1977), specifically policy/practice decoupling. These two theories offer a possible explanation as to why universities appear to have certain mandates on paper, yet work around them in practice. Since my research questions require analysis on the structural (i.e. policy) and institutional (i.e. university) level, Meyer and Rowan’s (1977) theories ultimately enable me to view (dis)connects across the two.

Symbolic Structures

In her 1992 study of US organisations adopting and implementing equal employment opportunity/affirmative action laws, Edelman builds on Meyer and Rowan’s (1977) theories to present the concept of symbolic structures. Edelman (1992) contends that when laws use vague language and focus more on procedure than outcome, organisations have space to negotiate how they implement such edicts, and often do so in ways that benefit them: “Such laws set in motion a process of definition during which organizations test and collectively construct the form and boundaries of compliance in a way that meets legal demands yet preserves managerial interests" (p. 1532). Symbolic structures often fail to achieve the requirements of the law they were made to enact, yet the focus on procedure as opposed to outcome (e.g. having in place an affirmative action clause, yet not taking it into consideration in hiring processes) protects organisations from negligence lawsuits (Edelman, 1992). Both decoupling and symbolic structures highlight the split between infrastructure required for external validation and infrastructure required for internal efficiency, though the end goal differs: Whereas Meyer and Rowan's (1977) decoupling focuses on putting in place structures to gain or maintain legitimacy in the public eye, Edelman's (1992) symbolic structures focuses on putting in place structures to appear as if organisations have achieved legal compliance, which is a useful tool for analysing how universities in the US work (around) Title IX regulations, as Title IX is a mandated law.

Structure, Agency, and Roles in Organisations

While institutionalisation, decoupling, and symbolic structures are features of organisations, the structure versus agency debate in organisational studies puts people—more specifically, those acting in the capacity of agents—back into institutions. The structure versus agency debate is ongoing and questions whether it is people (as agents, or change-makers) within organisations or the structure of organisations themselves that drive organisational change (Abdelnour et al., 2017). Although I do not seek to provide a definite answer to this debate, I explore both sides of it in unpacking institutional responses by looking at university infrastructure (e.g. policies, office hierarchies) and how this infrastructure simultaneously constrains and enables certain actions of staff. Before understanding what staff action is possible, however, I needed to delineate between people in an organisation acting as individuals and people acting as agents; organisational studies is clear that individuals are not inherently agents, and furthermore "organizations and institutions are not a straightforward derivation of individuals" (citing Meyer & Rowan, 1977 in Abdelnour et al., 2017, p. 1783).

In making sense of how individuals become agents in organisations, Kallinikos (2003) offers his theory of roles: He argues that in modern bureaucratic organisations, people gain agency through occupying highly specific roles, which are "behavioural moulds…that can be designed in advance and without regard for the person [fulfilling them]" (Kallinikos, 2003, p. 606). Bureaucracy is unconcerned with "humans qua persons" (Kallinikos, 2003, p. 605) because the type of work required demands that individuals leave behind all personal aspects that do not relate to their assigned job. In other words, people do not gain agency by virtue of being an individual in an institution, but rather by fulfilling a specific role that enables certain actions while constraining others. For example, in a university, a lecturer by virtue of serving in the role of "lecturer" is able to teach students, but is not able to detail university marketing plans as that is outside the scope of the role. This combination of discussions of structure versus agency and roles provides a framework for understanding how staff navigate university infrastructure in responding to student disclosures of sexual violence.

Sociological Theories of Power Dynamics, Complaint, and Institutional Betrayal

The two previous sections of my theoretical framework respectively contextualise universities as neoliberal sites of gender inequality that enable sexual violence to occur and as organisations with complex relationships between policy and implementation, and individuals and the institution. These components focus on the macro-level of my analysis, while this final section of the framework focuses on the micro-level of interpersonal interactions and power dynamics. I begin by describing Bourdieu's (1988) concept of habitus, which I use in connection with Kallinikos's (2003) aforementioned concept of roles to put forth a conceptual model for understanding staff (in)action within universities. I then discuss how I define power, which draws on Foucault's (1978) work, before moving onto discussing dynamics of speech (Bourdieu, 1991) and hearing (Ahmed, 2017c) as they relate to complaint. After establishing Ahmed's argument around complaint as a technology of hearing, I briefly describe other main components of her ongoing (2017-2020) theory of complaint. I close the theoretical framework with an overview of Smith and Freyd's (2013) theory of institutional betrayal.

Power in Action: Habitus and Power Dynamics

Bourdieu in *Homo Academicus* (1988) and Foucault in his first volume of *The History of Sexuality* (1978) both explore how people interact. In theorising how academia reproduces itself, Bourdieu proposed his concept of habitus, which he states is "an immanent law of the social body which, having become immanent in biological bodies, causes the individual agents to realize the law of the social body without intentionally or consciously obeying it" (1988, p. 149). In other words, habitus is an unconscious socialisation process that encourages members of the academy to pursue individual actions that will benefit the overall department or university to which they belong. Through habitus, Bourdieu does not see a clear divide between structure and agency; he instead theorises each as shaping and influencing the other until it becomes impossible to disentangle structure from agency. Given both the context of habitus—the academy—and its focus on action within universities, it serves as a relevant tool for my analysis of staff interviews in particular.

In conceptualising sexual violence as an expression and exacerbation of unequal gendered power relations and the implications of these relations for university responses, unpacking power dynamics is fundamental to my analysis. Foucault's (1978) theory of power does not view power as located in any one place or a top-down phenomenon on which the state has a monopoly, as "power is not an institution, and not a structure; neither is it a certain strength we are endowed with" (p. 93). Power in Foucault's view is everywhere, "not because it has the privilege of consolidating everything under its invincible unity, but because it is produced from one moment to the next, at every point, or rather in every relation from one point to another" (1978, p. 93). His conceptualisation of power is that of a fluid dynamic, not located in a specific entity, that changes based on how people interact with one another and how they resist others' attempts to exercise power over them (Foucault, 1978). Several studies of sexual violence have utilised binary and hierarchical notions of power rather than a fluid understanding of power; perhaps the most notable example of the former is Brownmiller's (1975) *Against Our Will*, in which she assigns power to men and victimhood to women through claiming that rape "is nothing more or less than a conscious process of intimidation by which *all men* keep *all women* in a state of fear" (p. 15, emphasis original). More recently, the (2018) NUS *Power in the Academy* report appears to draw on a more fixed notion of power as something that all university staff members have over and in relation to all university students. Foucault's (1978) theory of power allows for a shifting perspective of power; he acknowledges its relationality without pre-emptively defining who has—or who lacks—power, which is helpful in unpacking cases of sexual violence in universities where victims and perpetrators may occupy multiple and competing identities when held in comparison to one another.

Furthermore, Foucault argues that power is not a separate axis from other forms of relationships (e.g. sexual relationships, economic exchanges), but rather is always within these relationships and appears as "the immediate effects of the divisions, inequalities, and disequilibriums" within said relationships (1978, p. 94). Ultimately, this definition offers the possibility of resistance and situates power as something that is everywhere and imbued within existing relational dynamics. While Foucault's theory grounds much of my analysis, my use of it is necessarily tempered by my simultaneous use of Kallinikos's (2003) theory of roles, which does ground agency and therefore power in specific positions, as well as

Bourdieu’s (1991) theory of legitimate language, explored below, which highlights how institutions grant or deny legitimacy to certain speakers; both of these theories propose a more material conceptualisation of power’s exercise.

Legitimate Language and Complaint

Shifting to a slightly different definition of power, I now discuss how I combine Bourdieu’s (1991) theory of authorised speakers and legitimate language with Ahmed’s (2017-2020) theory of complaint. Both Bourdieu and Ahmed discuss the ways in which people grant (or refuse) authority to others based on their institutional positioning. Their work shares the theme of hearing: who is allowed to be heard by whom and under what circumstances. Working together, Bourdieu’s theory of legitimate language and Ahmed’s theory of complaint shed light on why students have the disclosure experiences that they do. Bourdieu argues that it is the speaker—not language itself—that grants language its legitimacy: “The power of words is nothing other than the delegated power of the spokesperson” (1991, p. 107). This delegated power results from the speaker’s connection to an institution; if the institution has power, then the speaker has power (Bourdieu, 1991). While I do not unequivocally agree with this assessment of language and power, as my discourse analysis requires me to reckon seriously with the power of words and syntax, I find Bourdieu’s theory helpful in elucidating some of the dynamics that student survivors discussed with me.

Ahmed’s theory of complaint—which I have drawn from her blog posts about her research as well as several public lectures, and which she will be publishing in a book out in 2021—offers insight into dynamics of university responses to complaints about sexual harassment, violence, and racism. I combine her theory of complaint as a technology of hearing with Bourdieu’s theory of legitimate language to make sense of unsupportive and harmful university responses to disclosures of sexual violence. Ahmed states that universities often hear complaints as negative, such as whining; destructive, as if the complainant wants to tear the institution down instead of improve it; and magnified, by assuming the complainant is asking for more than they are (2017c). Once a university hears a complaint in these ways, it "can then be treated as self-referential, as being about the complainer. A complaint becomes the expression of a failure to be properly integrated into the culture of an institution" (Ahmed, 2017c, n.p.). Should a university hear a complaint as self-referential, it will not recognise the student-speaker as part of itself and will not give them the institutional backing they need to become authorised speakers (Bourdieu, 1991). In this way, the university shuts down complaints and complainants by refusing to acknowledge their legitimacy since they are considered institutional outsiders; this shutting down reflects Ahmed's argument that "[w]e learn from hearing. We learn from *how we are heard*. Which is to say: we learn from *how we are not heard*" (2014, n.p., emphasis original). While her theory of complaint is wide-ranging and I will explain the different aspects of it—such as how universities make the complainant into the problem and situate complaints as potential institutional damage—as they arise in the findings chapters, a succinct summary of her theory reads as follows: "Complaint as feminist pedagogy: making a complaint teaches us how the world works; and for whom the world works" (Ahmed, 2018, n.p.). While several UK studies of sexual violence in universities offer structural analyses of the phenomenon, much of the existing literature does not theorise why universities *respond* to disclosures in the ways that they do; Ahmed's theory of complaint, especially when combined with Phipps's (2018) work, allows me to conduct such an analysis.

Institutional Betrayal

Pre-dating Ahmed's analysis of harmful institutional responses to sexual violence disclosures is Smith and Freyd's (2013) theory of institutional betrayal. Smith and Freyd (2013) use betrayal trauma theory to describe how negative responses to disclosures of sexual violence from a trusted institution, especially one on which its members rely for safety like the military, compound the initial trauma of violence: They assert that “sexual violence occurring in a context where an important institution acts in a way that betrays its member’s trust will be especially damaging” (Smith & Freyd, 2013, p. 120). Whereas organisational studies highlights how institutions work internally, which offers insight into my staff interview analysis, institutional betrayal highlights how the internal workings of institutions impact (harmfully) on their members. Institutional betrayal ultimately requires researchers to take seriously the affective or emotional dimension of disclosure, and recognise the connections between infrastructure and (re)traumatisation.

Conclusion

This chapter situated my thesis within the existing scholarship on sexual violence in US and English universities, and introduced the theoretical framework that informs the analysis of my findings. It offered a basis for comparison between universities in the US and England by highlighting the similar funding ideologies, student demographics, and sexual violence victimisation rates. It also briefly described the impact of sexual violence, including on mental health, academic performance, and university communities. Following this discussion of comparability and impact, I discussed the two studies that exist which compare sexual violence on US and English or UK university campuses, that of Fisher and Wilkes’s (2003) study of crime victimisation rates on US and English university campuses and Towl and Walker’s (2019) study of sexual violence reporting rates across Europe, North America, and Australia. Even though both studies are comparative in nature, neither centres institutional responses to sexual violence. This thesis therefore sits at the intersection of two gaps in the literature: comparative studies on sexual violence in universities, and studies of university responses to sexual violence disclosures. Since there is limited scholarship on both of these areas, I analysed the respective response frameworks for the US and England, which includes the Title IX regulation prohibiting sex-based discrimination at all levels of education and (2011) Dear Colleague Letter guidance in the US, and (2016a) *Changing the Culture* report guidance in England. The chapter closed with an overview of my theoretical framework, which spans feminist theory, organisational studies, and sociological theory. In the next chapter, I critically discuss the methodology used for this research.

Methodology

Introduction

This chapter explores how I constructed and conducted my thesis research. It explains how the theoretical framework described in the previous chapter—drawing on feminist theory, organisational studies, and sociological theories of interaction and power—informed my research questions, methods, and analysis. Before discussing how I did this research, however, it is necessary to unpack the assumptions that shaped the questions I asked and the methods I used. This chapter therefore begins by briefly restating the research questions before describing the ontological and epistemological positions I hold. I then discuss the research design of the thesis, which includes the initial plans for methods, limitations of my methods, and ethical considerations. I conclude this chapter by detailing exactly how I conducted this research: This includes sampling of universities, participants, and policy documents; challenges I encountered prior to and during data collection and how I responded to these; what data I produced; and how I analysed the findings.

Research Questions

This research sought to understand how a selection of universities in comparable countries—namely the United States and England—respond to reports of sexual violence. Its overarching question asked: How do some universities in the US and in England respond to student disclosures of sexual violence? I aimed to analyse how student survivors experienced institutional responses to their disclosures; I did not ask about staff or faculty experiences of sexual violence, which means that the findings I present in subsequent chapters do not necessarily reflect institutional responses to staff disclosures of sexual violence. In investigating this main question, I also asked the following sub-questions: 1) How do national policies and guidance in the US and England conceptualise sexual violence and sexual harassment? 2) How do university staff in response roles (e.g. Title IX Coordinators or student welfare staff) perceive and navigate their university's response to student disclosures of sexual violence? 3) What are student survivors' experiences of university responses to disclosures of sexual violence in the US and England? These sub-questions sought to explore the overall issue of institutional responses at three levels: At the structural level of policy to understand intended responses, at the institutional level of staff implementation of policy, and at the subjective level of student experiences of institutional responses. This multi-level approach offers a comprehensive picture of university responses to student disclosures of sexual violence, and in answering them, I also answer my main research question.

Ontological and Epistemological Position

This thesis is a feminist undertaking. Feminist theory has shaped everything from the questions I asked, to the methods of data collection and analysis I used, to the very ethics of this research. Before I describe how I used feminism in my ontology, epistemology, and methodology, I must explain the type of feminism to which I subscribe. Feminism as a political movement consists of many fragmented, often contradictory positions and strands, and "our inability to either arrive at a consensus of opinion about what feminism is or accept definition(s)" ultimately means that "we lack a sound foundation on which to construct theory or engage in overall meaningful praxis" (hooks, 2015, p. 18). While defining my own feminism will not eradicate this larger problem with feminist politics, it does enable a more thorough understanding of my methodological choices. This first section therefore defines how my feminism uses key terms and how these relate to my research; I then discuss how this set of politics influenced my overall ontological and epistemological positions.

Feminism: Definitions and Relation to Sexual Violence

What is Feminism?

Black feminist scholars greatly influenced my own feminist politics, which begins with the definition of feminism I use. In *Feminist Theory: From Margin to Center*, bell hooks advocates for a vision of feminism that recognises the need for radical structural change: “The foundation of feminist struggle must be solidly based on a recognition of the need to eradicate the underlying cultural basis and causes of sexism and other forms of group oppression” (2015, p. 33). Though I agree intellectually—and even ethically—with a feminism that is more radical than liberal, more about eliminating oppressive structures than reforming them, to claim this project is radical in nature would be incorrect; the feminist viewpoint underlying this research is more liberal than radical in that I aim to effect structural change within, but not the elimination of, universities. Despite this difference between my version of feminism and hooks’s, I still draw on her commitment to changing cultures that foster oppression.

In addition to hooks, my feminism utilises Kimberlé Crenshaw’s concept of intersectionality: Initially theorised in discussing Black female workers’ experiences of employment discrimination and elaborated upon in theorising violence against women of colour (predominantly Black women), intersectionality refers to how axes of identity—including but not limited to race, class, gender, disability, sexual orientation, and nationality—interweave to produce unique experiences of oppression, which notably includes sexual violence (Crenshaw, 1989; 1991). Intersectionality should be integral to feminist analyses because it provides nuance to lived experience. It recognises that “intra-group differences” (Crenshaw, 1991, p. 1242), such as women of different races or people of the same race but different genders, will produce experiences of structural violence that reflect the intersections of people’s identities. This nuance is otherwise lacking in the hegemonic (white, middle-class, heterosexual) feminist notion of “universal patriarchy” (Butler, 2011, p. 5), which attempts to define a singular experience of womanhood as labouring under male domination without paying attention to aspects of identity beyond gender.

What is Gender?

In defining feminism as a movement to end sexist oppression (hooks, 2015) that understands people will experience said oppression based on their positioning in social hierarchies, the question of gender—and specifically its definition—arises. I subscribe to Butler's (2011) notion of gender as performative, which recognises gender as a verb instead of a noun. Butler argues that there is no stable sense of gender beyond what actors actually *do*: "There is no gender identity behind the expressions of gender; that identity is performatively constituted by the very 'expressions' that are said to be its results" (2011, p. 34). In this way, she disputes biological essentialism which assumes that biological sex automatically correlates to gender. The material result of this ideological position—that gender is performative—for my feminist ethics and for this research means I acknowledge the right to gender self-determination for transgender people. I do not advocate for trans-exclusionary radical feminism, which argues that biological sex is immutable and that "gender and sex are locked into each other and secured at birth" (Hines, 2019, p. 146). Sexual violence research conducted by self-identified feminist scholars has historically focused on male violence against women (e.g. Brownmiller, 1975), but this research tended to use a narrow definition of "women" to mean only cisgender women: My research diverges from this historical pattern, and hence I must make clear that I include trans women in my definition of womanhood. While it is possible to research sexual violence without including the transgender community, in my view, such research is ideologically harmful and methodologically flawed: Transgender people, especially transgender university students, are at the highest risk of experiencing sexual violence compared to any other student population (Cantor et al., 2015). To exclude them based on a narrow definition of sex and gender is epistemic violence (Dotson, 2011).

Feminist Theory and Sexual Violence

Perhaps the most important definition for this research is sexual violence. I take a feminist perspective, which sees sexual violence as the result of gendered power imbalances and abuses. Feminists have long recognised sexual violence as a feminist issue: A notable example is Brownmiller's (1975) book, *Against Our Will: Men, Women and Rape*, in which she boldly asserts that rape "is nothing more or less than a conscious process of intimidation by which *all men* keep *all women* in a state of fear" (p. 15, emphasis original). Phipps (2020) highlights Brownmiller's book as emblematic of radical, white second-wave anti-rape feminism because of its focus on biological sex, especially on the idea of the penis as a weapon. My definition differs from that of Brownmiller's because I take issue with the idea of essentialised "male" bodies as the only perpetrators of sexual violence; while I recognise that men are disproportionately perpetrators and women are disproportionately victims of sexual violence, I also recognise that sexual violence is fundamentally about power and control, and that people of any gender can be victims or perpetrators.

In defining what I think sexual violence is, it is important to delineate how my work goes beyond common-sense understandings of and responses to sexual violence. I refute the common myth of sexual violence as perpetrated by the stranger rapist, or the unknown (often implied Black) man attacking (white) women in dark alleys (Estrich, 1987; Phipps, 2020). I see sexual violence as more than a legalistic problem or a crime for the state to prosecute and I am conscious of the ways in which the legal system contributes to mass incarceration, especially in the United States (Transform Harm, 2018). A reliance on the criminal justice system to solve sexual violence falls in line with 'carceral feminism,' a strand of feminism theorised by Bernstein in her (2010, 2012) work which makes the state—from the police to prosecutors to prisons—responsible for responding to the problem of sexual violence in retributive ways. Carceral feminism centres the criminal justice system and its inherent focus on punishment; it stands in direct opposition to approaches to sexual violence response that focus on cultural change, which would eradicate it from society as opposed to disappearing a handful of (often racialised and lower-class) perpetrators by committing them to a prison system that in itself perpetuates sexual violence (Transform Harm, 2018). Instead of a carceral feminist approach to sexual violence in universities that would centre the criminal justice system, I situate the university as the site of inquiry into this issue. While some student survivors may opt to report to the police, many report to their universities and not to police because they want support and accommodations, not necessarily prison sentences (McGlynn & Westmarland, 2019).

The similarities, however, between university conduct processes and the punitive criminal justice system means that, while I may not engage in carceral feminist politics, I also cannot say that this research fully engages in the politics of transformative justice. Kelly Hayes and Mariame Kaba define transformative justice as

> *a community process developed by anti-violence activists of color, in particular, who wanted to create responses to violence that do what criminal punishment systems fail to do: build support and more safety for the person harmed, figure out how the broader context was set up for this harm to happen, and how that context can be changed so that this harm is less likely to happen again. (2018, n.p.)*

Transformative justice would be in line with hooks's approach to feminist praxis and politics, and since I draw on her definition of feminism (2015), it is important for me to situate how my position differs from hers. Since I investigate the role of universities as institutions in addressing sexual violence as opposed to both the criminal justice system and grounded community responses, this research falls somewhere in between carceral feminism and transformative justice on a spectrum between the two approaches. Transformative justice would reflect Audre Lorde's famous quote, "*the master's tools will never dismantle the master's house*" (c1984, n.p., emphasis original) by which she asserts people will never achieve meaningful change working within the confines of current oppressive structures. This thesis, and the feminism in which it is grounded, takes Lorde’s statement to heart, even if the recommendations it offers are more reformist than abolitionist: It ultimately tries understand how the master’s house (or ivory tower) is built in order to see if having the blueprints means we can begin dismantling it, or, at the very least, make it less of a dungeon for student sexual violence survivors.

The Social Construction of Reality: Feminist Critiques of Objectivity and Epistemological Implications

Despite much of feminist theory critiquing binaries—for example, between man and woman, public and private, personal and political—feminist methodology and some of its foundational ontological and epistemological positions did not appear on their own, but rather in opposition to male-dominated knowledge regimes. My ontological position, which views reality as socially constructed, follows feminist resistance to hegemonic Enlightenment thought on rationality, knowledge, and objectivity. Ramazanoğlu and Holland state that Enlightenment theorists’ “approaches to science underpin what came to be commonsense [sic] ways of thinking about thinking in the West, and of establishing the truths of the natural and social worlds” (2011, p. 25). Such assumed ideas include the notion of a universal reality that exists and can be known; reason as the mediating factor between observation of the world and knowing this reality; and a reliance on scientific modes of research to reach objective truths about the world. For Ramazanoğlu and Holland (2011), Descartes and his separation of mind from matter or subject from object, known as Cartesian dualism, are a focal point of feminist challenge to Enlightenment thought:

> *The taken-for-granted dualisms (mind/body; reason/passion; culture/nature; male/female) that have become embedded in European cultures and scientific thinking (albeit with variations) have profoundly influenced the development of feminist resistance to the certainties, and male-centredness, of existing knowledge… Feminists have challenged dualistic or binary thinking by identifying unreason, emotion and injustice in how the separation of mind from body and reason from passion has come to position women. (Ramazanoğlu & Holland, 2011, p. 28)*

They highlight how men became considered subjects or legitimate havers of knowledge under Cartesian dualism because men could allegedly separate from their emotions more easily than women, which enabled them to access a rationality that women never could (Ramazanoğlu & Holland, 2011). Working within a binary system, if men are reasonable, then women are emotional; this distinction has allowed men to drive public scientific inquiry while pushing women towards the private domestic sphere (Ramazanoğlu & Holland, 2011).

My position that reality is socially constructed is in line with feminist critiques of the alleged objectivity of non-feminist, male-driven social science research. In grounding analyses in the specific position that researchers occupy in social hierarchies, feminists have called attention to researchers as people informed by such positioning, as opposed to completely detached and therefore (falsely) objective. In this view, what researchers have put forth as "objective" is not universal, but rather a reflection of the dominant class of white male researchers; Haslanger sums up this feminist critique of objectivity as the recognition that "'objective' reality is rather 'male' reality" (2015, pp. 91-2). The feminist focus on social positioning therefore leads to an ontological conception of reality not as objective, as objectivity is illusory and based on systems of power, but instead as socially constructed:

> *because what we think or know about things is always conditioned by our particular social position, all we can ever meaningfully say about them is how they are related to that position. So although we sometimes appear to be talking about how things are 'in themselves,' we're actually only speaking of how things seem to us (Haslanger, 2015, pp. 91-2)*

This ontological stance reflects a phrase feminist activists and theorists alike have used, which argues that "the personal is political." In direct response to mainstream politics, which assert that what is personal is private while what is public is political, "the personal is political" encourages women and people of other genders to interrogate systems and politicised structures of oppression that contribute to often unseen gendered subordination within so-called ‘private spaces,’ such as domestic violence or the unequal division of household labour (Ramazanoğlu & Holland, 2011).

If “the personal is political,” then one way people understand reality is through interacting with others, specifically through analysing language. Language may seem to be somewhat of an abstraction from my main research question, which asks how US and English universities respond to sexual violence, but the specific epistemological position I hold as a poststructural feminist resolves this apparent tension. Poststructural feminists reject an overarching metanarrative of a universal truth and aim to show what people generally perceive as “natural” to be anything but (St. Pierre, 2000). They argue that there is no inherent meaning in a word because all words receive their meanings as a result “of their difference from other signs in the language chain” (St. Pierre, 2000, p. 481). Furthermore, poststructural feminist analysis addresses the connection between language and infrastructure, as St. Pierre explains that “[f]eminists and others representing disadvantaged groups use poststructural critiques of language…to make visible how language operates to produce very real, material, and damaging structures in the world” (2000, p. 481). By making visible these connections, poststructural feminist analysis not only illuminates how written or spoken injustices—as well as fluid power in interactions (Foucault, 1978) in both a discursive and a material sense—correspond to harmful practices or structures, but also that there is room to change them. Ultimately, poststructural feminism is my epistemological tool of choice that allows me to read the blueprints of the master’s house (Lorde, c1984), as previously mentioned.

Research Design

Given my ontological stance that reality is socially constructed and my epistemological stance that it is possible to know the world through language—specifically, discourse—this research used a qualitative multi-method approach. In this section, I explain what this multi-method approach looked like at the inception of this project and what type of knowledge I planned to gain through my chosen methods. I also address the benefits and limitations of these methods and explore the important ethical considerations inherent in conducting research with survivors of sexual violence. As I should have anticipated at the start of this project because of the topic's sensitive nature, my research design needed to evolve throughout data collection; as a result, the section following this addresses the challenges I faced and the resulting modifications to my research design.

Initial Research Plan

As mentioned at the start of this chapter, my thesis attempts to understand university responses to sexual violence at three levels: At the written policy level (what is intended), at the implementation level (how institutions carry out the policy), and at the subjective level (how students experience institutional implementation of policies to their cases). Each of these levels of analysis corresponds to one of my research sub-questions. This approach draws on two distinct methods, yet I employed both as part of my feminist methodology. As Reinharz states, feminism in itself is not a method, but instead "a perspective on an existing method in a given field of inquiry or a perspective that can be used to develop an innovative method" (1992, p. 241). My methodology mirrors the latter part of Reinharz's statement by combining policy discourse analysis and feminist interviews to reflect the multiplicity of stakeholders and their positioning within university sexual violence responses.

Policy Discourse Analysis

My initial research design sought to answer my research questions in the context of the United States and the United Kingdom, as opposed to simply England. In this sense, it would have been a comparative study within a comparative study because higher education is a devolved policy matter across the four United Kingdom countries. In order to answer my first sub-question about how policies conceptualise sexual harassment and violence, I planned to conduct policy discourse analysis (PDA) of national guidance on sexual violence, either generally or specifically in regards to universities depending on availability. Iverson and Allan (2017) define policy discourse analysis as a combination of feminist and poststructuralist approaches to studying policy, and explain that “PDA proceeds from the premise that policy-making and analysis are discursive practices that both reflect and produce culture” (2017, p. 93). Among my selected documents for policy analysis at the beginning of the project were the (2014) *Not Alone* report for the United States, and Universities UK’s (2016a) *Changing the Culture* report as well as the Conservative-Liberal Democrat coalition government’s *Violence Against Women and Girls Strategy 2016-2020* for the United Kingdom. At the outset, I chose these documents because I thought they contributed the most guidance to universities about how to respond to sexual violence, but while undertaking my literature review, it became clear that this was not necessarily the case, which I will explain fully in the final section on the research process. Through discourse analysis, I aimed to elucidate how these policies conceptualise sexual violence and what underlying discourses may exist; in using a feminist approach specifically, I also planned to identify what subject positions these policies make possible (e.g. “victim,” “complainant,” “perpetrator,” etc.) and what implications these positions may have for university response.

Limitations of Discourse Analysis

While discourse analysis offers an opportunity to see how culture is both reflected and created through language, it does have limitations. Reed (2000) connects the constructivist ontology of discourse analysis to the practice’s tendency to overlook material structures. He also argues that discourse analysis assumes that ideology and discourse are interchangeable, and that this position becomes problematic because it fails to account for other economic and political forces beyond language that (re)produce ideology (Reed, 2000). While he takes issue with Foucauldian discourse analysis in particular—which is not what I planned to or did use, despite drawing on Foucault's (1978) concept of power—the shared constructivist ontology inherent in many discourse analytical approaches makes these critiques relevant for my own work. My research design accounts for such a limitation by combining discourse analysis with interviews with staff and students to understand the material and embodied experiences of the implementation of these policies. Despite weaknesses in the ability of discourse analysis to situate findings in larger structures beyond language, it is a useful tool for analysing (ab)uses of power: van Dijk (2008) asserts that power in critical discourse analysis "should not be defined as the power of a person, but rather as that of a social position and as being organized as a constituent part of the power of an organization" (p. 12); in drawing on such a definition, my conceptualisation of power takes a more embodied and embedded form than Foucault's (1978) strictly fluid dynamic, as presented (with this caveat) in the literature review. Given my multi-level approach that examines structural, institutional, and experiential perspectives of university responses to sexual violence, the ability to locate power is crucial, and critical policy discourse analysis enables exactly this.

Interviews with University Staff and Student Survivors

Beyond discourse analysis of policies, my initial research plan also included a case study approach to interviews with staff and student survivors at universities in the United States and the United Kingdom. I planned to select universities based on a variety of factors in order to ensure a diverse, though not nationally representative, sample. In both contexts, factors would include geographic position (rural vs. suburban vs. urban), campus structure (campus vs. no campus), size (small vs. mid-sized vs. large) and university aim (research vs. teaching). In the US, I would give further consideration to public vs. private vs. Ivy League institutions as well as liberal arts vs. science-focused institutions and HBCUs (historically Black colleges and universities) or tribal universities vs. primarily white institutions, while I would consider collegiate vs. non-collegiate, pre-'92 vs. post-'92 vs. Oxbridge universities, and religious (e.g. Catholic) vs. secular universities in the UK. Based on these criteria, I would create a sampling frame to designate ideal universities, as well as two replacement options for each in case I could not get access to my first choice.

Upon gaining access to universities I would then interview administrators, and survivors who had disclosed to their universities in order to answer my second and third sub-questions. I would choose five universities in the US and five universities across the UK, and planned to interview five administrators and five survivors per university for a total sample of 100 interviews evenly split between the United States and the United Kingdom. In the US, the administrators I could speak to included Title IX Coordinators, Student Conduct officials, sexual violence counsellors, and if applicable, designated ‘responsible’ faculty members who are mandatory reporters of sexual violence[10]. Interview participant selection would look different in the UK as response is much less standardised than in the US, which means that my sample would be more varied within the UK than within the US. In the UK, administrators to interview could have included Deputy Vice Chancellors, Equality and Diversity officials, Student Support Services staff, sexual violence specialist support staff, and—in the case of a collegiate university—college staff such as those involved in pastoral student welfare. Whereas interviews with administrators would allow me to understand how the university structures its response to sexual violence, interviews with survivors would offer a more thorough understanding of how students experience institutional responses to disclosures. I planned on recruiting students through advertising at the chosen universities using a self-selection method. I would advertise through main university channels, such as posters in the counselling centre, but also to individual groups that are more likely to experience sexual violence (e.g. athletes, members of fraternity and sorority life, first year students, etc.) (Krebs et al., 2007; Martin, 2016).This type of analysis would ultimately produce five case study institutions in the US and UK respectively.

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[10] I explain mandatory reporting at length in the analysis chapters, but certain staff members at US universities are designated “responsible employees” who must report back to the Title IX office if a student discloses an incident of sexual violence to them (Sokolow, 2015).

Interview content remained unchanged following expert testing of the interview schedules—explained further in the below section on research process—and for both groups of participants, the questions I asked aimed to understand the structure and culture of each university, and how staff and students alike experienced reporting and support processes. I asked administrators about their respective job specifications and how they see themselves fitting into the overall university response (e.g. do they see themselves as upholding a conduct contract, or there to support affected students?). For students, I asked about why they chose their university disclosure route and how they found that experience. Including interviews with survivors was important not only to gauge the effectiveness of existing response methods, but also for policy implications moving forward. By interviewing both staff and survivors at the same universities, I aimed to understand the reporting process from inception, when a student reports and triggers an institutional response, to possible resolution, when a conduct process or student support ends.

I chose interviews as the main means of collecting data because they effectively reflect my ontological and epistemological framework. Since I argue that reality is socially constructed and known through language, interviews are an ideal method because they are a form of social interaction and spoken language. As an oral text, I was able to conduct a similar type of analysis on interview transcripts as I conducted on written policies. Using interviews about rape as an example, Ramazanoğlu and Holland (2011) show how social constructionist ontology, interviews, and discourse analysis are interrelated in feminist research:

> *If the 'knowing self' that knows its own experiences is socially constituted, then, in producing an account of rape, a person becomes the author of a text—the story that they are telling. Rather than relating a 'fact' that simply connects their experience to some real structure, context or*

> *underlying relationship, the author cannot escape expressing their story in a particular language, style and set of assumptions, and addressing it to a particular audience. (p. 129)*

In positioning interviews as authored oral texts, I am able to more closely link the data produced from interviews with the data produced from policy discourse analyses: Both are forms of text that mirror and reproduce existing discourses about sexual violence and institutional responsibility.

Feminist Interviewing: Critiques of Mainstream Interviews and Implications

Despite how well interviews fit into my ontological and epistemological framework, there are several drawbacks to this method from both a general social science perspective and a feminist ethics perspective. Weiss (2004) highlights that issues of unreliable memory and truthfulness are inherent in interviews due to their reliance on what people are willing and able to share. Not everyone will be able to remember events as they occurred, and "[e]ven respondents who want to be accurate may distort. Memory of an event is never simply a replay of a mental videotape. It is a reconstruction, an integration of fragments of stored knowledge, perceptions, and emotions" (Weiss, 2004, p. 45). Furthermore, in cases of sexual violence, survivors' memories are often fragmented and improperly encoded in the brain because of the neurobiological response to trauma (Campbell, 2012). Although I was not interviewing student survivors about their experiences of sexual violence, I was aware that such neurobiological trauma responses could have affected their recall, especially considering the potential retraumatisation of disclosing to the university and its subsequent response. Weiss (2004) also notes that interviewing someone does not guarantee that person's truth in responses; he follows up, however, by explaining that interviewers can work around presenting responses they do not believe as honest by making note of the participants' body language, the setting in which the interview took place, and otherwise providing context clues to let readers know whether they should be sceptical. Lastly, from a social science critique, I would be remiss if I did not address that interviews cannot provide generalisable data that reflects ‘objective reality’ (Weiss, 2004). The aim of my research, however, was never to generate widely generalisable data, but rather to understand—in-depth—subjective experiences of disclosing sexual violence across a number of universities.

The critique of interviews that is the most salient for this thesis comes from feminist researchers who recognise traditional interviews as sites of unequal power between the interviewer and the interviewee; this critique ultimately led me to use feminist interviewing for my data collection. Oakley, in her ground-breaking (1981) work, argues that traditional social science interviewing is a masculine pursuit because

> *the paradigm of the ‘proper’ interview appeals to such values as objectivity, detachment, hierarchy and ‘science’ as an important cultural activity which takes priority over people’s more individualised concerns. Thus the errors of poor interviewing comprise subjectivity, involvement, the ‘fiction’ of equality and an undue concern with the ways in which people are not statistically comparable. (p. 38)*

Oakley (1981) summarises issues with traditional, masculine-coded interviews as thinking of the interviewee as an object present only to provide the interviewer (the subject) with data, a one-sided exchange in which the interviewer asks questions but does not have to answer any questions the interviewee might have of them, and operating on a hierarchy that prioritises the interviewer over the interviewee. In response to these issues, she argues for a style of interviewing that topples “the mythology of ‘hygienic’ research with its accompanying mystification of the researcher and the researched as objective instruments of data production” (Oakley, 1981, p. 58) and instead emphasises situated relationships that promote equality and connection between interviewer and interviewee. Feminist interviewing therefore acknowledges power dynamics between the interviewer and interviewee, and actively works to reduce hierarchy between them. Specifically, it attempts to take an intersectional approach in reducing hierarchy, as it acknowledges the gendered, raced, classed, etc. dynamics that exist between the interviewer and interviewee, and the subsequent ways these gendered social dynamics influence the research process. The next section explores some of the ethical implications of conducting feminist interviews with survivors of sexual violence, what this looked like in practice, and broader ethical considerations of this research.

Ethical Considerations

As intimated in discussing my initial research design, this project had significant ethical implications to be considered. These concerns primarily related to researching a sensitive topic (sexual violence) with a vulnerable population (survivors), though other ethical issues arose after data collection that I had not previously anticipated. This section examines the implications of my choice of topic and population, how I implemented safeguarding measures to minimise distress for both my participants and me, and ethical considerations of data interpretation—the unanticipated issue I encountered after I finished conducting the interviews. Ultimately, I utilised feminist research methods and a commitment to feminist politics to ensure the safest, most ethical experience possible for all involved in this research.

Trauma Research and Researching Sensitive Subjects

Sexual violence is a distressing topic to discuss, especially for those who have experienced it. As both trauma victims and qualitative interviewers, Brzuzy, Ault, and Segal (1997) explain that in conducting research with female trauma survivors, common participant responses included heightened anxiety before the interview, becoming emotional in the interview when speaking about the trauma, and emotional aftermath following the interviews such as nightmares. Despite knowing that engaging in trauma research may trigger negative emotional responses, many victims participate out of a desire to make things better for others, to work through some of their own experiences, and/or to take back control over situations in which they had none (Brzuzy et al., 1997). Even with self-selected participants in trauma research, however, Brzuzy and colleagues warn of "[t]he tension between the need to gather information and the possible revictimization of survivors" (1997, p. 79). Fontes (2004) highlights that the specific nature of research into violence against women can exacerbate this tension because of the dynamics of shame and disbelief that accompany speaking out about such stigmatised experiences.

Although trauma researchers agree that there are risks in the work they do with survivors, not all agree that trauma research is inherently retraumatising to participants. Members of this latter faction charge that there is a necessary and important distinction between evoking emotion from participants and retraumatisation, since too often people conflate trauma research with retraumatisation. As Newman and Kaloupek (2004) state,

> *[u]se of [retraumatise] is unwarranted in the research context because it equates recounting a traumatic experience with the actual occurrence of traumatic exposure. It essentially ignores the distinction between distress that emanates from recall of an experience and, for example, the 'intense fear, helplessness, or horror'…that emanates from direct experience with a traumatic stressor. (p. 390)*

One significant way trauma research differs from a traumatic experience is the presence of control: Trauma researchers give their participants control in recalling a situation in which others took their control away from them (Newman & Kaloupek, 2004). Furthermore, building on Newman and Kaloupek's (2004) research, Becker-Blease and Freyd (2006) advocate for psychological researchers to ask about trauma and abuse history, if it is relevant to the research. They couch this suggestion with the caveat that researchers must plan such questions well ahead of time and work with experts to ensure their responses are informed and compassionate (Becker-Blease & Freyd, 2006). In their view, a choice not to ask about abuse serves only to protect the researcher's wellbeing and the researcher's university from liability; they hold that, "[w]hether we ask or don't ask, those participants are getting a message about whether their abuse matters and whether researchers want to hear about it" (Becker-Blease & Freyd, 2006, p. 225). In this sense, good ethical practice in interviewing survivors of sexual violence is not about minimising their expressions of fear, anger, or upset, but rather ensuring there are supportive measures in place for participants to safely work through whatever emotions arise during the research.

Safeguarding Measures

Following best practice guidance from feminist and trauma researchers, I enacted safeguarding measures for both my participants and myself spanning before the start of the interview, during the interview, and after the interview. To respond briefly to Becker-Blease and Freyd (2006), one of the first choices I made in designing my interviews with survivors was to *not* ask about their initial experience of sexual violence. This decision may seem counterintuitive given the above discussion, but there is a significant difference between the content of my research and the "research that asks adults about abusive events" (Becker-Blease & Freyd, 2006, p. 218) upon which they make their argument: While this project is about sexual violence, it focuses on university *responses to* sexual violence as opposed to sexual violence itself. Not asking student participants to recount their experience of sexual violence was important to me for two reasons: firstly, to collect the minimal data necessary for research on a sensitive subject, and secondly, because of the implications of student self-selection bias. My research questions did not ask about experiences of sexual violence, in which case not asking participants about sexual violence was the ethical choice to avoid them engaging in the emotional toll of giving me information that was not directly relevant to the study; collecting the minimal amount of data necessary is particularly important in studies that cover potentially distressing topics. Furthermore, given my self-selected student participant sampling design, I (rightly) assumed that student survivors willing to speak with me about their experiences of university responses to their disclosures had received particularly traumatic responses. This feature of my student population is a result of self-selection bias, a phenomenon associated with the voluntary nature of research; Robinson

(2014) explains that with interviews, where “extensive intimate self-disclosure is sometimes required…this is likely to lead to a sample containing individuals who are more open, more patient and more interested in the topic than the general sample universe” (p. 36). Self-selection bias is impossible to avoid in interview research precisely because “voluntary participation is central to ethical good practice,” (Robinson, 2014, p. 36) so instead of trying to work around it, I designed my interview schedules to be sensitive to the experiences I assumed self-selected student participants would have, namely traumatic university responses to their disclosures of sexual violence. In the following sections, I first detail safeguarding measures I designed for participants before, during, and after interviews, and then discuss how I safeguarded my own wellbeing as a researcher during data collection.

Participant Safeguarding Before and During Interviews

Safeguarding measures before the interviews took the form of alerting participants to the potentially distressing nature of the research, creating an individual safety plan with each participant—both student and staff—and working with a local rape crisis centre to ensure my interview questions would not retraumatise participants. Based on Newman and Kaloupek’s (2004) suggestion, I included a clause in my informed consent sheet which acknowledged that people may find participation distressing; this action respected the autonomy of my potential participants, as only they know the level of upset with which they are comfortable and could decide for themselves if they would like to participate despite possibly becoming distressed. Furthermore, Fontes (2004) suggests before beginning an interview, interviewers and interviewees should work together to create a clear guide on how interviewers should proceed depending on interviewee reactions. My adaptation of this asked participants before the start of the interview how they would like me to respond if they started crying, how they would let me know if they did not want to respond to a question, and what they planned to do if they realised they wish they had not participated following the interview. This plan was tailored to every participant and, as such, acknowledged the different stages of recovery survivors could be in when speaking to me, which Campbell, Adams, Wasco, Ahrens, and Sefl (2009) found to be important in their research about interview practice with rape survivors. Many participants—staff and student—were slightly taken aback by these questions and awkwardly laughed it off before answering, but several students thanked me for the consideration; in these latter cases, I think this guide created rapport between us before the interview even began (in the former cases, I do not think it negatively impacted how we related to one another; these questions are not commonly asked, and it took people a few minutes to process them).

Previous Specialist Training and Survivor Specialist Expert Testing of Interview Schedules

Campbell and colleagues (2009) also emphasise that interviewers should familiarise themselves with violence against women before conducting any interviews by potentially working with a rape crisis organisation, and I arrived at this research with practical training. I was a trained domestic violence and sexual assault crisis intervention advocate, having completed an 80-hour training in the autumn of 2015 with Womanspace, Inc. in Lawrenceville, New Jersey, in which we talked about both the dynamics of said violence and how to support and respond to survivors in the immediate aftermath of it. I employed the same principles I learned in that training in my interviews with survivors, which included emphasising boundaries (e.g. no hugs, no touching), active listening, validating and normalising experiences, and giving control of the conversation to them whenever possible. The further advice that rape survivors gave to Campbell et al. (2009)—including that interviewers should understand dynamics of recovery, be aware of their own limitations of understanding as people who may not have experienced sexual violence, and dismiss preconceived notions of what trauma looks like—echoes ideas that I learned in my training, and utilised in my interviews.

As a way to refresh my knowledge and expertly test my data collection instrument—interview schedules—I met with a survivor support specialist at Survive, the rape and sexual abuse support organisation in York. She gave me valuable feedback about my safety plan at the beginning of the interview, the order and wording of my questions, what type of referral information I should give participants after the interviews, and general best practice guidance for working with survivors. As I did not have the time to conduct a pilot in the traditional sense given the scale and comparative nature of this research, this expert testing ensured my interview schedules, particularly for student survivors, would generate the type of data I sought. Since the specialist was very experienced in working with survivors, she could accurately anticipate how they would respond to the questions, and advised me accordingly.

Feminist Interviewing Techniques as Support Measures

During the interviews, I used feminist interviewing techniques to make the conversation as equitable and supportive as possible for staff and students. Alongside their (2009) research, Campbell et al. also conducted a (2010) “qualitative metastudy” that examined feminist interview techniques in interviewing adult female rape survivors, and these findings greatly influenced my interview conduct. Feminist interviewing attempts to topple the implicit privileging of the interviewer over the interviewee—which results from the structure of the interview method itself (Oakley, 1981)—by actions such as encouraging mutual dialogue (Campbell et al., 2010). In interviewing survivors, Campbell et al. (2010) emphasised that the participants—not the researchers—controlled the conversation, and interviewers reiterated this fact to them often. Enabling participants to drive the interview is particularly important in sexual violence research, as it gives them power in speaking about an experience in which another person (or persons) took their power away. Fontes (2004) also addresses the need to stress participant control, and suggests that researchers should give clear points during the interview that offer participants the ability to skip a question or stop the interview altogether, which makes it less probable that researchers will coerce interviewees into participating beyond that with which they are comfortable. I utilised both of these techniques to stress to my participants that they were in control of our conversation, and to try to make them feel as safe as possible speaking with me: For unscripted follow-up questions that could be emotionally difficult to answer, I always couched them by saying that participants could skip this question and we could move on. I was also flexible in the order of my questions so that I could follow the lead of whomever was speaking.

Flexibility and Implementing Participant Feedback

Furthermore, I remained flexible in implementing participant feedback during data collection. I owe a significant part of my interview process's final form to Dylan[11]. In our interview—which was only my second student interview and fourth interview overall—they challenged the phrasing of a question which asked how confident they were prior to reporting that their university would be able to help and support them. They responded, "I thought before I reported that they would be able to help me. After I reported, I think they are able to help me but I don't think they're willing to help me, and I think that's a useful distinction to make." Based on their feedback, I changed the wording of the question in all subsequent student interviews to "able *and willing* to help and support." Dylan also mentioned at the end of our interview that they were very nervous beforehand because, despite the call for participants mentioning that I would not ask anyone to discuss their experience of sexual violence, they were not entirely sure that would be the case. Their case as well included a highly convoluted paper trail with different university offices, and they said that having the option to see the questions beforehand would have eased their worries because they would have seen I would not ask about sexual violence, and it would have enabled them to get all relevant emails in order prior to the interview instead of searching their computer throughout it. I took this advice onboard and subsequently offered each student participant the option to see the questions beforehand. Most students did then look at the question list before our interviews, and some even came in with timelines and relevant notes like Dylan wished they could have had. While flexibility and following survivors' lead reflects feminist interviewing, I also wanted to take this space to recognise Dylan's contribution to this research from an ethical perspective that sees feminist research as collaborative. Thank you, Dylan.

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[11] Assigned pseudonym.

Participant Safeguarding Measures Post-Interview

Thus far I have described what safeguarding measures I made in advance of and during the interviews, and now I will briefly describe what measures I took after each interview. Some of these safeguarding measures were material provisions while others apply to my treatment of the resulting interview data. These measures included providing a list of relevant professional survivor support services for all participants at the end of each interview, anonymising all participants in data analysis to prevent retaliation, and asking participants to review and edit the initial interview transcripts. In this sub-section, I describe how I implemented each of these post-interview safeguarding measures. I also document participants' reactions to these measures, should they have shared them with me or were apparent.

Professional Resource Signposting

Although I have trained as a crisis intervention advocate in cases of sexual violence, I am not a professional counsellor; I was aware that participating in this research may bring up issues for survivors I would be unable to help them with in my role as a researcher (Campbell et al., 2009). For every participant, both staff and student alike, prior to the interview I asked what county/area they lived in and created a geographically-tailored list of professional resources they could access if they wanted to seek professional help following the interview. At the end of each interview, I handed these out. Some participants declined them because they already had appropriate counselling and support, but, on the whole, participants responded positively to the resource lists. Nearly all staff members accepted these resource sheets and commented on their experiences signposting students to them as well, which I took as an indication of accuracy in my resource collation.

Anonymity and Ability to Withdraw Participation

Beyond project-specific post-interview safeguarding measures, there were also standard ethical practices I employed to protect my participants. I anonymised all participants by asking if they had a particular pseudonym they wanted to use, and assigning ones to them if they did not (n.b. several participants chose pseudonyms that are fictional characters such as Godzilla, Diana Prince, Hermione Granger, etc.). Anonymity was especially important for my student participants, as it prevents institutional retaliation in the case that they revealed unflattering information about their university's sexual violence response, and prevents any outing of survivor status. This prevention of retaliation also applies to the university staff I interviewed, for while they are not necessarily vulnerable participants, they too could potentially face consequences for speaking frankly about their jobs and universities. I gave all participants the opportunity to withdraw their data within two weeks of their interview date, which I made clear in the informed consent sheet; no participant—either staff or student—withdrew their data from the research.

Collaborative Transcripts

Lastly, all of my participants had the opportunity to comment on their transcribed interviews, at which point they helped identify any unintelligible comments on the recording, highlighted any information they felt could be identifying, clarified statements, provided pseudonyms to others named, or updated me on any changes in their cases for the students actively engaged in university response processes. I received either confirmation of the initial transcript's acceptability or additional comments and/or edits from all but one staff member, who was experiencing exigent circumstances in her workplace and allowed me to use the initial transcript without reviewing it, and from all but two student participants, both of whom did not respond after I reached out two times over the course of a month following the initial email. Once I finished transcribing the interviews, I automatically sent them to the participants so they did not have to request them; upon receiving their transcript, participants had two weeks to review and comment on it before I would use my existing copy for data analysis, and I explained this timeline to them in the consent forms as well as at the end of the interview. In this way, I hoped to offer a chance for collaboration with my participants, which is a tenet of feminist interviewing, by destabilising the hierarchy between the researcher and the researched.

Researcher Safeguarding Measures

As should be the case in researching a sensitive subject with a vulnerable population, the vast majority of the ethical considerations for this research apply to those who participated; precisely because of the distressing nature of this research, however, I also needed to consider how this work would impact me. In making themselves known as subjects conducting research and not objective instruments of data collection, feminist researchers argue for discussing emotionality in the research process, especially when that research focuses on distressing topics like sexual violence (Blakely, 2007). Blakely asserts that exploring emotions in research can “foster intellectual clarity and a deeper understanding of the issue(s) being studied, the research participants, and the researchers themselves” (2007, p. 59). What follows is therefore not simply a reflection of my responses to the research, but also a way for me to further demonstrate my commitment to feminist research ethics and to foreground the analysis that follows in the findings chapters. There are two strands to my emotional reactions that I explore below: the distress which occurred at times throughout fieldwork, and the ethical implications of data analysis.

Emotional Distress During Fieldwork

I regularly debriefed with my Ph.D. supervisor, Vanita Sundaram, throughout data collection, which was an important outlet because I felt the weight of the research. I distinctly remember the moment I felt buried by the scale of traumatising university responses to sexual violence: I was on a train back to York following interviews with staff at a university in southern England, and about half an hour before arriving, I started crying while reviewing my field notes. This university at the time used a criminal standard of evidence ('beyond a reasonable doubt') in all conduct cases, including those about sexual violence, which is highly unusual and works against survivors. I became acutely aware of how large the issue is, how small this project is, and felt overwhelmed by an ethical imperative to *do something* with my data. This was in November 2018, only two months into data collection, and I was burnt out. My experience is not unique: Coles, Astbury, Dartnall, and Limjerwala (2014) explore the common phenomenon of vicarious trauma in researchers of sexual violence. While I would not characterise my feelings of overwhelm as vicarious trauma per se, Coles and colleagues explain that a researcher of sexual violence "is different from that of a clinician or counselor and potentially more traumatizing because of an inability to 'help' the victim" (2014, p. 96), and it was this inability to help that was weighing on me. I took two months off in between English and United States data collection shortly after this moment, and that reset helped me cope with the (overwhelmingly negative) findings.

Researcher Responsibility in Documenting Harm

While collecting data made clear my need for regular debriefing and breaks as a safeguarding measure, in grappling with the ethics of representation in writing up my findings, safeguarding myself as a researcher took a slightly different form. I had somewhat prepared myself going into data collection for bearing witness to institutional and interpersonal trauma, but what took me by surprise was my guilt during data analysis relating to how I portray staff participants in the following chapters. My findings do not paint a positive image of university responses to sexual violence disclosures. If I were to be as critical of university responses as my data requires, I did not want my staff participants—who all spoke with me freely because they want to improve responses or discuss how they are actively supporting students—to feel as though I were vilifying them. I was faced with the question of: How can I indict institutions without also indicting those working within them, and within the constraints of them? This question was difficult for me because I know that not all staff have power to make institutional changes and some are actively resisting policies they find harmful to students. Though I do not yet have a firm answer to this question, I turned to organisational studies literature to better understand the relationship between the individual, agency, and the institution; this reading informed much of how I ultimately framed my data, and in such a framing, I hoped to maintain the level of criticality required by my interview data without staff participants feeling as though I have misrepresented their work.

Research Process: Modifications and Reflections

Thus far, I have discussed my ontological and epistemological framework, as well as the initial research design and its limitations, and the ethical considerations of the research. In what follows, I document exactly how I conducted my research, challenges I encountered during fieldwork, and how I modified my original research plan. This section begins by describing the sampling frame I used for staff university recruitment before detailing my staff and student recruitment processes. I encountered issues with participant recruitment, which I address, and detail how I changed my recruitment strategy as well as the implications this change had for the research. Following this discussion of recruitment barriers, I then discuss the final sample of 26 staff and 19 student participants. The section closes by giving an overview of data treatment and analysis, including the previously mentioned document sampling for critical policy discourse analysis.

Staff University Sampling

I began this research in spring 2018 by creating a sampling frame that would aid me in university selection. As mentioned previously, the categories that the frame covered include institution type (private or public, pre- or post-’92), size, location (rural, suburban, urban), campus structure (enclosed or open), and subject matter (science-based or liberal arts) for both the United States and the United Kingdom. For the United States, the frame also included the percentage of students who were members of a fraternity or sorority, the inter-university sports conference to which the university belonged (e.g. Division I, the most competitive, to Division III, the least), and whether the university was primarily white, historically Black, or a tribal college. For the United Kingdom, I gave further consideration to whether the university had colleges within it, and whether it was religious or secular. I chose these categories because existing research demonstrates that, in US universities, members of fraternities and athletic teams are more likely than non-members and non-athletes to sexually assault others (Krebs et al., 2007; Martin, 2016), and the type of sexual violence experienced (e.g. due to incapacitation from alcohol) varies across primarily white versus historically Black institutions (Appendix A; Krebs et al., 2011). For the United Kingdom, fewer of these concrete categories exist, but there are differences in structure within UK universities that do not exist in US universities—namely, colleges within universities (Tapper & Palfreyman, 2002); both colleges and associated religion could potentially impact institutional responses to sexual violence disclosures. Ultimately, using this frame as a guide to ensure a diverse though not nationally representative sample, I selected five universities per place that would be my ‘ideal’ research sites and found two replacement universities for each top choice that shared similar characteristics, in case I struggled to gain access to my first choice university.

The first significant change I made to the research design during the sampling process was narrowing down the comparative study from the United States and the United Kingdom to the United States and only England. I had originally filled in the sampling frame for the United Kingdom and selected universities in all four of the member countries with England represented as two of the five universities. After consulting with my supervisor, we agreed that fieldwork across the four United Kingdom countries would not only be logistically difficult, but would also complicate an already-comparative study: Higher education policy is devolved across the United Kingdom, which means that in order to do the original study, I would have had to first do a comparative study between the four United Kingdom countries to find commonalities between them before I could compare the United Kingdom with the United States. Given the differences in higher education funding and general culture across the United Kingdom countries, this original comparative study proved to be too fragmented for the constraints of a doctoral thesis. Instead, this project became comparative between the United States and strictly England, not the whole of the United Kingdom. I therefore returned to my sampling frame to find three other English universities and two alternative options for each.

English University Staff Recruitment and Sample

After finishing my sampling frame, I began contacting staff at my top choice universities in England. If my supervisor or another department staff member had a contact at these universities, I reached out to that person first and asked them to put me in touch with the staff member responsible for handling sexual violence; if there were no existing relationships, I would research sexual violence on each university's website and contact the person identified as responsible. If there was no initial response, I waited two weeks and followed up again. After waiting several more days, I then moved onto my second and third choices to repeat the initial contact process. I had some difficulty getting staff participants at

English universities because I wanted to start data collection when the 2018 autumn term began for universities, and this was an especially busy time for student wellbeing staff because of first year students transitioning into university; this time constraint was the main reason staff declined to participate. I received a single response from a staff member that declined participation on the basis that he did not think sexual violence happened there—a Catholic university in northern England—only to then mention that their Students' Union and wellbeing office were under-staffed. I ultimately had a sample of 13 staff members across five English universities: Two large (over 15,000 undergraduates) urban post-'92 former polytechnic universities; a small (under 10,000 undergraduates) urban pre-'92 liberal arts university; a small urban post-'92 religious university; and a mid-size (between 10,001 and 15,000 undergraduates) elite suburban collegiate Russell Group university. At four universities, I spoke to three staff members each, but could only secure a single interview at the last university, which was one of the two former polytechnics. Staff participants at English universities all actively worked with students who have experienced sexual violence, whether that was through a pastoral care role (e.g. counsellor, wellbeing advisor) or through a disciplinary process (e.g. Student Conduct or Governance and Legal Services officials). From September 2018 until late November 2018 with one interview in June 2019, I travelled to these university campuses to conduct in-person semi-structured interviews, lasting between 45 minutes and an hour, with the staff members who agreed to participate.

English Student Recruitment and Sample

When I began staff interviews at English universities, I also began trying to recruit students who had reported sexual violence at the same universities where I interviewed staff. This ideally would have enabled a case study institutional approach to the comparative study as I planned to have staff and students within the same universities to show the different perspectives on internal response processes. Student recruitment at staff participants' universities, however, proved fruitless: I asked wellbeing officers at the respective universities' Students' Unions to post and email my call for student participants, and I handed out the call for student participants to staff participants and asked they hand it out to students they felt were in a place to speak openly about their experiences. I waited a month after implementing this recruitment process, but had received no expressions of interest from students at the staff participants' universities.

In mid-October 2018, a month into data collection with English staff members, I decided to rethink my student sampling and recruitment method. I consulted with Anna Bull, a co-founder of the 1752 Group, as she had recently completed a project interviewing student survivors of staff sexual misconduct in higher education, and she suggested opening up my sample to all universities in England. I decided to do so using a Twitter call for participants asking to speak to current and former (within one year of graduation) students at English universities who had experienced and reported sexual violence to their universities; I tagged well-known advocacy groups, like the 1752 Group, and scholars in this area, like Sara Ahmed and Alison Phipps, and asked them to retweet. This resulted in a self-selected sample of seven students from four English universities: Of these participants, four were cisgender women and three were nonbinary; all were white; five disclosed during undergraduate education and two disclosed during postgraduate study; and five came from Russell Group universities while two came from the same pre-'92, non-Russell Group university. Five interviews occurred in person where I was based as the researcher, in private study rooms of the University of York library, and two occurred over Skype, the dynamics of which I address after describing my US samples.

US University Staff Recruitment and Sample

While I was engaged in fieldwork in England, I was also beginning to recruit United States university staff participants for interviews in spring 2019. I always contacted the Title

IX Coordinator at the university first to see if they would participate, as Title IX Coordinators are the most consistently visible people involved in sexual violence response at US universities. Although I struggled with delayed or non-response from some English university staff, non-response or refusal to participate were much more severe issues for US universities. Unlike with my English staff sample, I had several US staff members initially agree to participate and then later not respond to follow-up emails asking to arrange interviews. I thought that US staff recruitment might be more difficult than English staff recruitment because sexual violence in universities has been a public issue much longer in the US than in England, and the litigious structure of Title IX has also resulted in lawsuits against universities for mishandling cases; US staff are therefore comparatively more cautious than English staff when it comes to speaking openly about university sexual violence response. I struggled so much finding US university staff that I exhausted my sampling frame options, and secured interviews at only two of 15 possible universities. Based on this recruitment difficulty, I opted to use convenience sampling for US staff universities, and began reaching out to universities where I had contacts.

Convenience sampling did ultimately give me five universities, but resulted in a US university sample that is much more homogenous than my English university sample. All US staff universities were primarily white as opposed to historically Black or tribal universities. I spoke to staff at a small (under 10,000 undergraduates) public liberal arts college, a small private religious university, a small private elite science university, a large (over 20,000 undergraduates) public university, and a mid-sized (between 10,001-20,000 undergraduates) Ivy League university. Like in England, I spoke to 13 staff members, whose roles spanned from Title IX Coordinators to Student Conduct officials to specialist sexual violence support workers, but this was distributed unequally across the five participating universities: At two universities, I spoke to a single member of staff, while I spoke to six staff members at another university, two at a third university, and three at the final university. I returned to the United States in March 2019 to collect this data, and through March and April 2019, I conducted 11 semi-structured interviews in person on university campuses while two occurred remotely over the phone which again lasted between 45 minutes and an hour.

US Student Recruitment and Sample

Prior to arriving back in the United States, in January 2019 I began to recruit student participants for my US sample. Instead of attempting to follow my initial case study design—which did not work in England—I repeated the Twitter call for participants I used to find English students, and opened up the project to any current and recent graduates of US universities who had reported sexual violence to their universities. I again tagged well-known activist groups, which included Know Your IX and End Rape on Campus, and asked them to retweet. Many more students in the United States expressed interest in participating than in England, which, like the higher reticence of staff, I had anticipated because of the form of activism sexual violence on campus takes there: American students are used to speaking out—sometimes directly to press—about how universities mishandle their cases, and three of my American student participants did go public (or have the press come after them for comment). I ended up with a self-selected US student sample of 12 participants: Of these, 10 were cisgender women, one was a transgender woman, and one was a cisgender man; 10 were white while one was Black and one was Asian-American; eight disclosed during undergraduate education and four disclosed during postgraduate education (including a borderline early career researcher who experienced harassment both as a postdoctoral research fellow and as a medical school resident); and eight attended public state universities, three attended private universities, and one attended an Ivy League university. Unlike my English student interviews, which mainly occurred in person, all interviews with US students happened via Skype. Some of these happened while I was still in England before I returned to the US for staff interviews, so it would not have been possible to speak any other way; for the few remaining student interviews that occurred when I was back in the US, participants and I were at large geographical (and time zone) differences within the country, so Skype again was a necessity. As with all other interviews, these were semi-structured interviews that lasted between 45 minutes and an hour.

Use of Skype in US and English Student Interviews

While qualitative researchers, myself included, tend to prefer face-to-face in-person interviews above phone or other technologically-mediated interviews (Jenner & Myers, 2019), the use of Skype for student interviews worked well. Skype is particularly effective at "minimiz[ing] geographic barriers," such as the cost and logistics of travel to distant cities or countries (Mirick & Wladkowski, 2019, p. 3062), as was the case in this comparative study. Although some scholars have expressed concern about establishing rapport with participants over Skype, Mirick and Wladkowski (2019) found that using the video call feature on Skype allows participants and researchers to see non-verbal cues and body language from the shoulders up, which fosters rapport similar to that of in-person face-to-face interviews. This was definitely the case for me, as all participants—save for one (Dylan, an English non-binary student)—who spoke with me via Skype used their video and I mine; I did not feel it was more difficult to establish rapport over Skype compared to in-person interviews. In fact, Jenner and Myers (2019), in comparing two interview-based studies that used a mix of in-person face-to-face interviews and Skype video call interviews, found that "Skype interviews may actually be advantageous for discussing deeply personal or sensitive topics" (p. 176). Skype enables participants to choose a location where they have the flexibility, privacy, and comfort to discuss difficult topics, and this setting can facilitate more open discussion than face-to-face in-person interviews in public (Jenner & Myers, 2019). Although I did not conduct a metastudy of interview responses like Jenner and Myers (2019), I did get the sense that students speaking with me over Skype were not holding back in their responses to me. Lastly, while technical issues may arise in Skype interviews, such as poor internet connection or dropped calls, I encountered only a few of these, and they were quickly fixed, which ultimately did not seem to impact rapport or interview timing. Overall I found Skype to be an invaluable resource for interviews about sensitive topics in a comparative study spanning England and the US.

Data Treatment and Analysis

After I finished interviewing, I transcribed all interviews using NVivo Transcription. I anonymised all transcripts before automatically sending them back to each participant so they could comment on the initial transcript and clarify, redact, or expand on anything. I then coded interviews in NVivo 11 using a mix of deductive and inductive coding. I used thematic analysis and Fairclough's (1992) method of discourse analysis to explore the macro- and micro-levels of narrative, word choice, and meaning in participant responses. This involved close reading at multiple levels: At the textual level of spoken responses, at the '"discursive practice"' (Fairclough, 1992, p. 4) level to understand what existing discourses participants were using to make sense of their experiences, and at the institutional level to understand the context in which participants spoke.

Following interview analysis, I also conducted a discourse analysis of policy documents in order to answer my first sub-question. As mentioned, at the start of the research prior to conducting my literature review, I selected documents that I thought presented the most concrete guidance (or regulations) for universities in responding to sexual violence. In the US, this document was initially the (2014) *Not Alone* report by the White House Task Force to Protect Students from Sexual Assault. In England, initial policy documents included the (2016a) Universities UK *Changing the Culture* report, which is the first review of existing practice and offered guidelines on how universities should respond to sexual violence, and the Conservative-Liberal Democrat coalition government's *Violence Against Women and Girls Strategy 2016-2020*. Upon conducting my literature review and reading these documents, however, it became clear that not all were as relevant as I first thought. Although the (2014) *Not Alone* report offered guidance to US universities, it did so by expanding upon the initial guidance—which, though not legally mandated, was weightier due to its implications of funding revocation—of the (2011) Dear Colleague Letter. I encountered a similar situation with UK university guidance, as upon reading the *Violence Against Women and Girls Strategy 2016-2020*, the only mention of universities was the creation of the Universities UK task force that would go on to produce the *Changing the Culture* report guidance. Since the policy analysis served to contextualise institutional response and student experiences of said response, I decided to tightly focus on only those documents that explicitly addressed either education as a whole or universities specifically, and limited this guidance to what would have applied to student disclosures between 2014 and 2019, which was my catchment window for student participation. This decision produced a final sample of policy documents that included the (2011) Dear Colleague Letter for the US, and the (2016a) *Changing the Culture* report for England. Whereas I used NVivo to code and analyse interviews, I printed out and made notations by hand in the margins of these documents. Analysis of the policy documents followed the same procedure as the interviews, with extra attention paid to the structure of the writing and the written tone, as these are features unique to written language as opposed to transcribed oral speech. Overall, although my project slightly changed from inception to implementation, my modifications still resulted in a robust data set of 45 qualitative interviews—26 interviews with staff members and 19 interviews with student survivors—across the United States and England. I also have two policy or guidance documents across both countries that provide more context at the national level.

Conclusion

In this chapter, I presented the ontology, epistemology, and methodology behind this research. Since this thesis is a feminist undertaking, prior to defining my ontological position, I defined the type of feminism to which I subscribe as well as the implications of using feminist theory to research sexual violence. I use hooks's (2015) conceptualisation of feminism as a movement to end sexist oppression alongside Crenshaw's (1989; 1991) theory of intersectionality that acknowledges how social structures—including but not limited to race, class, and sexual orientation—interconnect to produce experiences of oppression for people based on their positionality; furthermore, I view sexual violence as a manifestation of unequal gendered power dynamics. Following this discussion, I defined my ontological and epistemological stances, which view reality as socially constructed and studying interactions—both spoken and written—as a way to learn about reality. These positions led me to use policy discourse analysis and interviews with staff and students as the instruments of data collection. I discussed the limits of both of these methods and how I account for them in my methodology before analysing the ethical considerations of the thesis, including the ethics of trauma research and safeguarding measures for both the participants and for me as the researcher. The chapter concluded with a description of my research process from sampling to data collection and analysis; it also addressed the challenges I encountered during field work and the resulting modifications to my original research design. Now that I have situated this research within its larger field of scholarship through the literature review and discussed how and why I conducted the study the way that I did, I move on to presenting my findings and analysis in the subsequent five chapters. The next chapter, the first findings chapter, analyses techniques universities in my sample used to protect their institutional reputation following student disclosures of sexual violence.

Findings Chapter 1: Techniques of Reputation Protection: Institutional Airbrushing, Institutional Embellishment, and Symbolic Structures

Introduction

This chapter critically discusses several techniques universities in my sample employed to protect their reputations with regards to sexual violence response. I argue that neoliberalism's influence in US and English higher education results in an institutional preoccupation with reputation, and that sexual violence is one of the greatest threats to universities in establishing or maintaining a positive reputation. While sexual violence itself is highly stigmatised (Feild, 1978) and subsequently negatively impacts university reputations when it occurs within them, publicised unsupportive responses to reports can worsen reputational damage while publicised attempts to improve responses may help bolster reputations (Anitha & Lewis, 2018). In this chapter, I draw on Phipps's (2018) concept of institutional airbrushing and my own concept of institutional embellishment to illustrate the two main modes that universities employ to protect their reputations when responding to sexual violence. Institutional airbrushing refers to the erasure of sexual violence to ensure continued income (Phipps, 2018) while institutional embellishment refers to showcasing alleged—but not actual—progress in responding to sexual violence. I present these mechanisms as two sides of the same coin, in which institutional airbrushing attempts to hide what is negative (e.g. the presence of sexual violence) while institutional embellishment attempts to highlight what is positive (e.g. the creation of new policies for sexual violence response), and both strive to create a more favourable public perception.

The means by which universities in my sample attempted to achieve or maintain a positive reputation through sexual violence response varied by geographic location. Universities in the United States tended to employ more negative tactics while universities in England tended to employ more positive tactics, and I argue that these chosen mechanisms reflect specific policy guidance in each country. As such, I begin each section by presenting the findings of my discourse analysis of policy documents: Prior to interrogating institutional airbrushing in US universities, I analyse the (2011) Dear Colleague Letter, and prior to unpacking institutional embellishment in English universities, I analyse the (2016a) *Changing the Culture* report. I conclude the chapter by drawing on the concept of symbolic structures (Edelman, 1992) to further demonstrate how the presence of sexual violence response infrastructure does not always accurately reflect a university's ability to respond well, but rather signals legal compliance.

Institutional Airbrushing: Hiding What is Negative

This first section explores how universities engage in institutional airbrushing as a mode of reputational protection. Phipps defines institutional airbrushing as a silencing that occurs within the neoliberal university in the context of sexual violence response when "issues are swept under the carpet, or flaws are airbrushed out of the picture, to ensure the security of income streams: from research, from student recruitment, or both" (2018, p. 231). She situates institutional airbrushing as a result of the marketisation of universities, as "to be marketable means to appear unblemished" (Phipps, 2018, p. 230). Sexual violence in this context is a blemish on the reputation of the university, and threatens the ability of the university to attract students (i.e. consumers) and research funding. In order to protect the university's reputation—and the attendant income it facilitates—sexual violence must be erased. Eliminating sexual violence here does not refer to changing university culture to make sexual violence unthinkable, but rather eliminating any public knowledge of sexual violence that occurs within the confines of the university. "Sweeping under the carpet" is an apt metaphor for this reason, as sexual violence is not materially eradicated through institutional airbrushing—it is merely invisibilised and moved out of the public eye. In what follows, I analyse how institutional airbrushing manifests in my sample through policy formation, forcing a survivor into the position of a complainant in order to expel a high-profile perpetrator for the sake of the university's reputation, and attempting to silence survivors. As mentioned, the majority of my analysis of institutional airbrushing centres on US universities. To better situate my findings in their policy context, I begin this section by presenting the findings of my discourse analysis of Obama-era Title IX guidance in the (2011) Dear Colleague Letter before describing the connection between this guidance and the experiences of US university staff and students.

US Title IX Guidance and Connection to Institutional Airbrushing

In order to contextualise how institutional airbrushing appears in US universities, it is first necessary to unpack the policy guidance under which they operated at the time of data collection. Title IX itself is a single sentence in the Education Amendments of 1972 that reads, "'[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance'" (US Department of Education, 2018b, n.p.). While Title IX was initially created to prevent sex-based funding differences for athletic teams in schools, as soon as 1977—five years after its inception—students began using it to combat sexual harassment in education (Suran, 2014). The Obama administration formalised Title IX's application to preventing sexual harassment at all levels of education—from kindergarten through higher education—in 2011 through the Dear Colleague Letter, a guidance document authored by Russlynn Ali, the then-Assistant Secretary for Civil Rights in the Department of Education's Office for Civil Rights, and sent to over 7,000 schools[12] (Gersen, 2019).

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[12] "Schools" here is a catch-all term for educational institutions ranging from kindergarten through 12th grade (18 years of age) and for all higher education institutions (colleges and universities). I will intersperse the use of "schools" with "universities" as the Dear Colleague Letter applies beyond university guidance.

Critical Discourse Analysis of the (2011) Dear Colleague Letter Guidance

I used critical discourse analysis (CDA)—an approach to studying the interconnections of language and power and the subsequent material effects of these interconnections (Fairclough, 1989)—in order to answer the first of my sub-questions, which asked how national policies and guidance in the US and England conceptualise sexual violence and sexual harassment. Sauntson (2013) explains that CDA, as pioneered by Fairclough, "conceptualises language as a form of social practice and sees any 'text' as both reflecting and affecting the social and interactional contexts in which it is produced and received" (p. 397). Fairclough (1989) argues that CDA deconstructs three types of values in elements of language (e.g. vocabulary, sentence syntax, turn-taking in conversations), which include experiential value, or the contents of a text; relational value, or the relationships presented in a text or between a text and its audience; and expressive value, or the subject positions made possible through the text. These values are not mutually exclusive, as "any given formal feature [of a text] may simultaneously have two or three of these values" (Fairclough, 1989, p. 112).

Since my research question asked about conceptualisations of sexual violence and harassment, my discursive analysis focused predominantly on the experiential value, or content, of guidance documents with an occasional focus on relational value. This dual focus on experiential and relational values enabled me to discern definitions of sexual violence and harassment as well as the relationship(s) between universities, the state (US) or governing body (England), and university students. In deconstructing these experiential and relational values, I analysed diction, namely word choice, connotations, and denotations. In what follows, I present the findings of my CDA of the (2011) Dear Colleague Letter. I return to CDA at the start of the subsequent section on institutional embellishment to present my discursive analysis of the (2016a) *Changing the Culture* report in England.

As a result of the Dear Colleague Letter, sexual harassment in US education became an issue explicitly protected by Title IX: “Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX” (Ali, 2011, p. 1). The Dear Colleague Letter further defined sexual violence as “physical acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol” (Ali, 2011, p. 1). While the letter recognised sexual violence—as opposed to sexual harassment, which is used as an umbrella term—as a crime, it focused more on subjective interpersonal dynamics than on legal definitions. Sexual harassment, through Title IX recognition, thus became a civil rights issue and educational institutions had to take on more responsibility to prevent and appropriately respond to it. An experiential analysis of word choice led me to this partial definition of sexual violence, which I continue to explore below.

With this aforementioned heightened responsibility, the Dear Colleague Letter anticipated heightened resistance. I arrived at this conclusion through analysing the relational values of diction, or in other words, the relationship between parties in the text as inscribed in word choice, connotations, and denotations. The relationship between educational institutions and their students, and educational institutions and the state are inscribed in the text: In situating sexual violence as a form of sex discrimination covered by Title IX, the Dear Colleague Letter makes clear that educational institutions have a duty of care to prevent any infringement on the civil rights of their students, and that the state will oversee educational institutions to ensure compliance. This relationship between educational institutions and the state appears contested in the text, as the words imply that the state perceives that some educational institutions might overlook reports and incidents of sexual violence: “If a school knows *or reasonably should know* about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects" (Ali, 2011, p. 4, emphasis added). In acknowledging the possibility of reporting or response oversight, the Dear Colleague Letter—and Ali as the author and stand-in for the state—attempted to reinforce the school's responsibility to safeguard students whenever possible. The use of "or reasonably should know," in particular, here attempts to shift the onus from the survivor onto the institution and prevent schools from using claims of (deliberate) ignorance to protect themselves. This pre-emptive language continues throughout the letter and serves to put would-be bad faith actors on notice; it also reinforces the contested relationship between the state and educational institutions, as well as between educational institutions and their students. Ali remarks that, "[e]ven if the school cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence" (2011, p. 5) in order to reinforce that schools still must protect students, even if the reporting student does not want to move forward with a conduct hearing. The Dear Colleague Letter also states that "Title IX coordinators [those responsible for ensuring schools are compliant] should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary board member or general counsel" (Ali, 2011, p. 7). While it may serve the interest of the institution to assign Title IX compliance to someone already working in student conduct, who could then sit on a disciplinary board in a Title IX case, the letter makes it clear that fairness for students, as opposed to ease for institutions, should take first priority. These examples demonstrate a pattern within the Dear Colleague Letter of identifying possible loopholes schools could use to avoid responding to sexual harassment, and pre-empting such use by employing specific verbiage.

Upon first glance, national guidance that makes sexual harassment an institutional responsibility may appear somewhat abstracted from—or even in opposition to—institutional airbrushing, yet I argue that it is this heightened responsibility that partially facilitated institutional airbrushing in my sample. In positioning sexual harassment and sexual violence in education as civil rights violations, the Dear Colleague Letter also increases repercussions for educational institutions who fail to take “prompt and effective” (Ali, 2011, p. 16) response measures:

> *When a recipient [institution of federal funding] does not come into compliance voluntarily, [the Office for Civil Rights in the Department of Education] may initiate proceedings to withdraw Federal funding by the Department or refer the case to the U.S. Department of Justice for litigation. (Ali, 2011, p. 16)*

With a more serious framing of sexual harassment as a violation of students’ rights comes a more serious potential consequence for non-response, namely the loss of federal funding for institutions who fail to adequately respond. This increase in responsibility to respond to and consequences for sexual harassment leads to an increase in visibility of sexual harassment itself. In order to retain federal funding, hiding instances of sexual harassment on campus is in the best interest of educational institutions: Fewer reports of sexual harassment leads to fewer opportunities to lose federal funding. Working in a paradigm where increased responsibility leads to heightened visibility encourages educational institutions to make sexual harassment disappear from public view, and institutional airbrushing becomes a means to achieve this invisibility.

Examples of Institutional Airbrushing: Silence, Silencing, and Public Expulsion

While this guidance increased institutional responsibility on paper, in practice, the Title IX offices with which student survivors engaged were more concerned with preventing lawsuits against the university and avoiding negative media coverage than they were with protecting students’ right to an education free from sex discrimination. In what follows, I examine two cases of student survivors in the United States whose universities used institutional airbrushing at their expense. First, I show how one university attempted to protect its reputation through trying to silence Tamara, a Black postdoctoral research fellow at a small public research university. I then move onto discussing Alexandra's experience of her university making her into a complainant against her rapist in order to fire him for cause and minimise the bad press it received for employing him once a different student threatened to sue over the university's lack of action. These cases are extraordinary in their divergence from one another, but both are illustrative of the same phenomenon: Institutional airbrushing goes beyond expelling or protecting individual perpetrators to encompass a range of behaviours that ultimately devalue survivors. I close the example section by briefly examining how one English university used institutional airbrushing and a culture of silence to preserve its prestigious reputation.

While Tamara worked as a postdoctoral research fellow, the Primary Investigator (PI) of the project continually sexually harassed her. This man was a very famous researcher who brought in large grants for his work, and her university was reluctant to investigate her claims against him because of how high-profile he is. I will fully examine the implications of his power and status in chapter four, but at this juncture, I want to concentrate on how the university attempted to silence Tamara. When staff in the Title IX office finally did investigate and determine he was responsible for sexual harassment, they did not want Tamara speaking openly about the outcome:

> *And they actually really wanted me to be very, very confidential and very quiet about what was happening because they didn't want to look bad for not punishing him [the PI] too much…So they did an investigation and since he was guilty, they came up with a committee to figure out what his punishment would be and then basically he appealed that, and…they were very adamant about like, 'be quiet, don't tell people what's happening'…Because I had put them in the news about some of the stuff that was happening.*

She had been outspoken in the past about what her PI had done since she decided to pursue a lawsuit against him while the university investigated, and she gave a press release following the advice of her lawyers. The university had already fielded negative press as a result of her speaking out and when staff called her in for the conduct board appeal process, they were clear that she should not talk to the press about the issue any further. The pressure from her university that Tamara experienced as a result of publicly discussing sexual harassment exemplifies Ahmed's (2020) assertion that when institutions cannot stop complaints from coming forward—as was the case with Tamara's report—they will try to stop complaints from getting out and becoming known. Though university staff did not prevent her from making a report, they tried to limit further reputational damage by pressuring her not to speak to the media. By attempting to silence Tamara, her university attempted to airbrush out the existence of her case against a high-profile researcher, which would allow the university to continue benefitting from his research without the burden of (additional) negative press coverage.

Whereas Tamara's case exemplifies the silencing aspect of institutional airbrushing, Alexandra's case exemplifies how universities can employ hyper-visibility to restore a tarnished reputation by airbrushing out a perpetrator. Alexandra was a first year Ph.D. student at a US university when the most high-profile professor in her department raped her. As with Tamara, I discuss the power dynamics of the institutional response in chapter four, but bring in Alexandra's account here to show how universities can contradictorily wield visibility as a mechanism of institutional airbrushing. This professor had assaulted an undergraduate student who reported to the university, and this student was going to sue the university for not handling her case properly. Since he was a tenured professor, which, in the US context, meant that he had a permanent job and could only be fired under very specific and egregious circumstances (American Association of University Professors, n.d.), the university could not try him again for the same instance of assault; it needed a new complainant in order to fire him for cause[13]. Staff in the Title IX office knew that he had done something similar to Alexandra and approached her to tell them about it: She explained, “[w]hen they pushed me to come forward, I believe they literally used the language amongst themselves and with my dissertation adviser of me being a ‘golden ticket’ out of a PR problem they had.” While institutional airbrushing typically refers to hiding the presence of sexual violence, in this case where sexual violence was already public, the university made Alexandra as the coerced complainant hyper-visible in order to very publicly fire the professor whose behaviour and status wreaked havoc for the university’s image. As Whitley and Page (2015) argue, “[w]hen sexual harassment is formally recognised, the institution treats the problem of sexual harassment as a problem of an individual aggressor” (p. 47). Alexandra’s university sacrificed her in order to restore its reputation: By making her a complainant in a Title IX case that enabled the university to fire her high-profile assailant, the university airbrushed out its highly publicised flaw that it could not otherwise contain. While the university was able to salvage its reputation by making Alexandra a complainant, her academic work and mental health suffered severely as a result of her involvement in the case and the subsequent lawsuit her assailant brought against her:

> *It was just a nightmare. I mean, all of this was just all-consuming for years. I wasn't able to do any work, I wasn't able to do any research, I didn't want to talk to my colleagues because I didn't feel like a graduate student anymore. I mean, I was incredibly suicidal. There were weeks and weeks that my husband did not go to work because he was afraid to leave me home. Everyone's life stopped in a really important way… I think I was gone for... three years? I was gone for three years. In the middle of graduate school, nothing happened. Nothing. No work, no nothing… And for three years I didn't get out of bed, except for to basically go to therapy and um. Yeah. It was hell. I sometimes kind of can't believe I survived.*

The ousting of a single abusive man—at the academic and psychological expense of one of his victims—translates to the university ridding itself of its blemish, regardless of larger issues of culture or how it treats victims out of view of the media. The individualising of sexual violence, or making it a problem of one assailant instead of an institutional culture that enables it to occur, is an important mechanism of institutional airbrushing in Alexandra's case.

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[13] Termination of a tenured professor for cause refers to breaking an unending employment contract with a faculty member based on the breaching of specific criteria (often defined by each university) that can cover performance-related issues as well as moral and ethical issues (Euben, 2004).

Although Tamara and Alexandra's cases both occurred at universities in the United States, the use of institutional airbrushing is not geographically bound: Phipps (2018) developed the term from years of researching UK universities. It was, however, demonstrated to a lesser extent in my English sample than in my US sample. I argue that this disparity in location reflects the larger policy context under which universities in each country operate, as I will further explain in the following section on institutional embellishment and how English universities employ it. Returning to institutional airbrushing, Ruby, a former Students' Union Women's Officer at an elite collegiate university in England, described a prevailing silence around sexual violence there:

> *That's what I would call it, a culture of silence at [the university] where so many things were either swept under the carpet by colleges, not properly dealt with by college administration because they didn't have the sensitivity or they didn't have the training.*

Here she draws on the same metaphor of 'swept under the carpet' that Phipps (2018) employs to discuss how colleges within the university hide instances of sexual violence because staff did not know how or did not want to handle such issues. That Ruby mentions how staff were not properly trained to respond to sexual violence reinforces how institutional airbrushing is not an elimination of the problem, but rather an invisibilising of it. Addressing an issue as systemic and insidious as sexual violence requires well-trained staff who are willing and able to engage university communities to become supportive of survivors and understand the root causes of sexual violence. Without sufficient knowledge of sexual violence, responses will fail to make meaningful change and can resort to hiding, as opposed to eradicating, the problem.

Taken together, Tamara, Alexandra, and Ruby's testimonies highlight how some universities in the United States and England engage in institutional airbrushing in response to sexual violence in order to preserve their reputations. Tamara and Alexandra's universities both used institutional airbrushing following complaints of sexual harassment and violence, though Tamara reported on her behalf while Alexandra was made into a complainant for the sake of the university. Tamara's case is the clearest example of the attempted silencing of a survivor for the sake of the university's public appearance, while Alexandra's case illustrates how universities can employ institutional airbrushing as a performative mechanism on two levels: Not only did her university use the hyper-public expulsion of a high-profile assailant as a means of removing its reputational blemish, but in individualising sexual violence as a problem of one—now removed—perpetrator, her university used said expulsion as a distraction technique to prevent further investigation into the cultural and institutional problems that enabled sexual violence to initially occur there. Ruby's discussion of her university's 'culture of silence' and staff's lack of training further exemplifies how institutional airbrushing is not about stopping sexual violence, but instead only stopping it from becoming public knowledge. In the next section, I introduce my concept of 'institutional embellishment,' developed from the data of this study, which I argue is closely related to institutional airbrushing in its end goal of preserving reputation. I begin by presenting my critical discourse analysis of the national guidance under which English universities operate and how this connects to institutional embellishment before demonstrating its dynamics through examples.

Institutional Embellishment: Highlighting the Positive

Whereas institutional airbrushing attempts to edit out what is damaging, namely sexual violence in universities, institutional embellishment attempts to beautify reality. This reality is the response process in place for sexual violence: Institutional airbrushing typically foregoes any discussion of how the university responds to sexual violence by erasing the presence of it, while institutional embellishment not only acknowledges its presence, but also seeks to highlight how the university responds to it. In other words, institutional airbrushing attempts to portray the university as free from sexual violence while institutional embellishment attempts to portray the university as a proactive 'leader' in tackling sexual violence. Whether the responses created actually support survivors remains questionable; what is clear, however, is the reputational currency granted by having and openly speaking about response processes. The mere presence of response processes, regardless of their efficacy, often suffices as commitment in the performative context of neoliberal marketized higher education: Ball (2012) explains that,

> *[w]ithin the rigours and disciplines of performativity we are required to spend increasing amounts of our time in making ourselves accountable, reporting on what we do rather than doing it…Increasingly, as we adapt ourselves to the challenges of reporting and recording our practice, social structures and social relations are replaced by informational structures. We are burdened with the responsibility to perform, and if we do not we are in danger of being seen as irresponsible. (p. 19)*

Crafting response policies and procedures in this context, then, is a way to demonstrate 'responsibility.' The unseen work of training staff on new processes or ensuring that said processes work for students is devalued because it is *unseen*; what is not performed cannot be measured, and what cannot be measured does not contribute to institutional rankings or improving reputations, and subsequently often falls by the wayside.

What became evident across my student and staff samples was that although many universities in the United States and England nominally have response processes in place, they are often not fit for purpose or staff lack training on how to use them. The presence yet inefficacy of these processes further harmed survivors, and some even reported a sense of naïveté in attempting to access an office that could allegedly—but ultimately did not—help them. I will fully explore naïveté in chapter five, but for now I am concerned with how response mechanisms serve as a signalling device to outside parties, like prospective students, parents, and funding agencies, to denote a certain level of care for students without having to properly resource and enact said care. “Embellishment” therefore works on two levels for my analytical purposes: on the level of decoration, as in these policies and practices may look good but are ultimately useless, and on the level of an implied falsehood or a fabricated addition. The impetus behind embellishing policies and practices is to enhance the public perception of the university: The ability to point to the existence of policies and procedures enables universities to appear both pragmatic, as it attests to a willingness to confront the reality of sexual violence, and capable of adequately responding when it does occur. In this way, I argue that institutional embellishment and institutional airbrushing are two sides of the same coin: Though the methods differ, the end result of using either institutional airbrushing or institutional embellishment is to appear attractive to prospective students, parents, and funding bodies. In appearing attractive, universities simultaneously maintain a positive reputation and protect the income associated with good public standing.

Institutional embellishment as a concept is both an original theory and a key contribution of this thesis. In developing it, I drew on Phipps’s (2018) institutional airbrushing, though the data that informed its theorisation comes from this research. The divergent views and experiences of university staff and student survivors on the availability, accessibility, and efficacy of university response processes served as the catalyst for developing institutional embellishment. In attempting to reconcile how university staff could have such generally positive views and students could have such generally negative views—albeit across different institutions—on infrastructure, I situated policy and procedure in the wider context of neoliberal higher education. Upon expanding my frame of reference and taking a poststructuralist approach to policy analysis, which “illuminate[s] the ways in which power operates through policy by drawing attention to hidden assumptions or policy silences and unintended consequences of policy practices” (Iverson & Allan, 2017, p. 90), it struck me that institutional embellishment not only contextualises policy within the wider confines of higher education, but also makes sense of the contrasting views of staff and student participants. Furthermore, as a contribution to the wider field of education, institutional embellishment offers an opportunity to understand the work that policies do when they do not do the work they purportedly should; this does not have to be limited to sexual violence response, and can be applied to a variety of equalities issues where signalling commitment often suffices for commitment itself.

Universities UK’s *Changing the Culture* Report Guidance and Institutional Embellishment

As was the case with the above section on Title IX guidance and institutional airbrushing, it is helpful to understand the wider context under which I see institutional embellishment operate. Since the majority of instances of institutional embellishment in my sample occurred at English universities, this section analyses the guidance set out by Universities UK’s (2016a) *Changing the Culture* report. The *Changing the Culture* report is the most recent and comprehensive document that outlines how universities should respond to incidents of sexual harassment, violence against women, and hate crime. It updates guidance to universities set out in the 1994 Zellick report, which urged universities to only conduct internal investigations on sexual violence after victims reported to the police (NUS, 2015). The *Changing the Culture* report is not a regulation like Title IX in the United States and does not carry penalties like the Dear Colleague Letter, but offers suggestions for best practice. It allows for a multiplicity of responses that are best suited to the universities where they are enacted as opposed to taking a unilateral approach that elides differences in university populations and infrastructure. Potentially stemming from this form of guidance and the funding received by all English universities where I interviewed staff, a large number of institutional responses focused on performing what they are doing to protect students as opposed to suppressing the existence of sexual violence. I therefore begin this sub-section by returning to my critical discourse analysis (CDA) findings in order to unpack some key terms and features of the *Changing the Culture* report and the implications these have for individual university implementation before concluding with examples of how institutional embellishment—via performing for these guidelines—appears in my data set.

Critical Discourse Analysis of the (2016) Changing the Culture Report Guidance

Similar to my analysis of the Dear Colleague Letter, I examined the experiential values (Fairclough, 1989) of diction to determine how the *Changing the Culture* report defines sexual violence and harassment. Whereas the Dear Colleague Letter situates the sexual harassment of students as a civil rights issue in US educational institutions, analysing diction reveals that the *Changing the Culture* report situates sexual harassment more as an issue for universities as bodies. The report utilises very legalistic definitions from the 2003 Sexual Offences Act and the 2010 Equality Act, and defines sexual harassment as "unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment" (Universities UK [UUK], 2016a, p. 8). This definition comes from the report's glossary of terms, yet the executive summary tells a slightly different story as to why Universities UK—the governing body for 139 universities across the four United Kingdom countries (UUK, n.d.)—became interested in 2016 in responding to sexual harassment when evidence of the issue had been available since the 2010 NUS *Hidden Marks* report: "These experiences [of violence against women, harassment, and hate crime] can have a considerable impact on student wellbeing, academic attainment, student retention, institutional reputation and future student recruitment" (UUK, 2016a, p. 4). Fairclough describes the experiential values of grammatical structures as "the ways in which the grammatical forms of a language code happenings or relationships in the world…and their spatial and temporal circumstances [and] manner of occurrence" (1989, p. 120). In the aforementioned sentence, unpacking both what is included in and the ordering of this list offers insight into its experiential values. While sexual violence is not the sole focus of the report, a critical discourse analysis of the impacts listed suggests that Universities UK is interested in responding to it because of its function as a mechanism that harms institutions. The sentence begins by detailing the impact on students, firstly on wellbeing and then on academic achievement, but then mainly focuses on the institutional impact of student attrition rates, issues recruiting new students, and reputational damage. Given that CDA encourages practitioners to interrogate the power dynamics reflected in and perpetuated through language, the positioning of reputational damage—listed alongside, albeit further down than, student wellbeing—speaks volumes about its significance.

Since the *Changing the Culture* report issues new guidance—as opposed to Title IX, which has existed for decades—it focuses less on limiting poor university response practice and more on encouraging good practice, which therefore creates a fertile context for institutional embellishment. This encouragement takes the form of recommendations for universities that are visible and measurable. For example, in suggesting that universities take an "institution-wide approach," Universities UK wants universities to "provide their governing bodies with regular progress reports summarising what progress has been made towards adopting a cross-institution approach" and to "carry out a regular impact assessment of their approach" (2016a, p. 58). These recommendations reflect Ball's (2012) argument that performativity, the need to document what we do instead of simply doing it, plays an integral role in the functioning of universities, and this includes responding to sexual violence. Performativity is "a powerful and insidious policy technology that is now at work at all levels and in all kinds of education…a technology that links effort, values, purposes and self-understanding to measures and comparisons of output" (Ball, 2012, p. 19). Under such a regime, accounting for the action of the institution almost matters more than the action itself. Other recommendations include senior leadership commitment and allocating proper resources, adopting bystander intervention training, and implementing a centralised reporting system for disclosures (UUK, 2016a). The last recommendation of the report, however, focuses on sharing best practice among the sector through an annual conference and through "a directory of case studies and templates based on what the sector is already doing" (UUK, 2016a, p. 59). While such platforms would enable university staff across institutions to learn from one another, they also raise the expectation that universities will have something to show as a result of following this guidance, and create unspoken competition: Which university can create the best—most visible and measurable—implementation of these recommendations in order to be included in annual conferences and the case study directory? In this framework of needing to perform good practice in sexual violence response, my sample demonstrates that English universities engage in institutional embellishment to appear proactive.

Catalyst Safeguarding Project Funding

Furthermore, following the *Changing the Culture* report, funding became available to implement some of its guidance, which also affected the shape of institutional responses. The former Higher Education Funding Council for England (HEFCE)/current Office for Students (OfS) Catalyst fund was specifically designed to support safeguarding projects that raised awareness of and/or responded to sexual violence, online and in-person harassment, and hate crime (Office for Students, 2018). Universities that received this grant had to match funds, which meant that there was an institutional financial investment in this work (Office for Students, 2018). I argue that the project-based nature of the grant exacerbated performative responses to sexual violence, as projects tend to focus on short-term measurable outputs in order to demonstrate they can produce value for money. This claim arises from the English universities at which I interviewed staff, as all five staff universities received Catalyst funding for projects responding to sexual violence. When creating the sampling frame for staff universities in England, I did not include Catalyst funding as a category of reference and only realised after securing staff interviews at five institutions that all had, indeed, been awarded this funding. As with my self-selected student survivor population, my English university staff sample features selection bias (Robinson, 2014), and it is likely that staff at institutions which received Catalyst funding were more willing to speak with me than staff at institutions without funding because they had a specific project they could reference to demonstrate the work they were doing. This feature of my English university sample, however, only reinforces my point about institutional embellishment: Universities that received money needed to show how they used these funds, regardless of the extent to which students successfully used the resulting intervention.

Examples of Institutional Embellishment: Performative Policies and Absent Training

The main way universities in my English sample used institutional embellishment was through performative policy development. Creating a policy clearly demonstrates that universities have listened to the Universities UK guidance because it is tangible: Universities can point to the existence of the policy as evidence of internalising the guidelines. The mere existence of policy, however, does not guarantee that universities successfully respond to sexual violence, as several English staff members and student survivors highlighted issues of policy content and implementation. This manifestation of institutional embellishment as policy creation demonstrates the decorative aspect of its definition; since I did not interview senior university managers to know their intentions around policy creation and implementation, I cannot speak to the second type of institutional embellishment, which implies (un)intended deceit, and therefore I only focus on ‘embellishment’ as accessorising. In what follows, I examine policy creation as institutional embellishment at two universities:

I begin by analysing policy as reputation salvaging through Nicola's account, a specialist sexual violence worker hired with Catalyst funds at a small urban liberal arts university, and then move to examine Olivia and Robin Goodfellow's accounts of the disconnect between written policy creation and staff training at a small suburban collegiate university.

Nicola has an extensive background in responding to domestic, sexual, and gender-based violence—distinctions she made based on her work experience—and while she had worked as a consultant for universities before, her role in this university's wellbeing team was the first time she worked within one. She was highly critical of her university's sexual violence response process. It is worth mentioning that, at the time of data collection, her university was the only one in my overall sample that had very publicly mishandled a previous sexual violence case, which is something that came up explicitly or implicitly in all of my interviews there. While I argue that all universities operate under pressure to maintain a positive reputation, this university had the pressure of additional public scrutiny because of this case, which appeared to shape their response process. As part of the Catalyst grant, the university hired both Nicola as a specialist wellbeing team member and Candice as a policy adviser. Candice mentioned this scrutiny when describing her work with the university's senior management in creating the new policy:

> *[T]he response I got seemed to be led by a lot of fear of getting it wrong. So it is kind of, I would say…cautiousness that results in things not moving along quite as quickly…as they should be, because everyone's double-, triple-, quadruple-checking everything they do to make sure they don't do things that are going to cause more harm or are illegal, and sometimes that can leave people—especially reporting students—feeling quite in limbo.*

One of Nicola's issues with the new policy was how it appeared to not reflect the needs of the university's student population:

> *[I]t's an urban campus…but we've also got a large number of home students, as in not living on campus, and those students are really vulnerable and are so much less likely to come forward. And by having this single issue [sexual violence, not gender-based and domestic violence] policy we miss them. They're not there. [brief pause] Even when they've*

> *tacked on domestic violence, they're tacking it on and it's not a broader 'this includes so-called honour-based violence, this includes—' We also have a large body of students, we probably have large numbers who are sex-working. You know, it's not an insignificant number who are probably involved in sex working and…will they see themselves in this? And for some of them it isn't problematic. But there are others where it will be and will they see themselves in this policy? Will students who experienced FGM [female genital mutilation] see themselves in this policy?*

In her view, a single-issue sexual violence policy ignores some of the contributing issues of sexual violence, such as domestic violence, sex work, and female genital mutilation. This policy therefore only captures the few survivors whose experiences conform to a narrow understanding of what sexual violence in universities looks like: This form of sexual violence does not happen in the confines of a student's family home, and is not perpetrated by their family or by sex work clients. As a result of these limitations, the policy does not adequately support the student population for whom it was allegedly designed, and for whom Nicola was hired to help. Her critiques stem from her own experience supporting students in these situations, and she was frustrated that they were not taken into account when designing the new policy.

If this policy is not for the students at the university, then for whom was it created and what purpose does it serve? I would argue that this policy was created for external audiences—including other universities, the funding body that enabled this work, and prospective students—in order to regain some of the public standing they lost as a result of the past mishandled sexual violence case. Institutional embellishment here does not take the form of attempting to create a positive reputation, but rather attempting to salvage one. The material effects of this embellishment for student survivors include both a policy that may not reflect them (as detailed by Nicola) and slower response (e.g. conduct, welfare) processes (as detailed by Candice); nevertheless, the mere presence of a new policy and process appears as a positive for external stakeholders who do not see how these (do not) operate within the university. I asked Nicola what, if any, impact she thought this prior case had on how the university responds to sexual violence, and she explained that, "[i]t's reactive…everything that has taken place is that they're reacting and panicking." She clarified that she saw this reactive response as something across the sector, not unique to her own university, as she viewed sexual violence in universities as "a wider media-driven [issue], so then it becomes about reputational risk and reacting to what's perceived as a risk to the reputation of the institution."

Part of this reactive attempt to salvage the university's reputation occurred through writing a policy that echoes other universities' policies: As a newcomer to higher education, Nicola was surprised by what she perceived as its insular nature, as she said, "[universities have] looked only to other universities rather than building on the work of the sector, of the VAWG [violence against women and girls] sector that has existed for decades and has evolved through decades of work… It's the blind leading the blind!" When universities use other universities' sexual violence response work as a frame of reference as opposed to specialist gender-based violence groups, policy formation becomes less about understanding and responding accordingly to sexual violence, and more about looking good in comparison to the rest of the sector. In other words, in trying to impress external stakeholders, universities sacrifice policy efficacy for policy performance. The contents of this policy versus the divergent experiences of the student body at Nicola's university highlight how the policy acts as institutional embellishment: The presence of a normative policy enables the university to appear able to respond to sexual violence and accountable to the body that funded said policy's creation as well as the prospective students it is trying to attract, and in line with other universities—without meeting the needs of its students.

While Nicola's account illustrates the disconnect between written policy and student experience, Olivia's account shows the disconnect between written policy and staff training, which again reveals how sexual violence policy acts as more decorative than substantive.

Olivia's interview was the only combined student interview in my sample as she and her best friend, Robin Goodfellow[14], opted to come to meet me at my research location—namely, the library at the University of York—to participate since they both experienced sexual violence at the same university, a small collegiate university in England. Olivia served as a Students' Union officer representing women and non-binary students and was part of a team of staff and students who rewrote the university's sexual violence reporting policy and procedures. After the policy passed, she and other members of the working group lobbied hard for comprehensive staff training across the university so anyone who might receive a disclosure would be able to help students navigate the formal reporting process. She soon found out, however, that not only had staff not receiving training on how to implement the policy, but also that they were unaware of its existence:

> *[I]t is quite complicated, as most reporting policies are. And so you need someone to walk you through it…you need your staff college welfare officers and our Students' Union Advice Team to be really, really well-trained in it, so that when a student reports, they have one person who's their contact that walks them through the whole process so they don't have to disclose multiple times, they don't have to keep telling people…Like it's an incredibly stressful time and students already have stressful lives. And the process is complicated… our Advice Team didn't know how the policy worked. They were like, 'it passed? How does this work?' One of the members of our Advice Team is a former full-time Women's Officer…And she's like, 'this is impractical. Like you can make a great policy, but if you don't train everyone in how to use it, it doesn't mean anything.'*

As the Advice Team staff member concisely stated, writing a policy without training staff on how to use it means that the staff will ultimately not use or incorrectly apply what is written. In this instance, incorrect or non-implementation of policy was not a result of frontline staff's malice towards sexual violence survivors: The team member who highlighted the breakdown in communication about this policy had previously served as the Women's Officer in the university's Students' Union and Olivia considered her a great staff ally. Instead, the failure of staff members to implement this policy was a result of senior leadership not publicising the new policy and not training frontline staff on how to use it.

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[14] "Robin Goodfellow" is the full pseudonym chosen by this participant. I will continue to introduce them as such in future chapters, and after the first instance in each, will only refer to them as "Robin."

If senior leadership in the university does not train staff on how to use a new policy, then what purpose does said policy serve? Looking towards organisational studies, Meyer and Rowan (1977) would say that this policy works as a legitimacy granting mechanism. What Olivia described to me is an example of decoupling, a phenomenon in which written policy has little to no impact on the day-to-day operation of activities within an organisation but which helps bolster the organisation's validity (Meyer & Rowan, 1977). Within certain types of organisations, such as relatively institutionalised bodies like universities, Meyer and Rowan (1977) argue that certain mechanisms (e.g. policies) must be present in order for said organisations to appear legitimate. Decoupling—having a public-facing policy but working around it internally—is very much about casting a positive public appearance for others in the field, the general public, and the state; it serves to increase or maintain legitimacy by buying into ceremonial 'myths' that exist, which assume that certain structures are rational because they are status quo (Meyer & Rowan, 1977). The presence of standardised infrastructure across like institutions, however, does not guarantee that what is standardised is also the most efficient (Meyer & Rowan, 1977). Decoupling then is how organisations resolve the tension between needing to appear legitimate by having ceremonial structures but still needing to operate efficiently despite these structures: "decoupling enables organizations to maintain standardized, legitimating, formal structures while their activities vary in response to practical considerations" (Meyer & Rowan, 1977, p. 357).

In this light, having a sexual violence reporting process grants legitimacy to Olivia's university because it enables the university to appear supportive to survivors and more marketable to prospective students and parents. The outward-facing policy allows the university to reap the benefits of seemingly following the suggestions of the *Changing the*

Culture report, while the internal practices protect how the university functions. Deciding to fully train all staff who could receive a disclosure would require proper resourcing and time allocation, and due to the sensitive nature of sexual violence, staff would most likely require multiple lengthy training sessions in order to understand dynamics of disclosure and feel confident carrying out the associated processes. In not training staff on the policy, the university saves time and resources while the presence of the policy helps promote a positive image of the university to external audiences. This decision not to train staff is not merely a resourcing issue, but also an issue of politics: As Jackson and Sundaram (2020) highlight in their research on university staff perspectives on lad culture, universities and senior leadership tend to individualise a systemic problem, such as lad culture or sexual violence, by only labelling the most extreme incidents or perpetrators as the problem; this limited definition subsequently enables an institutional view of lad culture or sexual violence as not prevalent, and therefore not 'worth' properly resourcing.

The presence of the policy as a legitimacy granting mechanism also helped Olivia's university receive grants: After this policy was passed, the university received Catalyst funding for another project. Although I cannot establish causation in this case, the ability to demonstrate producing an output—a written policy—without external funding is a good indication that the university would be able to similarly produce an output *with* such funding, which makes it a safe choice for the funding body. Olivia was hired to oversee the grant, despite the fact that she was a third year undergraduate student; she explained the university's attitude towards sexual violence response as this:

> *Because this HEFCE project was very much like, 'here's some money, we'll make this [infrastructure] real shiny, we'll do some training, and then we'll be done. We've passed a policy, we've got a grant, we've clearly achieved all of Changing the Culture, we're out.'*

At this point, Robin Goodfellow, who was also present for their interview, added, "again, [our university] loves to pass a policy and then do nothing with it." They both felt confident in saying the university writes policies it does not use because after Olivia made her recommendations stemming from the Catalyst grant, senior leadership did not even read her report before writing them off as “not possible,” according to a co-worker who attended the meeting. Olivia commented, “[t]he weird thing is they paid me an excessive amount of money for this project because it was from a grant and then they just refused to do anything with it.” The separation between policy and infrastructure at this university, however, offers another narrative: The university did not pay Olivia to improve sexual violence response; it paid her to improve its *reputation* surrounding sexual violence response, which costs a lot less, requires fewer resources, and serves a larger purpose than implementing her suggestions. As a final note on this example, I want to emphasise that while decoupling is the mode through which Olivia’s university enacted institutional embellishment, institutional embellishment as a concept is broader than the separation between policy and practice.

Taken together, Nicola and Olivia’s experiences speak to the tendency of English universities in my sample to aggrandise the effectiveness of their sexual violence response processes in order to establish or maintain a positive reputation. The presence of a policy that does not meet the needs of the student population, like in Nicola’s case, serves to promote a positive reputation for outside entities for the simple reason that it exists; it serves as a signal that the university cares. The efficacy of it—often not seen unless a survivor who attempts to access help goes to the media—does not matter, because universities can use the policy as evidence of its commitment. This disconnect between policy and practice was evident in Olivia’s university, at which senior leadership assembled a team to write a policy but did not train frontline staff on how to use it, which allowed the university to gain outside kudos—and Catalyst funding—while saving money and time on training. Both Nicola and Olivia’s universities engaged in institutional embellishment—the practice of beautifying public perception without making substantial internal changes—in the sense of policy as (unused, not fit-for-purpose) decoration. Institutional embellishment in both of these cases reveals that universities want to appear as if they are responding to sexual violence without having to actually respond in ways that would affect their bottom line. This appearance of response still grants them public legitimacy, often without having to internally allocate the necessary funding and resources to create a robust response process.

Ultimately, when put into conversation with Tamara and Alexandra's respective experiences of institutional airbrushing—the act of hiding 'blemishes,' like sexual violence, in order to stay marketable (Phipps, 2018)—at US universities, all four examples show that, for these universities, appearance and reputation take precedence over supporting student survivors. It is important to note, given these similarities, that while I argue policy context influences whether universities in my sample engaged in institutional airbrushing or institutional embellishment, I do not see policy context as a disqualifying feature for these mechanisms. This does not mean that institutional airbrushing does not occur where there are not strict penalties for improper response or that institutional embellishment does not occur where there is not such an emphasis on individual university responses; this becomes clear in the following discussion. I now move to conclude this chapter with the following section on symbolic structures, a concept from organisational studies that draws heavily on dynamics of appearance and compliance, to discuss how universities utilise such structures in their response processes.

Symbolic Structures: Constructing Compliance with Title IX

Closely related to but still distinct from institutional embellishment is the concept of symbolic structures. Like institutional embellishment, symbolic structures work through signalling commitment without drastically changing internal processes, but whereas the goal of institutional embellishment is establishing or enhancing a positive reputation, the goal of symbolic structures is appearing to comply with legal mandates (Edelman, 1992). As a result of this focus on law, this section will focus on Title IX as a regulation in the United States, which complements the above discussion on institutional embellishment in English universities. In her (1992) study of how organisations in the United States implemented equal employment laws, Edelman builds on Meyer and Rowan's (1977) theory of decoupling, the separation between stated policy and implemented practice, to develop the concept of symbolic structures. In the organisations she studied, as is the case with several universities in my sample, the people charged with achieving legal compliance tended to hold relatively powerful positions and responded to legal mandates in ways "that [preserved] the status quo while giving the appearance of change" (Edelman, 1992, p. 1533). In other words, this form of implementation requires minimal structural change inside the organisation, but makes the organisation look like it is following the law, regardless of to what extent this occurs; one of the strategies organisations may employ in order to achieve this external appearance of compliance without changing internal processes is decoupling (Meyer & Rowan, 1977). Ultimately, Edelman finds that instead of refusing to acknowledge or implement laws, organisations "construct compliance in a way that, at least in part, fits their interests" (1992, p. 1541). The result of this negotiated compliance is the creation of symbolic structures, which are responses that demonstrate commitment to the law, but may not actually do what the law requires (Edelman, 1992).

This section analyses how Title IX offices in US universities can serve as symbolic structures, which signify commitment to ending sex-based discrimination—including sexual violence—in education but work to protect the institution from liability. As was the case with institutional embellishment, the presence of these symbolic structures occasionally produced feelings of naïveté in students trying to access Title IX for support, which I will fully explore in the final findings chapter. In what follows, I explore some structural contradictions of Title IX implementation at two universities. I begin by discussing Marie Tharp's evolving understanding of the purpose of her university's Title IX office to show how her university used Title IX to protect itself as opposed to its students. I then conclude by examining Rachel's interactions with both her university's Title IX office and the Department of Education to show how the federal government positions Title IX as a symbolic structure through its focus on process compliance over equitable outcomes.

Marie Tharp[15] is a geoscience Ph.D. student at a public, mid-sized university in the United States, and while she was at a remote location conducting fieldwork, another Ph.D. student stalked and harassed her. She emailed the head of her department, who was not present on site, to see what she should do, and as the head of department was a mandatory reporter—someone who is required to report any possible violation of Title IX to the university's office—she forwarded the email to the Title IX office, who got in touch with Marie Tharp soon after. She had an initially positive reaction to the person who directed the Title IX office because the director was supportive during her first official interview over the phone. She decided to make a formal report because she did not want this student in her classes or her office space, and although the beginning of the investigation went well, the Title IX office began responding progressively slower to Marie Tharp. The director and investigators then tried to ease up the space restriction they put in place against her stalker because he continually challenged it. Her understanding of the purpose of the Title IX office began to shift following a conversation with a liaison about potentially allowing her stalker more leniency:

> *I definitely had a different conception and understanding of what a Title IX office's role would be. I definitely thought that…once a finding was made, they would be more kind of willing to put their neck out there for victims. And then now, I very much see them as they are there to protect the liability of the university… When [the Title IX office's liaison was] trying to figure out this space conflict, he literally said, 'I need to find a solution that does not give either of you grounds to sue the university.' [derisive laugh] So*

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[15] "Marie Tharp" is the pseudonym this participant chose. I will refer to her throughout using this full name, as a student in my English student sample chose the pseudonym, "Marie."

> *I'm like, 'okay, at least you are being honest about what your intention is. It is not to protect me from someone who stalked me. It's to prevent the university from being sued.'*

Although she understood that the Title IX office had to be impartial as an investigative body, she thought that it would be more pro-victim than what she experienced. Instead of helping her feel safe in labs and on campus, she found that her safety was less important to the Title IX staff than preventing her and her stalker from suing the university. This example highlights the discrepancy between the presence of Title IX and how her university used that policy. Her university would appear to be in compliance with Title IX because of the presence of its office. In her experience, however, staff within the office did not ensure there was no sex-based discrimination at the university—since she missed out on educational opportunities like fieldwork and accessing her lab due to her stalker—but rather that students could not attack the university for perceived or actual process discrimination. In changing the purpose of the Title IX office from preventing discrimination to preventing lawsuits against the university, Marie Tharp's university embodies Edelman's (1992) argument that organisations construct compliance with the law in ways that benefit them as opposed to achieving what the law states they should do (i.e. prevent and protect students from sexual violence). In this way, the Title IX office at Marie Tharp's university serves as a symbolic structure that benefits the university as a body more than the student population for which it was designed.

While Marie Tharp's experience shows how Title IX acts as a symbolic structure within the confines of a single university, Rachel's experience escalating her complaint to the Department of Education shows how even the federal government treats Title IX as a symbolic structure due to its focus on process over outcome. Rachel was a final year undergraduate at a public mid-sized university in the United States and working on campus. A co-worker raped her in her off-campus apartment; she told a female staff member what happened, and this staff member had to report the incident to the Title IX office. Before the investigation began, a very senior staff member in Student Services had promised Rachel that with the amount of evidence she had, including a text message from her assailant admitting what he did, it was almost guaranteed that he would be expelled following a conduct investigation. Not only did the conduct board *not* find her assailant responsible using the lowest possible standard of evidence (preponderance of the evidence, or “more likely than not,” used in civil court cases), but the university upheld the conduct board’s initial finding of ‘not responsible’ in two appeals—despite the fact that her case went to criminal trial at the state level, which has a higher standard of evidence than the conduct board.

The response she received from university administrators and a lawyer at the Department of Education illustrate how Title IX, both within and beyond her university, functions as a symbolic structure. After she graduated, the administrator who told her that her assailant should have been expelled prior to the conduct case reached out to apologise to her and say that the university was re-writing its policies. She replied, “[sounding annoyed] ‘yeah. There’s no point in you having a Title IX office if you put in people who don’t have adequate training or knowledge or understanding.’” In this sense, Rachel’s university’s Title IX office was a symbolic structure in that its presence, like at Marie Tharp’s university, denoted legal compliance, but in practice, was not upholding what the law is meant to do—provide redress for sexual violence—because of the conduct board’s lack of sufficient training and knowledge.

Furthermore, when Rachel lodged a complaint against her university with the federal Department of Education, which oversees Title IX compliance, the Department focused more on process than on outcome, which is an indicator of a symbolic structure. She told me that, “I had an attorney [at the Department of Education] look into it and…they were just kind of like…‘the outcome sucks but they went through the motions. They gave you all these options' and you know…So they closed the case." Edelman (1992) argues that an emphasis on procedure enables organisations to 'comply' with the law in a way that does not have to result in a certain outcome; as long as organisations can evidence the presence of infrastructure and a 'good faith' effort to use the law, they have demonstrated compliance: "Procedural constraints enhance the potential for organizations to develop forms of compliance that appear to comply with the law but have little substantive effect" (Edelman, 1992, p. 1538). If an official at the highest level of Title IX compliance found no issue with Rachel's university's response because the university went through a process, even if the end result was traumatising for a survivor, then perhaps Title IX itself is a symbolic structure beyond individual university implementation. Her case is a clear example of how a university can have the necessary infrastructure to demonstrate Title IX compliance and use it to exacerbate the very issue it was designed to improve.

Marie Tharp and Rachel's experiences with their respective universities' Title IX offices show how Title IX operates as a symbolic structure, meant to signal legal compliance above enacting compliance. As this chapter explores mechanisms universities in my sample used to protect their institutional reputation, it is necessary to show the connection between symbolic structures and reputation. In the United States, lawsuits about sexual violence in universities are often highly public and highly publicised; in this landscape, news of a lawsuit nearly guarantees reputational damage. Universities create symbolic structures, namely through Title IX offices and policies, in order to show that they are compliant with the law. If universities appear to comply with the law, they are limiting their institutional liability. If universities limit their institutional liability, they also limit the opportunity for lawsuits against them, which in turn limits the associated negative press they would receive for failing to comply with Title IX. Ultimately, the presence of symbolic structures preserves universities' reputations in a mode that combines mechanisms of institutional airbrushing and institutional embellishment by making it difficult for damaging news—like the presence of sexual violence or a retraumatising university response—to become visible by creating a necessary structure to signal compliance.

Conclusion

This chapter analysed what it looks like when universities protect their institutional reputations over the wellbeing of student survivors. As mentioned in the introduction, both the presence of sexual violence and the revelation of unsupportive university responses to sexual violence can have a significant impact on the public perception of universities. It is not surprising, then, that universities in my sample appeared to act in ways that protected the university as a body instead of protecting student welfare. Three strategies that universities used to help shield or enhance their reputations included institutional airbrushing (Phipps, 2018), institutional embellishment, and symbolic structures (Edelman, 1992). Institutional airbrushing, the hiding of flaws (i.e. sexual violence) in order to remain marketable in a marketized higher education context (Phipps, 2018), and symbolic structures, the appearance of but not true legal compliance (Edelman, 1992), both maintain institutional reputations by hiding unseemly truths that could put the university at risk of negative press, lawsuits, or both. The newly developed concept of institutional embellishment, in contrast, works to highlight perceived positives of the university, such as the presence of designated offices and policies to support survivors. Like the former two mechanisms, institutional embellishment accomplishes this beautifying of reality through (un)intended deceit: The measures introduced through institutional embellishment make the university look good, but are ultimately useless, such as senior leadership creating a policy but then not telling frontline staff about it.

My findings demonstrate that there is a geographical divide in the mechanisms universities employ to preserve their reputations, which I connect to the respective policy landscapes of the United States and England. The nature of Title IX as a law in the United States tends to produce more conservative responses to sexual violence, such as hiding its presence (institutional airbrushing) and appearing to comply with laws without truly doing so (symbolic structures). Since England does not have a nationwide law that mandates a certain institutional response to sexual violence and since Universities UK instead promotes the creation of ‘good practice,’ universities tend to enact more overtly performative (i.e. embellished) responses that position them as emerging leaders in sexual violence response. Though institutional airbrushing attempts to portray the university as free from sexual violence while institutional embellishment attempts to position the university as a leader in sexual violence response and symbolic structures give the appearance of legal compliance, all three mechanisms work to protect or maintain a positive reputation that makes the university attractive to prospective students, parents, and funding bodies. In other words, though the methods differ, the end result is the same: a positive institutional reputation. Ultimately, this chapter explored the manifestations of universities protecting their reputations over their students, and the next chapter will demonstrate *how* exactly this occurs by unpacking structural impediments to supportive university responses to disclosures of sexual violence.

Findings Chapter 2: The Structure Itself Impedes Response: Structural Limitations on Universities' Ability to Support Survivors

Introduction

As the previous chapter illustrates what it looks like when universities protect their institutional reputations—namely through institutional airbrushing, institutional embellishment, and the use of symbolic structures—over student wellbeing, this chapter and the following chapter work together to demonstrate how these responses occur. This chapter argues that the very structure of universities impedes victim-centred responses to disclosures of sexual violence, while chapter three analyses how staff work both within and against universities in attempting to support student survivors. While there is some overlap between these discussions, the chapter break here is purposeful: It reflects a central and ongoing debate in organisational studies about the question of structure versus agency (Heugens & Lander, 2009), which asks whether the individual choices and actions of people within an organisation drive organisational change, or whether the organisational structures themselves do so. Related to this, Abdelnour, Hasselbladh, and Kallinikos (2017) assert that "[t]here is no way to cope with the issue of agency and institutions without ultimately confronting how individuals relate to and work within organizations" (p. 1776). In order to understand how staff actors navigate university structures, it is first necessary to unpack the structures themselves, which is the aim of this chapter.

In this chapter, I demonstrate that both decentralised and centralised infrastructure can be used to protect institutions and retraumatise survivors. "Infrastructure" here goes beyond policies to discuss the physical offices within universities—such as student wellbeing teams, Title IX offices, and academic support teams—and the (lack of) communication pathways between them. There was a geographic split in my sample as US universities tended to have centralised infrastructure while English universities tended to have decentralised infrastructure, yet decentralisation was present in both country contexts; I therefore begin this section by unpacking how decentralised infrastructure works across US and English universities to harm survivors and protect universities. After highlighting similarities in decentralised infrastructure across my sample, I move to discuss context-specific structural impediments: For my English sample, this takes the form of the collegiate system within universities, while in my US sample I examine the function of staff members serving as mandatory reporters of sexual harassment. In this discussion of mandatory reporters in US universities, I also analyse how centralised infrastructure can still be problematic for survivors, depending on how universities mobilise it in responding to sexual violence. I conclude this chapter by illustrating several staff resistance strategies against unsupportive infrastructure and analyse the limitations of such resistance within the context of neoliberal higher education.

(De)Centralised Infrastructure and Response Implications

One of the most significant issues raised by staff and student participants alike was the lack of centralised infrastructure for reporting and accessing support following sexual violence. Across universities in my sample, a common structural issue included the existence of response offices that help students cope with sexual violence and reporting, but who did not necessarily communicate with all the other offices students might need to alert to their situation, such as academic departments or the accommodation team. In such structures, the onus was often on the student to reach out to every support office they possibly needed and disclose multiple times instead of offices purposefully coordinating their response to minimise the opportunity for survivor retraumatisation. Several staff members identified this problem as “silo working,” in which offices might work in parallel but do not liaise with one another, which makes the student—as the one speaking to each office—have to serve as their own intermediary.

As a result of these widespread decentralised structures, student and staff participants overwhelmingly agreed that in order to best support students reporting sexual violence, universities must have a centralised infrastructure for reporting and accessing resources. In practice, this would look like a single, well-advertised, accessible place within the university where students could go to report incidents of sexual violence and receive support. Students would only have to relay their information once and then a staff liaison would coordinate with necessary departments—like the student's academic department, student support services, the Title IX office in US universities, or possibly Student Conduct—to minimise the number of disclosures students would otherwise have to give in order to access help. Centralised infrastructure was present in more of the US universities in my sample than in English universities, partially due to Title IX requiring a visible, accessible Title IX Coordinator to handle complaints (Ali, 2011). The presence of centralised infrastructure alone, however, does not guarantee that the processes in place will be survivor-centric, as I discuss in a later section on context-specific structural impediments.

There are two main ways decentralised infrastructure impedes survivor-centric university responses to sexual violence: First, it harms students by making it more difficult for them to find resources, and secondly, it protects institutions by ultimately limiting the number of formal complaints of sexual violence. Since decentralised infrastructure was more common in my English university sample, the examples below reflect this geographic trend. To illustrate how decentralised infrastructure harms students, I analyse three examples: I first discuss Joanne's experience working as the head of a wellbeing team navigating new procedures at a small English liberal arts university, before exploring the impact of decentralised infrastructure according to Danielle, a staff member in the sexual violence prevention centre at a US Ivy League university, and lastly according to Dylan, a student at a large, urban, Russell Group university in England. I close this section by discussing how decentralised infrastructure protects institutions through Grace’s account as a survivor at a collegiate university in England who reached out to other survivors about their reporting experiences, and through Claire’s experience implementing a centralised reporting system as a staff member at a large, post-’92 former polytechnic university in England.

Decentralised Responses: Harming Student Reporters

Joanne built her university’s wellbeing centre five years prior to our interview in October 2018. The centre handles all kinds of student welfare cases, including sexual violence; upon the university receiving a Catalyst grant to work on its sexual violence response, however, Joanne and her team felt senior management overlooked them as an existing resource and began creating new processes to respond, which they believed overcomplicated procedures. I spoke with Joanne after interviewing her colleague, Nicola—the gender-based violence specialist working in the wellbeing team—who had mentioned that university processes around sexual violence were not as coordinated as they could be. When I asked if Joanne agreed with her colleague’s assessment, she replied,

> *There needs to be a better link between [our] Team [and] Complaints and Appeals… They are just not…always keeping the survivor/victim at the centre of that process and that’s really problematic because it’s, I think, statistically, alleged perpetrators are more likely to take legal action than someone who has claimed or alleges sexual violence or harassment and therefore [alleged perpetrators] normally shout the loudest. And the attention seems to be more about fear of being sued for the accusation or being in trouble because of employment law or… I just think that it’s not a victim-centred…process when that’s what the campaign was about.*

Joanne made a link between decentralised processes and limiting institutional liability: She saw the disconnect between her team and the Complaints and Appeals team, which handles formal investigations of sexual violence, as a result of the university (over-)focusing on the possibility of lawsuits brought against the university by accused students. Since these lawsuits result from accused student involvement with the Complaints and Appeals team, Joanne saw her university as concerned almost exclusively with that team in its sexual violence response. Since survivors may be less likely to sue the university, offices that respond to their needs—such as the wellbeing team—are not considered as crucial in limiting liability, and therefore not considered much at all. Joanne perceived this to be the case in England, but data in the US supports her notion that universities focus more on limiting liability against lawsuits from accused students: Compared to survivors, more accused students sue their universities (Malafronte, 2019), and these cases tend to cost the university more than lawsuits brought by survivors (Brown, 2017).[16] This institutional and infrastructural lack of consideration for the survivor includes the communication pathways between the offices, which would facilitate the exchange of information on support requirements and case updates. While both offices are critical to responding to sexual violence, the existence of silos between them makes it more difficult for survivors to access support and information on their cases. Instead of focusing on the potential lawsuits threatened by accused students—as Joanne suggested was the case with her university—a victim-centred approach would focus on making it as easy as possible for students to access help when they need it, and centralised processes could potentially enable that.

Whereas Joanne found the decentralised structure of her university to be an impediment for student survivors, Danielle understood how decentralised infrastructure can impede response, but also believed in the possibilities it could offer survivors. Danielle works in the violence prevention office at an Ivy League university in the US and described her university as incredibly decentralised. She thought the number of resources available for students enabled them to access support wherever they felt the most comfortable, for example at the LGBT centre. On the other hand, she also raised the issue of mechanics for students navigating the system:

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[16] Little information, mainstream news or scholarly, is available about lawsuits against universities in England, especially when compared to lawsuits against universities in the US; I argue that this discrepancy reflects differences in culture between the two countries, as the US is much more litigious than England.

> *There's a lot of times that students have to meet with like six different people when they should really just have to meet with one person in order to get things done. And I wish we were better able at making that happen, I would say. Instead of feeling like, 'you have to go here and then here and then here,' I think that more of that centralization would be really helpful in making things more streamlined for students in particular.*

Needing to access so many different offices for help is not only frustrating, but also labour-intensive, especially for someone who has recently experienced a trauma; I will focus on the impact of trauma in chapter five of my findings, but for now, I want to draw attention to the way that decentralised processes can (un)intentionally exhaust student survivors attempting to move through them. Ahmed (2020) argues that "exhaustion is not just an effect of a complaints process, but the point" (n.p.). She frames exhaustion as a management technique that universities use to wear complainants down, and thereby make them too tired to go through with filing a formal complaint. Decentralised infrastructure, such as needing to access about six different people in Danielle's above quote, lends itself well to exhausting students: If traumatised students cannot find the resources they need or the correct office to which they should report, it is less likely that they will follow through with accessing help or—more importantly, from an institutional viewpoint—take action against the university, and more likely that their complaints or they themselves will instead disappear. The disappearance of complaints or would-be complainants serves to save the reputation of the university by keeping its reports of sexual violence low, and ties back to institutional airbrushing (Phipps, 2018) in this way: Instead of erasing sexual violence by sweeping it under the rug, the exhaustion caused by decentralised infrastructure prevents sexual violence from even materialising before universities can invisibilise it.

Dylan is one such student who disappeared from their large, urban, Russell Group university in England following sexual violence. Their experience demonstrates how silo working impacts students attempting to access support. They wanted to transfer following their assault and wanted help facilitating this; since their marks suffered as a result of the assault, they wanted the university to include a statement of explanation attached to their transcript to account for this decline. In this university, the academic support office and student welfare office sit in different places and rarely communicate with one another, which required Dylan to communicate independently with both. The length of time Dylan searched to find all relevant, separate correspondence from various offices during our interview serves as a microcosmic example of their time-intensive communication: As they were only my second student interviewee and I had not provided them with the questions beforehand, Dylan had to search through their email and notes in real time, which resulted in long pauses in our conversation. Ultimately, they shared that while the staff in student welfare signposted them to the academic support office, welfare staff did not facilitate this connection for them. When I asked what, if anything, they would change about their university's response process, Dylan responded:

> *[M]ore joined-up thinking. It isn't good enough for them to say, 'it's not our department to think about academic stuff.' Like it just isn't… And it's bad that different parts of information sit in different areas. I still don't think that my department necessarily know about all of it.*

Dylan thought that the offices needed to communicate not only with each other in cases of sexual violence, but also with students' departments, since sexual violence impacts both emotional wellbeing and academic performance.

The presence of these silos and how unclear it was to navigate through them ultimately let Dylan simply disappear. They explained that,

> *[M]y last conversation was about reporting [the assault] and I've not been in touch since. And I haven't been in touch with any part of the university since. I've like effectively dropped off the radar and no one's picked up anything. No one's decided to be like, 'is this person okay? Is this person wanting to come back to university? Is there ever going to be a transfer?' Nothing. Nada.*

Since the responsibility to communicate with the university's various offices and departments was on Dylan, when they stopped reaching out, they were met with silence. The university, in lacking centralised support processes, allowed them to leave without following up; the lack of communication between offices only exacerbated this problem. Dylan ultimately dropped out and, at the time of our interview about a month into the new academic year, had still not heard anything from their university.

In order to make sense of Dylan's experience, I draw on Ahmed's (2020) concept of institutional plumbers in complaint processes. Ahmed states, "[m]aking a complaint often requires becoming an institutional plumber: you have to work out how and where complaints get blocked. It is because of how complaints get stuck in the system that they often end up being about the system" (2020, n.p.). Framing (would-be) complainants as institutional plumbers illustrates how, by not having centralised infrastructure, student survivors—who are traumatised and whose capacity to advocate for themselves is diminished—need to navigate through the twisting pathways of countless offices, few, if any, of which communicate with one another, in order to access the support they need. When a complaint gets 'blocked' or stopped in one office, students must continually try other offices and are continually met with further blockages until they find a clear path to support. In Dylan's case, they unblocked one office (e.g. student welfare) only to find another blockage existing between offices (e.g. between welfare and academic support). The infrastructure simply did not exist to connect offices, which created less of a blockage and more of a gaping hole that would have required Dylan to not only become an institutional plumber, but also an institutional carpenter as well.

Decentralised Responses: Protecting Universities

Not all students who need support, however, go through with formally complaining or accessing university services precisely because of the convoluted, often decentralised, university response process, and this low reporting rate serves to protect university reputations by invisibilising the presence of sexual violence. For example, Grace, a student survivor at a mid-sized collegiate university in England, told me she knew many other survivors at her university who did not report; some felt like they did not have enough evidence to make a case and others dropped out of university instead. Of the reporting process, she said,

> *Well there's just so many steps you have to go through. For a start, you'd have to report it in the first place and find the right person, which is quite difficult. And then, you know, you might not do that if it's not easy or it's not clear how you do it. And then if there's not any evidence, they won't do it anyway, so it just has to go through so many things, it's just not worth it for some people I guess.*

Grace's university is a collegiate university that encourages students to first report sexual violence to the college of which they are a member before escalating it to the overarching university and, as such, is very decentralised. Making it difficult for students to report sexual violence through decentralised infrastructure ultimately lowers the number of complaints. In this context, a decentralised approach allows the university to claim that sexual violence does not occur as often as it actually does, because it works to limit the number of complaints received in the first place due to unclear and labour-intensive processes, as was the case for many people that Grace knew.

While low reporting numbers outwardly present the university as a safe place where sexual violence does not frequently occur, staff members engaged in addressing sexual violence were aware that these numbers do not reflect the reality for their student population. Claire, a Catalyst grant-funded staff member at a large post-'92 former polytechnic university in England, brought up how the existing decentralised infrastructure at her university made it difficult for staff to understand not only how many students experienced sexual violence, but also how many students were *reporting* these incidents across the university. For this reason, she worked with the university to implement a new centralised reporting system:

> *Another huge reason why we created this new reporting system was because I also handle any Freedom of Information requests that come into our service and I have noticed in the past year a lot of requests for*

> *information to do with sexual violence and how they have been handled, you know, what outcomes there were of those. And it's really difficult to report on at the minute because each area in the university was recording instances separately, so Student Wellbeing would have our own incident log when we'd receive disclosures, accommodation would have their own incident log, security would have an incident log, the [Students' Union] would have an incident log. And...we were finding it really difficult to truly understand the scale of the problem just because there was all this disjointed information everywhere.*

Whereas Grace's example highlights how decentralised infrastructure obscures the frequency of sexual violence by making the reporting process arduous and thereby discouraging survivors to come forward, Claire's example demonstrates that even when survivors do come forward, decentralised infrastructure makes it difficult for the university to understand how many students report. The number of offices that could receive a disclosure and the lack of communication between them means that each office is only aware of the reports it receives. Keeping this information separate protects the university because the university could decide that only disclosures to certain specific places 'count,' which again limits the numbers of complaints of sexual violence and again in turn portrays the university as a place where sexual violence is a rare occurrence.

When I asked Claire if she thought her university would publish the statistics gathered through the new centralising reporting tool, she did not see that happening because of the implications such statistics could have on the university's public appearance. She said,

> *I think sometimes from a marketing point of view, they [senior management] don't want it to look as though [sexual violence] is going on here, even though everybody knows that it is—it is happening and…we need to recognise that and acknowledge that, but I can't imagine it would…ever be something that, from a marketing point of view, that they'd be happy to do, to publish that.*

Claire was well aware of how the frequency of sexual violence complaints could impact the perceptions of prospective students and parents. She mentioned that, in responding to a Freedom of Information request about this subject, there was a single report in the last academic year at a university of nearly 22,000 undergraduates, which is statistically highly unlikely (NUS, 2010). She realised that, with centralised infrastructure, reporting frequency would increase, which would only make the university appear more dangerous:

> *Even though I don't think the amount of incidents that are happening will have increased, I think it's just the number of recorded incidents, so it'll look as though… the problem's getting worse, even though it's probably not, it's just that it's actually, finally being properly recorded.*

Her analysis of the situation makes a direct connection between publishing centrally collected statistics on reports of sexual violence and the public perception of the university as a result of this information. I use this example to discuss this connection between (de)centralised infrastructure, internal reports, and outward appearance, but it is important to note that Claire's university is actively working to understand the scale of sexual violence and improve responses through this centralised system, even though it may not publicise the information collected.

Thus far, I have discussed how decentralised infrastructure works to harm survivors and protect universities. In analysing how such structures impact student survivors, I have drawn on Joanne and Danielle's accounts as staff working in decentralised universities as well as Dylan's account as a student attempting to access support in a silo-working university. Decentralised infrastructure makes it unclear and labour-intensive for students to report, as it can be difficult to determine where they should go and they may have to access multiple services that do not communicate with each other, which can lead to fewer students reporting, as was the case for other survivors Grace knew at her university. This decrease in complaints due to unmanageable and exhausting infrastructure in turn benefits the public portrayal of the university as a place free from sexual violence, or where sexual violence only rarely occurs, as Claire described. While decentralised infrastructure appeared more frequently in English universities than US universities in my sample, it is a shared theme. The next section examines country-specific structural impediments to response.

Context-Specific Structural Impediments to Supporting Survivors

Across my US and English samples, I interviewed students and staff at many different types of universities. As mentioned previously, decentralisation of response infrastructure was present throughout both US and English universities, though there are significant context-specific differences in structure that also impede survivor-centric university responses to sexual violence. This section therefore illustrates two main country-specific structural issues: For my English sample, I examine the college system within universities, and for my US sample, I analyse the role of staff serving as mandatory reporters of sexual violence under Title IX. These two examples diverge in that collegiate universities in England are an extreme example of decentralised infrastructure, while the presence of mandatory reporters in US universities attempts to centralise university response, but the way in which this centralisation occurs is not always in the interest of the survivor.

The Collegiate System in English Universities

Although there are different forms that English collegiate universities can take, the archetypal structure is an overarching university system to which all colleges belong, but these colleges are also autonomous bodies that are responsible for the education, community-building, and pastoral care of students. Colleges act “as communities that form a viable base for the social, cultural and intellectual interests of their varied student populations” (Tapper & Palfreyman, 2002, pp. 50-1). Tapper and Palfreyman (2002) further explain that “[c]ollegiate universities have federal systems of governance and federalism suggests the possibility of a fluctuating power balance between the centre (the university) and the periphery (the colleges)” (p. 49). Not all collegiate universities, however, have colleges that are legally autonomous bodies; in some universities, colleges serve more as smaller residential communities that provide pastoral support while the central university remains the most powerful entity, as was the case for the majority of my English student participants.

Taking these structural differences into account, my findings suggest that the presence of colleges within a university—and the attendant bureaucracy and lack of clarity around how, or even if, colleges connect to the central university—makes it more difficult for survivors to navigate response processes. To illustrate these structural limitations, I draw on interviews with three staff members—Ruby, Heather, and Leanne—at a collegiate university with autonomous colleges.

Ruby served as a Women's Officer in her university's Students' Union, a position typically held during or immediately following the last year of undergraduate study. As such, she was able to discuss the university and colleges' responses to sexual violence not only from a staff perspective, but also as a student who had attended the university. In her first year of undergraduate study, the Students' Union collected data across colleges about students' experiences of sexual violence:

> *So there was no university-wide procedure, but there were college procedures, all of which weren't very good, hence the [Students' Union] collecting this data from students and then lobbied for the university to provide one centralised policy and also to provide centralised support for students, because… The disparity between colleges' provisions for things like sexual violence in terms of welfare, in terms of dealing with complaints, probably in terms of sensitivity to the nature of complaints, in terms of confidentiality, there was such a huge disparity between colleges that students were just like falling through the cracks.*

Ruby highlighted the differences in response provision across colleges, and how the decentralised autonomous structure of the university and colleges enabled this variation. During her first year of undergraduate education, the lack of standardisation across colleges led to unequal experiences of institutional responses for survivors based solely on the college to which they belonged. Having a centralised system would help ensure more equal measures for all students in the university, regardless of their college membership.

Even at the time of our interviews, three years after the project Ruby referenced that lobbied for a centralised response, the problem of differing processes continued, but to a slightly lesser extent. According to Heather, who oversees the university's conduct office,

> *[O]ne of the challenges of this university is that… welfare support and accommodation is usually delivered by the colleges, who are sort of legally autonomous bodies from the university… The university makes procedures only in relation to university matters and then, where appropriate, it provides templates that colleges can use if they want to. So for our sexual harassment and misconduct procedure, for example, we have our university procedure. In that scenario, colleges agreed that where there were…issues around sexual misconduct, they will refer students to the university procedure… But it's actually up to the colleges whether, if something actually happens, they refer that to the university or not. It would be possible for them to deal with it through their own procedures, hopefully with the complainant's consent, but we would never know.*

Senior management listened to students and did implement a university-wide procedure for responding to sexual violence, but, as Heather explained, whether or not colleges chose to follow this procedure remained up to individual colleges. The university cannot force colleges to respond in a certain way because of their autonomous nature and the "fluctuating power balance" (Tapper & Palfreyman, 2002, p. 49) between the university and the colleges.

While this university made strides in its sexual violence response, it was still not entirely equitable in large part because of the collegiate structure. Leanne, a specialist sexual violence worker hired with Catalyst grant funds and made permanent with university funds, discussed another variable in college responses to disclosures, as she told me that,

> *[this university] has a lot of white men in positions of power within colleges…and I think some are…are okay, but [hesitating a bit] what I've heard so far—and again, I'm probably hearing a skewed version of it, because I'm seeing all the bad stuff that goes on. There are some very problematic views which mean that things are sometimes being pushed under the carpet, things are being hushed up for reputation's sake, and that's both within colleges and within departments.*

Leanne's assessment of the power that a few influential white men have in colleges raises the issue of individual personality impacting structural responses: In this university, where colleges do not have to follow university guidance, the guidance of heads of colleges carries weight; if heads of college are invested in protecting institutional reputation as Leanne suggested, colleges' internal response processes will reflect that investment. Ultimately, through the combination of structural collegiate autonomy and who occupies positions of power within colleges, responses to sexual violence at this university often serve to protect the institution's reputation as opposed to student wellbeing, despite the progress made.

Title IX Responsible Employees and Mandatory Reporting of Sexual Harassment

Whereas the collegiate system in English universities is an extreme example of decentralisation, the presence of sexual violence mandatory reporters at US universities attempts a centralised university response. This response, however, does not always benefit the students whose experiences staff must report. In this sub-section, I explain what mandatory reporting looked like under Obama-era Title IX guidance, who is a 'responsible employee' that must report instances of sexual violence to the university's Title IX office, and the implications this system has for student survivors. In discussing survivor implications, I offer a more nuanced picture of perspectives on centralised reporting through survivor and staff accounts. I first explore the views of Patrick, a survivor, and Danielle, a staff member, who discussed the reasons why students may be uncomfortable with mandatory reporting, and then discuss the perspective of Marie Tharp, a student thankful for mandatory reporting.

Mandatory reporters under Title IX tend to be student-facing staff, including academic lecturers, who must tell the university's Title IX office if they receive a disclosure from a student about sexual violence. Through mandatory reporting, university responses to sexual violence tend to be more centralised than collegiate universities or non-collegiate English universities because, in theory, all mandatory reporters must tell one office—the Title IX office—about all disclosures. Brett A. Sokolow of the Association of Title IX Administrators (ATIXA) explains that, because Title IX uses the concept of notice—when a "responsible employee" knows or should know about discrimination or harassment—certain employees must report these incidents:

> *A responsible employee includes any employee who has the authority to take action to redress the harassment, who has the duty to report sexual harassment to appropriate school officials, or an individual who a student could reasonably believe has this authority or responsibility. (Sokolow, 2015, p. 1)*

Within my US university sample, the number and type of staff designated as responsible employees[17] varied: The most frequent designation throughout my sample included all staff as responsible employees with mandatory reporting duties, while one university had slightly less than half of their staff designated. What mandatory reporting looks like in practice can be difficult for students and staff alike, as *The Chronicle of Higher Education* states that staff members receiving a disclosure are often

> *in the awkward position of having to interrupt a student who's just brought up a traumatic experience in mid-conversation, so they can tell the student that they'll have to report anything he or she says. On occasion, they might have to violate a student's wishes to keep the information confidential. (Brown, 2018, n.p.)*

The last aspect raised—the violation of what the student survivor wants—remains a contentious issue for experiences of mandatory reporting in my sample. Not every student who discloses to a trusted staff member wants that information to go beyond their conversation, yet if they are unknowingly speaking to a responsible employee, the staff member has no choice but to raise it with the Title IX office.

Patrick's experience offers insight into why student survivors do not necessarily support the concept of mandatory reporting. He is a gay male undergraduate student attending a conservative public state university in the US, and told his Resident Assistant[18]

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[17] In this section, I will alternate between using "responsible employee" and "mandatory reporter" because while "responsible employee" is the legal verbiage, "mandatory reporter" gives a clearer idea of what responsibility staff members have in this position.

[18] "Residence/Resident Assistants" or RA's are students at the same university who live in university dormitories and look after the welfare of students in that accommodation; they are almost always mandatory reporters.

(RA) about his assault immediately after it happened because the RA was his best friend—not because the RA was a mandatory reporter. When the RA and the Residence Director arrived at Patrick's room, he said, "I was not told that I didn't have to report and so I felt like I had to." Patrick was upset when he realised this RA reported his experience to the Residence Director (the RA supervisor) because he did not intend to formally disclose to anyone; when I asked how he felt about the RA reporting the assault, he took a long inhale and responded,

> *I was not appreciative of it in any capacity. I mean it ruined our friendship because, I mean, it provoked a series of events that truly like made me feel awful and completely shifted my life. I think... in his point he—I know he was nervous and said, 'oh my god I have to report this, this is something awful,'—and I think there was sincerity in his actions, but I wish I would have had the power to choose what I did with that.*

Although Patrick understood the difficult position the RA occupied as a mandatory reporter, the act of reporting itself removed his choice and whatever power he had from the matter. This removal of choice replicates dynamics of sexual violence, and supports Alldred and Phipps's (2018) assessment that sexual violence disclosure response training models in US and European universities offer "little emphasis on the lived experience and relational dynamics of sexual violence" (p. 11), which I more fully explore below.

The issue of power here is a significant one, especially in the context of sexual violence. In Patrick's case, staff members at his university continually removed his ability to have a say in decisions about how the university handled the assault. This goes beyond the RA reporting the assault without telling Patrick and includes the actions of the Title IX Coordinator:

> *I do remember that like a few months went by and I had not decided if I wanted to move forward with the report at my perpetrator's university… But our Title IX Coordinator tried to make a decision for me and had told me that she sent the information over there so that they could pursue their own investigation because... [unamused, recounting her rationale] the safety—the broader safety concern of him being on campus...outweighed my personal decision of whether to go through an investigation or not.*

The institutional response to Patrick’s assault parallels the power dynamics of the assault itself because it stripped away his power and choice. Just as sexual violence removes a victim’s ability to say no and retain control over their body, in ignoring Patrick’s desire to not formally disclose and to initially refrain from an investigation, his university removed his ability to process the experience in the way that he wanted and retraumatised him as a result.

Danielle, a staff member in a sexual violence prevention office at an Ivy League university, underscored the dynamics of power involved with mandatory reporting. Her office trained staff designated as responsible employees on their reporting obligations, and she mentioned that,

> *sexual assault tends to be so personal, when things are reported up, it can feel really like you’re not in control of your story, especially when people [reporting members of staff] are not clear about it, when saying like, ‘oh I have to report this’ versus saying like, ‘I have to inform the Title IX Coordinator in order to connect you with support and resources, which you can take or not take.’*

Danielle understood how mandatory reporting, especially when students are unaware that they have disclosed to someone with reporting responsibilities, can feel like the removal of agency: In staff reporting students’ experiences to a central Title IX office, quite possibly to an administrator unknown to students, students can feel as if they no longer have a choice in what happens with their disclosures, which again replicates the dynamics of sexual violence. For this reason, Danielle stressed the importance of framing staff reporting obligations to students who have disclosed: Instead of an act based on achieving legal compliance, staff should tell a survivor that they have to inform the Title IX office so the survivor can access resources if they need them, without any pressure to formally report and go through a conduct investigation.

Not all students I interviewed who interacted (un)knowingly with mandatory reporters were upset about this structural response. For example, Marie Tharp was happy to find out that her department head was a mandatory reporter. Marie Tharp, as explained in the previous chapter, is a Ph.D. student at a large public state university in the US and another Ph.D. student stalked and harassed her while they were in a remote location conducting fieldwork. She told several people about this behaviour, including the field research leader and her own Ph.D. adviser, but both of them minimised the behaviour and attempted to dissuade her from formally complaining. As a result, she was in a precarious political situation:

> *I was very aware that I didn't want to do anything to jeopardize my relationship with my advisor, so emailing my department head seemed like an intermediate step where the way I phrased the email was just like, 'this happened, I don't know what to do about it. I'm asking for advice. What do you think I should do?' So I was really glad when her response was, 'well I have to report this,' because I was like, 'okay, that decision is taken out of my hands. Someone else has reported it.'*

Marie Tharp’s position is unique in that she wanted action taken and had previously told others who did not listen to her; in taking this decision to report out of her hands, it appeared as if the department head had resolved any political consequences Marie Tharp could face from her adviser, who did not want her to complain. In actuality, she still faced retaliation for reporting, which I examine in chapter four of my findings. Even though Marie Tharp had a positive reaction to the decision to report being taken away from her, she still acknowledged that power was, in fact, taken away from her through the existence of mandatory reporting. For students not navigating such tense power relations in their decision to disclose, not having the decision to tell the Title IX office is often seen negatively instead of positively.

While the collegiate system in English universities and the role of mandatory reporting in US universities sit on nearly opposite sides of a spectrum of (de)centralised university responses to sexual violence, they both work to protect institutions more so than students. In a collegiate system such as the one at Ruby, Heather, and Leanne’s university, protecting the institution looks like the unequal provision of response options resulting from the autonomous nature of colleges; while the university provides a response template for sexual violence, colleges can choose to ignore this and respond how its leaders see fit.

Furthermore, the fragmented response at this university in particular protects the institution through populating the heads of colleges with white men who are invested in erasing sexual violence to keep a pristine reputation intact, again illustrating Phipps's (2018) concept of institutional airbrushing. In the US system of mandatory reporting, protecting the institution looks like a mandated chain of actions to avoid a negligence lawsuit through staff having to report instances of sexual violence shared in confidence to the central Title IX office regardless of the survivor's wishes; this dynamic replicates the violation of agency inherent in the initial assault. While the impetus behind mandatory reporting can be to ensure students have access to support, in practice, this becomes problematic when staff misunderstand the purpose of this framework and treat it instead as the fulfilment of a legal obligation. In this scenario, mandatory reporting works to limit a university's liability because even if the survivor does not want their disclosure escalated to the Title IX office, in reaching out to a survivor, the Title IX office can fulfil its due diligence to avoid a negligence lawsuit. Overall, these examples demonstrate that both centralised and decentralised university infrastructure ultimately can be used to prioritise the institution when mobilised for responding to sexual violence disclosures. It is important to note that these structural impediments may not be unintentional: Anitha and Lewis (2018) position these structural impediments as not systemic failures, but rather the system working as it should, as they argue that

> *the neoliberal model of universities as businesses competing for rankings and student numbers has created a context whereby the gaps in addressing [gender-based violence] effectively are not 'failings' of university policies and practice. In fact, what appears to be bureaucratic ineffectiveness or inefficiency/incompetence of particular staff members designated with redressing complaints can be better understood as the system working exactly as it is intended to do—to manage potential negative publicity, to dissuade potential complainants and thus minimise complaint-making, [and] to deflect attention from the broader and pervasive cultural contexts within which particular acts and violations occur. (p. 5)*

Since infrastructure *in general* impedes (or alternatively facilitates unsupportive) university responses to sexual violence, this last section explores staff resistance strategies against nonvictim-centred structures at one small liberal arts college[19] in the US, and analyses the limitations of individual resistance within non-institutionalised universities in England.

Staff Resistance to Unsupportive Structures

Many staff members I interviewed spoke candidly about what they saw as structural issues in their universities that prevented or made it more difficult for students to access help following sexual violence. Staff members in the US, however, were much more likely than staff in England to discuss how they made the existing system work to their advantage. I argue that the ability to 'play the game' better than those creating the game (e.g. Department of Education, the Office for Civil Rights) is a feature that emerges from highly structured, or institutionalised, environments. Meyer and Rowan define institutionalisation as "the processes by which social processes, obligations, or actualities come to take on a rulelike [sic] status in social thought and action" (1977, p. 341). While universities as bodies are highly institutionalised in both countries, the response process for sexual violence in universities is institutionalised to varying degrees based on the policy context: Since Title IX in the US is a decades-old legal regulation, following it is both mandatory *and* institutionalised, but since the UUK *Changing the Culture* report guidance is only a few years old, suggests 'good practices,' and leaves room for individual university interpretation, there is no institutionalised response to sexual violence across universities in England.

In this light, it is easier to know how to resist within an institutionalised system that has clear rules to follow as everyone (should) know what is expected, while it is harder to resist when there is little standardised guidance—and therefore accountability—in non-institutionalised contexts. This point about institutionalised environments links to an important distinction between the two research contexts: US staff who are resisting policies they see as harmful are often resisting larger structures (e.g. Title IX guidance), whereas English staff are often resisting practices, or rather the agency and autonomy of senior colleagues within their institutions attempting to implement *Changing the Culture* guidance as they see fit, which severely limits staff's ability to make any changes lest others brand them trouble-makers or they put their jobs at risk. I will discuss intra-university resistance to policies and colleagues at length in the next chapter, but at the moment, I want to highlight a new process in one US college to argue that staff trying to implement survivor-centric processes is resistance in and of itself, as it acknowledges that the existing system is not made to protect students.

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[19] As a reminder, "college" and "university" in the US both refer to higher education institutions, and the institution in question is a college.

Survivor-Centric Processes as Resistance

What do survivor-centric processes look like? One example is an alternative resolution process, as opposed to punitive disciplinary proceedings, built on survivor needs *with survivors* at a small public liberal arts college in the US. This college was one of the first higher education institutions in the US to offer a non-disciplinary alternative resolution in certain cases of sexual violence. Hermione Granger[20], the college's Deputy Title IX Coordinator, explained that this new process

> *was actually put in place at the request of students. We were finding that many would come and say, 'look I really don't want to get this person in trouble, I just want them to understand the impact this has had on me.' But we really didn't have that form of resolution option available in our policy previously—the options really were to either do nothing at all, or to conduct a full investigation where, if the respondent is found responsible, they'd be looking at punitive sanctions… Because of that, it kind of felt like there wasn't really a viable option for reporters in that middle ground.*

As a result of this gap, Nicole, the Title IX Coordinator and Dean of Students, began looking at restorative justice mechanisms. She spoke with survivors because she said, "I wanted to create something that students would use… I wasn't creating this for me, I was creating it for them, so I wanted student input," and reached out across the campus to discuss the viability of such a resolution with a number of stakeholders. She was able to put together a process based on survivor needs that was also equitable to responding students. Stephen, a member of the college's victim support office who often worked with responding students going through the alternative resolution process, explained the rationale behind the process and what it entails:

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[20] As a reminder, some pseudonyms were chosen by the participants themselves; this is one of those cases.

> *[W]e are a relatively small community, we're about 7,500 students, and a lot of our reporting students—or reporters—knew their perpetrator pretty well. They knew their perpetrator's friends, their perpetrator knew their friends, you know, they were in these same social circles, and they're like, 'I don't want to get this person in trouble...I'm a little afraid of social backlash,' etc. So Nicole started looking at restorative justice models that have been used for other student conduct issues and decided, 'hey, what if we could do something that let you have some closure and some accountability, but that person could not get in trouble?' And she focus-grouped that with a lot of former students she'd worked with and they were like, 'actually yeah, that's exactly what I want you to do.' And so it's a very victim-driven or -informed process, and the way it generally works is someone will meet with the Title IX Office, they'll be presented with all three options [including two conduct-based options], and if they choose that alternative resolution, they're asked to think what might make you feel better or what might help you start to heal. And that can be creative and they draw up a contract.*

Once both parties agree to the terms, a timeline for completion is set. There is a summative meeting at the end of the process between the responding student and the Title IX Office where the responding student discusses what they did, how their perception of their behaviour may have changed through this process, and what they learned. This information is reported back to the reporting student and the process is then considered finished.

This college's alternative resolution process is survivor-centric in several notable ways. It was explicitly designed for survivors, with survivor input, and meant to address a gap that left a group of students without closure following incidents of harm. It is also individual enough to be tailored to each reporting student, because the alternative resolution is based on what they determine they need to heal, with the agreement of the responding student through a contract. For example, Hermione, Nicole, and Stephen all referenced one specific case to give me an idea of what the amends could look like; Stephen said,

> *[o]ne person who, during their assault, laughed, wanted their perpetrator to really understand that is a trauma response, 'that wasn't me saying I enjoyed it.' And so that respondent was asked to watch a webinar about the neurobiology of trauma and then write a reflection about it. And that actually really helped that responding student to come to the conclusion like, 'wow I didn't know that. I saw a person laughing, they're happy, we're fine.' And so in their own head, they had reached that kind of like effective consent piece like, 'well clearly it's okay,' but now knows 'oh I should be looking for that or maybe I should just have that conversation anyway.'*

A punitive response would not have educated the responding student on why the survivor laughed during the assault, but with this alternative resolution, that responding student learned about trauma responses and they will hopefully gauge consent in different ways moving forward. Furthermore, such a positive response from responding students was not rare: At the time of these interviews in spring 2019, about 18 students had gone through the alternative resolution process and the college had received positive feedback from both reporting and responding students.

While practitioners at this college had positive experiences engaging in an alternative resolution model, the use of restorative justice in domestic and sexual violence cases has historically been a controversial topic in feminist academic literature. In their (2005) article, Curtis-Fawley and Daly summarise the key concerns of academic feminists in the use of restorative justice for domestic violence as minimising the severity of domestic violence by not engaging in formal criminal processes, revictimizing the victim by not acknowledging power differentials in the process, and “reprivatiz[ing] gendered violence in ways that are harmful to women” (p. 608). Lewis et al. (2001) also raise theoretical concerns over the use of restorative justice models in domestic violence cases: They argue that “[n]otions of ‘community justice’ are heavily dependent on a romantic ideal and nebulous concept of ‘community’ and consensus amongst the people who comprise any given community” (Lewis et al., 2001, p. 119). Beyond a romanticising of the community, the authors assert that restorative justice fails to reckon with the dynamics of domestic violence in how it positions “the family” as an assumed safe haven and “the perpetrator” as someone who commits an act unintentionally and is willing to change, when research on domestic violence shows that perpetrators often enact violence wilfully and continually (Lewis et al., 2001).

McGlynn, Westmarland, and Godden (2012), however, posit that there is “some confusion as to the nature of restorative justice which contributes to some misguided criticisms” (p. 216). They differentiate restorative justice from mediation by highlighting that while mediation—a form of conflict resolution that does not involve placing blame—does not discuss wrongdoing, restorative justice requires the person who committed harm to acknowledge their role in it, and so “roles of ‘victim’ and ‘offender’ are, therefore, clearly established” (McGlynn et al., 2012, p. 216). The authors further highlight that restorative justice does not have to be used in the place of punitive responses, which many critics believe to be the case; instead of avoiding punishment, restorative justice can offer other modes of punishment that do not involve state sanctioning of violence (McGlynn et al., 2012). McGlynn and colleagues ultimately highlight the tension between academic feminists’ perception of restorative justice in gendered or sexual violence cases, and the experiences of those who have engaged in a restorative process: “The irony of this largely rhetorical debate is that where projects have been evaluated, they have generally produced very positive results in terms of victim and offender satisfaction and often in terms of reducing reoffending” (McGlynn et al., 2012, p. 217). According to staff members engaged in the aforementioned college’s alternative resolution process, both survivors and responding students have responded positively to it; their experiences ultimately demonstrate how universities can meaningfully enact—with survivor input—an alternative resolution process that draws on restorative justice ideals.

While this college's process is survivor-centric, I argue that it also represents resistance to existing—and future—oppressive structures that work in favour of institutions instead of students. Almost every staff member I interviewed at this college mentioned that they wanted to strengthen this process to get around the then-proposed, now-passed new Title IX regulations under the Trump administration, which they all found to be detrimental to all parties involved in sexual violence cases. At the time of the interviews, the proposed regulations differed from the Obama-era Dear Colleague Letter guidance by allowing a higher standard of evidence in conduct cases, cross-examination of parties in conduct cases, and severely limiting what Title IX covers in terms of what constitutes sexual harassment or violence and where the incident occurred (US Education Department, 2018a). Nicole, the Title IX Coordinator and Dean of Students, said, "[w]e're going to figure out a way to [follow any passed regulations] in the most victim-centered and most trauma-informed approach as possible…I think we will highly encourage a lot of students to do the alternative resolution." While all staff members recognised that the proposed regulations would be law and would have to be followed, they were also very clear that they would still attempt to best support students in ways that the regulations did not—notably through the alternative resolution process. By creating a process with survivor input and not based on existing punitive or legalistic models of student conduct redress, this college is working to not only support survivors but also acknowledge different methods of accountability that Title IX infrastructure could not imagine.

Limitations to Staff Resistance

As mentioned at the start of this section, what enabled this alternative resolution in part was the highly institutionalised legal framework of US Title IX response, and as institutionalised responses to sexual violence in universities do not exist in England, there are limitations to staff resistance of structural impediments to sexual violence response. In

England in particular, expressing dissenting opinions about response processes or policies—such as the idea that they are inaccessible, counterproductive, or even harmful—often comes with repercussions. In what follows, I present Joanne and Ruby's experiences of trying to make change within their universities, only to have more senior staff members either interpret their critiques of processes as personal attacks, or ignore their critiques.

Joanne, the head of the student wellbeing service at a small liberal arts university in England, told me about how when she brought up issues with the university's new Catalyst-funded policy and process changes, senior management silenced her:

> *[I]t's been depressing, if I'm honest, to see things being managed quite badly. [brief pause] And I've been very open with my managers about how I feel about this, which is probably why I'm not invited to a lot of management meetings. [laughs] I have no problem with speaking my mind but I don't think it's done me any favours in terms of getting into that elite sort of [forum].*

Due partially to the lack of "rulelike status" (Meyer & Rowan, 1977, p. 341) of the 'good practice' guidance on which English universities can build new infrastructure, Joanne's criticism of the university's new response process was read as a personal critique against senior management as the architects of these processes. Unlike comparative colleagues in the US, she could not resist a specific institutionalised rule because none existed; this meant that management framed her critiques as insubordination as opposed to attempting to highlight how as "political decisionmakers [they] often do not experience directly the consequences of their actions," (DiMaggio & Powell, 1983, p. 150), which Joanne did. As such, senior management did not give her the formal opportunity to continue expressing her concerns and they uninvited her from management meetings. In this context where there is no institutionalised response in the hyper-individualistic neoliberal model of English higher education, all potential change-makers are reduced to lone, atomised advocates trying to individually prevent what could become harmful institutionalised processes. While I more fully analyse Joanne's university in the following chapter on staff dynamics, it is important to situate why it is (im)possible for staff to successfully resist harmful policies or structures in certain country contexts.

Joanne's experience of thwarted resistance is notable for her relative seniority within the university because she was the head of the wellbeing service; Ruby, on the other hand, was comparatively less powerful than Joanne in her role as a Women's Officer in the Students' Union at an elite collegiate university in England. Ruby was very involved in reforming her university's sexual violence response process, but was also one of the least senior members of staff working on this area, which limited her efficacy. One particular issue that she raised whenever possible was the lack of sexual violence training required of student conduct investigators:

> *[T]he university [student conduct investigator] had had no formal training about how to approach, deal with, respond to students who had experienced sexual violence. And Heather [the head of the complaints and appeals team] and Leanne [the specialist sexual violence worker] both didn't really have a problem with that… there wasn't a sense that there was an urgency in having to train people, if they were the first port of call for survivors. And I was constantly in meetings bringing up the point that, the reason why people aren't reporting is because there's no trust that this institution would deal with them in a way that is sensitive, will deal with them in a way that understands the trauma that underpins not only experiencing sexual violence, but going on to report it and then having to take part in a long, drawn-out process with one person in the entire university to provide you with any support. So I was constantly making those arguments to not only Heather, not only Leanne—who ostensibly knew those things and in some cases their hands were tied, right?—but also in college committees, in spaces where senior members of the university were. So I would say [the campus climate] was—it was indifference.*

In advocating for specialist sexual violence training for student conduct investigators, Ruby was attempting to change the university's culture around sexual violence to one that valued survivors: By ensuring staff members who directly interacted with survivors had an understanding of trauma and trauma-informed practice, the opportunities for retraumatisation would be minimised, and more survivors might be willing to access university conduct and support services if they knew that staff understood their situation. She was alone in advocating for this training, however, as her more senior colleagues—Heather and Leanne, both of whom worked for the university as opposed to Ruby, who worked for the Students' Union—did not see the need for training conduct staff, or what that (lack of) training would signal to survivors about institutional culture and survivor value. Despite raising the issue of training frontline conduct staff in every meeting she attended, Ruby was unable to get senior administrators, even those whom she called "institutional allies" like Heather and Leanne, to agree to do so. Whereas Joanne was uninvited from senior management meetings for voicing her concerns with her university's procedures, Ruby's university appeared not to penalise her, but simply ignore her critiques due to perceived indifference. Ultimately, since there was no standardised—or institutionalised—response to sexual violence in English universities, Ruby had no recourse: She could not escalate her concerns beyond the senior administrators that did not listen to her.

Although there are significant structural impediments to university responses to sexual violence, there are also staff members actively working against these constraints. I argue that creating survivor-centric processes is a form of resistance because it acknowledges that existing systems are not meant to support survivors, but rather to protect institutions. There are context-specific issues to consider when discussing staff resistance, however, as (effective) resistance is possible only under highly institutionalised environments, such as with Title IX in the US; in such environments, it is clear what rules staff must navigate and there are opportunities to work around ineffective or harmful guidance. In less institutionalised environments, such as the good practice guidance provided by the *Changing the Culture* report for English universities, resistance is less clear because it is less clear what, exactly, staff are resisting since there are no definitive rules. To illustrate both of these phenomena, I discussed a US college's implementation of an alternative resolution process for sexual violence cases as well as Joanne and Ruby's experiences of senior management shutting down or ignoring their critiques in two English universities. Whereas the institutionalised environment of US Title IX law enabled creative resistance for staff at one college, the way in which senior management silenced or ignored Joanne and Ruby's critiques of new response processes show that staff resistance is not welcome when that resistance becomes interpreted as a matter of interpersonal, rather than structural, conflict in non-institutionalised environments like in Joanne's case, or when that resistance would require a major cultural shift like in Ruby's case.

Conclusion

This chapter demonstrated the ways in which existing university structures impede universities' ability to respond to student disclosures of sexual violence in survivor-centric ways. While the previous chapter illustrated what it looks like when universities protect their reputations over student survivors, this chapter analysed what produces such responses. A structural impediment shared by both English and US universities in my sample—but overrepresented in my English university sample—is decentralised infrastructure. Unlike centralised infrastructure, in which students have one clear contact who works to connect them across offices to access whatever support (e.g. academic, pastoral) they need, decentralised infrastructure often takes the form of silo-working within universities. Due to silos between departments, there is little communication between offices that could help students; it may also be unclear which office students should use to formally make a complaint of sexual violence, which ultimately lowers the number of documented cases. In my sample, decentralised infrastructure functioned in two main ways: It harmed students by making it difficult for them to access support, and protected universities by limiting the number of formal complaints of sexual violence.

In addition to the shared issue of decentralised infrastructure across US and English universities, this chapter explored two context-specific structural issues and how staff resist such structures. Beginning with infrastructure, I examined how a collegiate university in England provided unequal support for students across different autonomous colleges, despite the presence of a university-wide template for sexual violence response. This particular university is perhaps the most extreme example of decentralisation, as colleges function independently of the overarching university. In the US, on the other hand, I analysed how an attempt at centralising university responses through staff acting as mandatory reporters of sexual violence ultimately can hurt survivors: Though not all students who disclosed unknowingly to mandatory reporters had a negative experience of escalation, several students and staff members felt that the system removed survivor agency. In this way, mandatory reporting can mirror the dynamics of the initial assault by taking away power and control from the survivor. Furthermore, centralised infrastructure can also centre the institution when used in responding to sexual violence; it is not only decentralised infrastructure that protects institutions, but also infrastructure *in general*.

Continuing with context-specific differences, I closed this chapter with a discussion of how staff resist harmful response structures. I used the example of three institutions—one small public liberal arts college in the US that created a non-punitive alternative resolution process for survivors, and two universities in England in which senior management silenced or ignored two staff members raising concerns about new processes—to show how attempting to make survivor-centric processes is, in itself, resistance. I note that the responses to staff resistance, however, are often dictated by the larger structural and institutionalised policy context in each country, as it is easier to resist clear regulations (i.e. Title IX in the US) than it is to resist suggested best practice (i.e. *Changing the Culture* report recommendations in England). In the next chapter, I continue to analyse staff dynamics in response processes to reveal tensions between different types of institutional responses to sexual violence.

Findings Chapter 3: Staff Responses to Sexual Violence: Agency, Power Dynamics, and Tensions in the Fractured University

Introduction

This chapter continues the analytical debate of structure versus agency presented in the previous chapter, but whereas the previous chapter examined the role of university structure in responses to sexual violence, this chapter critically discusses the experiences of staff members working within said structures. As previously discussed, structure versus agency is a key and ongoing debate in the field of organisational studies as to whether the structure of an organisation (e.g. chain of command, relationship of offices to one another) or the agency of those working within the organisation (i.e. individual members' abilities to make changes) has more influence in an organisation's operation (Abdelnour et al., 2017). Since the previous chapter analysed several structural impediments to survivor-centric responses to sexual violence—including infrastructure that centres the institution, context-specific structural issues, and limitations of staff resistance within non-institutionalised infrastructure—this chapter focuses on how staff operate within and against these structures in attempting to best support student survivors. It unpacks the roles of staff members in different areas (e.g. pastoral support, student conduct) as they contribute to the overall university response to disclosures of sexual violence. Due to this analysis of different roles, this chapter, like the previous, also incorporates some discussion of structure in its discussion of agency, as I argue the two are closely intertwined in a university context.

I begin by presenting a conceptual framework for understanding staff agency and compliance that combines theories from organisational studies and sociology. This framework includes the definition of roles (Kallinikos, 2003) and the delineation between individuals and agents within organisations. I then analyse how staff, including and especially those who disagree with policies or find policies harmful, enact institutional policies and procedures in responding to disclosures of sexual violence. In order to make sense of how these critical staff still carry out contested policies, I argue that Bourdieu's (1988) concept of habitus conditions—more or less successfully—staff into compliance with structural mandates. From this conceptual framework, I then unpack staff tensions within one English and one US university to demonstrate how the structural positioning of staff informs their views on the overall university response to sexual violence, and how this positioning destabilises the idea of a single university response. I close the chapter by analysing how universities' provisioning of different response offices indicates what type of (gendered) labour universities value and how the neoliberal embrace of individualisation informs this value.

Framework for Understanding Staff Action in University Sexual Violence Response

Agency within Institutions

Before I can analyse how staff relate to institutional policies and to one another, I need to clarify what brought me to this discussion. As mentioned in my methodology chapter, an unexpected ethical dilemma arose for me during data analysis: How could I be as critical as my data required about universities' responses without also indicting the staff members who spoke with me? I could not reconcile making the argument that this thesis presents—that universities prioritise their institutional reputations over the wellbeing of student survivors—with the clear dedication to and genuine compassion for survivors that staff members exhibited in our interviews. If I was going to critique universities, I did not want that critique to equate to vilifying the staff who participated in good faith in this research. This dilemma came about because I was conflating 'the university' with the staff who work within it, or as Abdelnour and colleagues assert, I was "essentializing (idealizing) agency and considering organizations as simple derivations of individual choices" (2017, p. 1784). The existing literature on sexual violence in universities does not grapple with the definition of 'the university' as a body, and who or what comprises that; in order to make my argument and resolve this affective ethical tension, I needed to determine how I was defining 'the university' in the context of my research. This need to define both the institution of the university and the relationship between staff and the overall university led to me organisational studies.

A central claim of organisational studies—growing out of Meyer and Rowan's (1977) work explored in findings chapter one—argues that "organizations and institutions are not a straightforward derivation of individuals" (Abdelnour et al., 2017, p. 1783). Integral to this argument is the recognition that not all individuals (as people) automatically serve as actors (with agency) in an organisation (Abdelnour et al., 2017). Emirbayer and Mische (1998) state that the concept of agency grew out of Enlightenment ideals, specifically those of Locke, which value individualism and the rejection of tradition; at its core, this form of agency is "the capacity of human beings to shape the circumstances in which they live" (p. 965). In other words, agency is the ability to exercise choice and advocate for oneself. In organisational studies, this definition has shifted in recent decades: Kallinikos (2003) asserts that "[m]odern human agency is constituted as modular (Gellner, 1996), that is, modern humans are capable of mobilizing in a piecemeal fashion various segments of themselves, in response to the demands raised by the distinct institutional realms of modern life" (p. 597). He views this form of agency as emblematic of modern bureaucratic workplaces—which I argue includes universities—as bureaucracy focuses strictly on the work required within the workplace while disregarding all other parts of a person's identity, such as their family life and personal beliefs (Kallinikos, 2003). Bureaucracy therefore requires a "modular" form of agency in which people, serving in highly specific roles designed by their organisations, only engage the parts of themselves that are necessary for the job (Kallinikos, 2003). In fact, Kallinikos goes so far as to argue that "[t]he category of *the person as a unique identity* is rendered redundant within the context of the organization and the instrumental conditions of work performance" (2003, p. 606, emphasis original).

In order to delineate who has agency and what grants agency within an organisation, Kallinikos (2003) introduces the concept of 'roles.' Roles create the distinction between humans as people and humans as agents within organisations: He asserts that this bureaucratic form of work does not employ people, but rather constructs roles or "behavioural moulds (admittedly, with a variable degree of freedom) that can be designed in advance and without regard for the person" (Kallinikos, 2003, p. 606) that different people can easily fill. It is through occupying these specific, highly structured roles that people gain agency within organisations because roles make certain types of action possible (Kallinikos, 2003). For example, within a university, someone fulfilling the role of a lecturer is able to instruct students, while someone fulfilling the role of a trustee is able to make decisions about how the university should spend its money; though these roles enable some actions, they also limit others, and, as such, a lecturer does not have the scope to make budgetary decisions just as a trustee does not have the scope to instruct students. Furthermore, it is important to note that roles are not neutral, or allocated in a vacuum: As I discuss later when drawing on Connell's (2006) gender regimes and Acker's (2006) inequality regimes, leadership roles in universities are often allocated to those with structural privilege, such as white men, while welfare roles tend to be allocated to white women, and custodial roles (e.g. cleaners, porters) tend to be allocated to working class people of colour; in this way, roles can perpetuate and/or exacerbate existing social inequalities.

Although the concept of roles provides a vehicle for determining who has agency (i.e. those fulfilling a role) within an organisation, I take issue with the implicit masculine rational/emotional split roles provide: In practice, people do not automatically leave their ethics, morals, or life experiences behind when acting in a role. Using a feminist perspective, on the other hand, enables the ability to see, name, and potentially disrupt hierarchies of difference, and would analyse the ways in which said hierarchies impact how people occupy and navigate an organisation. This fuller embodied version of roles—which understands that roles make action possible, while still acknowledging that the person filling the role has a life and positioning outside of the role—reflects the reality of many of my staff participants, who expressed a firm belief in the importance of the work they were doing (or trying to do) to support survivors. Ultimately, I am using organisational studies to ground some of my sociological interpretations of staff relationships to each other and to universities, but will focus mainly on sociological theory in my analysis. The next section continues the conceptual framework by exploring how habitus serves as an intermediary between agency and structure in understanding staff implementation of policy.

Habitus: Between Staff Agency and University Structure

Many staff participants expressed to me that the senior management of their respective universities were supportive of their work and that they felt generally positive about the work that they do. A common refrain in interviews, especially with staff at English universities, was the idea of recent cultural change and senior leadership commitment: For example, when I asked Claire—a staff member hired through Catalyst grant funds and who had been an undergraduate student at her large post-’92 former polytechnic university—how effective and supportive she found her university’s response to sexual violence, she responded,

> *I think if you’d have asked a few months ago or a year ago, it probably wouldn’t have been…that effective, but I think now that we’ve invested a lot of all this time and money into it, I’d like to say that the university takes things like this really serious now.*

Responses like this allude to some degree of change occurring within the university sector in England, though not all staff members were as convinced by such changes. Despite these positive responses, which were present in most of my staff sample, there were several notable negative staff perceptions of their work and their universities' (lack of) support for it: Certain staff members were highly critical of the system in which they worked, yet still carried out policies with which they disagreed or found counterproductive. In attempting to explain this contradiction, this section expands the conceptual framework to analyse how staff use their agency in ways that are often complicit in upholding the university system through Bourdieu's (1988) concept of habitus.

Bourdieu (1988) developed his concept of habitus to discuss the reproduction of the academy. This reproduction often looks like certain high-achieving students self-selecting high-achieving supervisors to cement both their capital and positions as up-and-comers in higher education (Bourdieu, 1988). Bourdieu sees academia successfully reproducing itself through ensuring all generations of researchers—who ultimately become heads of departments and senior management—are

> *endowed, at every hierarchical level, with an academic* ***habitus****…an immanent law of the social body which, having become immanent in the biological bodies, causes the individual agents to realize the law of the social body without intentionally or consciously obeying it. (1988, p. 149, emphasis original)*

Habitus therefore exists at the intersection of and interplay between structure and agency: An individual becomes a member of a "social body" (e.g. a university department) to the extent that they make seemingly individual choices, but these individual choices ultimately reflect the needs of the larger social body within existing structural constraints. Single members of the social body drive its reproduction although Bourdieu (1988) asserts that they are unaware that this is what they are doing, as it is status quo. Furthermore, there are rewards for upholding and sanctions for undermining the status quo. In the previous chapter, the examples of Joanne and Ruby's respective attempts to resist unsupportive university infrastructure illustrate how sanctions work: By asking for better infrastructure, Joanne and Ruby were also asking for a shift in the status quo from one that encourages performative university responses to one that encourages survivor-centric responses, and as a result, they were met with silence or were silenced themselves. Returning to habitus, Bourdieu (1988), similar to Kallinikos (2003), does not see individuals qua humans as having agency within academia; it is not their individuality that grants them agency, but rather undergoing a socialisation process. This process in turn makes them into

> *socialized agents who, although biologically individuated, are endowed with transindividual dispositions, and therefore tend to generate practices which are objectively orchestrated and more or less adapted to objective requirements, that is irreducible either to the structural forces of the field or to individual dispositions. (Bourdieu, 1988, p. 150)*

In other words, it is impossible to extricate structure from agency and agency from structure as they are too intertwined within habitus: The choices someone makes are informed by the structure available, and the structure available in turn reflects the most common choices of socialised agents. Habitus is therefore a cyclical co-constitution of agency and structure within a university, which appears to address the ongoing debate of structure versus agency as to which is more dominant (i.e. neither in Bourdieu's view). Although Bourdieu developed habitus to discuss scholars within universities, I am interested in a more general interpretation: This interpretation is still situated within the academy, but instead of applying it to academic staff, I will apply it to administrative staff to discuss how culture within their departments or universities as a whole makes certain actions (im)possible.

In order to understand the choices staff make within universities, it is necessary to understand the context in which universities operate. The Institute of Development Studies at the University of Sussex argues that habitus is "dispositions that are both shaped by past events and structures, and that shape current practices and structures and also, importantly, that condition our very perceptions of these" (n.d., n.p.). I argue that the "past events" in question are the marketisation of universities and the introduction of rankings as constitutive of university performance, both of which are a direct reflection of neoliberalism's influence on academia. As discussed in the literature review, universities in both England and the United States have experienced structural and ideological transformations in the turn towards neoliberalism, which Shamir (2008) argues “dissolves the distinction between economy and society” (p. 3). In both countries, governments have shifted fees off of the state and onto the student due to no longer viewing higher education as a public good but rather a private benefit (Heller & Rogers, 2006; Naidoo & Williams, 2015). This shift in fees made a new subject position possible in universities: Instead of students, those attending universities become ‘consumers’ who shop for their education, which is treated as a good that will help them on the job market following graduation. Phipps (2018) underscores this point by arguing that the university is a “key neoliberal institution” (p. 229) because it commodifies knowledge for the purposes of individual self-improvement and accruing capital. She expands on Ball (2012) to assert that, within such a system, everything needs to be ranked—from knowledge to research to teaching—and this performative ranking often defines a university’s ‘excellence’ (Phipps, 2018). In such a context, the public perception of the university is paramount; it is what attracts consumers (i.e. students) and the security of the university’s income (Phipps, 2018), and therefore must be protected or improved at all costs, as analysed in the first findings chapter. Neoliberalism is therefore the overarching structure under which university staff operate and which ultimately informs and constrains their decisions.

Universities did not adopt neoliberal forms of governance all at once; they changed in tandem with the larger ideological transformation sweeping the US and England. Due to such piecemeal transformations of the status quo, starting decades earlier in the 1980s, changes in how universities operate are not necessarily shocking, but simply how things are. As neoliberalism infiltrated university governance structures, it shaped the internal cultures of departments, which in turn shapes the choices available to staff. Using Bourdieu’s (1988) habitus, it becomes clear that staff members who have been working within universities for long periods of time, even if they are new to their sexual violence response role, are less likely to see these changes because they have already undergone the socialisation process of their department and are subsequently embedded in its culture. In other words, it is difficult for someone to examine an environment in which they are already immersed. Socialisation also accounts for the disconnect between staff interviewees' genuine desire to support survivors and their simultaneous complicity in processes that hinder, if not outright harm, survivors' healing. A key feature of habitus at work here is its ability to operate without actors' conscious knowledge (Bourdieu, 1988): Bourdieu would argue that those engaged in response practices are most likely unaware that the work they carry out serves to protect the university's reputation over student wellbeing, yet they do so nevertheless because that is the culture of their department, their university at large, or both. Given that some of the staff members who spoke with me were aware of—and vocally against—neoliberal modes of governance, I take a slightly more agential approach to staff actions than would be the case under a pure application of habitus. Even if staff members ultimately complied with mandates and/or roles that supported protecting the institution's reputation over student wellbeing, the fact that several in my sample were aware of this suggests that there is room to acknowledge institutional culture and how people qua individuals (not people qua roles) may have different value systems than those of the institution.

This socialisation process—and the time involved in it—explains why staff members coming from outside of academia, such as former Independent Sexual Violence Advisers (ISVAs) or rape crisis counsellors, tended to be more critical of university responses to sexual violence than those who have been working within academia: They have yet to be socialised into academic culture, which makes it easier for them to see its problems. For example, at a small urban liberal arts university in England, an outside hire with a background in gender-based violence charity work, Nicola, remarked that universities, including her own, are very insular:

> *The problem is, the people that are hiring [within universities] have no idea. So if they interview somebody for a role that does not come from a HE background, are they going to understand what that person's talking about? No. So they're not going to hire them. So they are hiring people from within the sector. Well again, you're just replicating. Replicating stuff [i.e. local and national violence against women and girls policies] that already exists and existed years ago. And coming from outside, that to me is just so shocking.*

Her invocation of "replicating" reflects the role of habitus as a mechanism of reproducing the academy (Bourdieu, 1988), and this extends to the values and modes of being within sexual violence response. Nicola was referencing the university's hiring a former equality and diversity staff member to oversee the new sexual violence policy and procedures; she made it clear that she did not have a problem with that person, but wished that universities would be "a bit braver in hiring" because specialists offer such rich knowledge. The issue, however, arises when specialists draw on discourses in interviews that university hiring managers may not recognise—or, more cynically, may comprehend them to some extent, but may not want the change that hiring a specialist symbolises or actively promises to enact. Outside potential hires most likely do not have access to the language of the institution (Hasselbladh & Kallinikos, 2000), and interviewers may not comprehend them regardless of applicants' expertise. As a result, those in charge of hiring within universities are more willing to hire those who are legible to them—in other words, those who understand and can work within existing university discourses. This not only reproduces academia but also makes academia increasingly inaccessible to those who are not already within the ivory tower, and thus creates an increasingly insular sector in which every potential staff member has already been socialised in higher education, and is perhaps less able to see and subsequently challenge systemic issues.

Before moving onto two case studies of conflicting staff perceptions of their universities' response to sexual violence, I will briefly summarise the analytical framework I have set forth thus far. In attempting to resolve the contradiction between staff comportment in interviews that suggested a commitment to supporting survivors and my findings that suggest university responses to sexual violence prioritise protecting institutional reputation, I looked to the structure versus agency debate in organisational studies. Structure versus agency asks whether it is actors within organisations or the structures of organisations themselves that guide activity and produce change (Abdelnour et al., 2017). Kallinikos (2003) posits that people within an organisation do not automatically have agency—the ability to change their circumstances—but rather acquire it upon taking up a designated role that simultaneously enables and constrains their actions, as was the case for Joanne and Ruby in the previous chapter's discussion of attempted staff resistance in English universities.

While the concept of roles offers a delimitation to who has agency within organisations, Bourdieu's (1988) concept of habitus argues that agency and structure constantly interact and reinforce each other to ensure the reproduction of the academy. Habitus is a phenomenon in which actors, after undergoing socialisation of a larger social body—such as their department within a university—make unconscious choices that reflect the needs of the larger body (Bourdieu, 1988). The context in which higher education operates is that of neoliberalism, which goes hand-in-hand with market logic (Shamir, 2008), performativity (Ball, 2012), and a focus on measurable 'rankings' (Phipps, 2018). In such a context, the public perception of the university is what drives its student recruitment and income (Phipps, 2018); departments will have adapted to and internalised this ideology over time, which leads to staff acting—in their designated role, (Kallinikos, 2003) whether that is student pastoral support, student conduct, or policy compliance—with varying levels of awareness in ways that reinforce this market logic above all else. Now that I have presented a conceptual framework for analysing the conditions under which university staff make decisions about sexual violence response, the next section introduces two case studies of conflicting staff views to critically discuss who or what is the university, and how the positioning of staff informs their perceptions of university response.

Differing Value of University Response Offices: Frontline Student Support versus Senior Policy Administrators

As mentioned previously, although the majority of staff had a positive outlook on their university's sexual violence response processes, not all staff within the same university had the same experience of their university's context or the same perceptions of process efficacy. My findings suggest that, when there is a significant disparity in staff experience, a staff member's positioning in the university hierarchy and the type of role they occupy affect how they view their university's sexual violence response. To demonstrate this, I analyse staff experiences at two universities—one small elite science university in the United States and one small urban liberal arts university in England—whose interpretations of their university's sexual violence response and senior management commitment sharply contrasted with one another.

In both instances, frontline student support staff were critical of response processes while staff engaged in policy creation and compliance had a more positive outlook. I examine these varying experiences to discuss what issues frontline staff find in their work, how this highlights divides between types of staff engaged in responding to sexual violence, and to explore why more senior staff members often overlook the concerns of frontline staff. A common thread in my findings, in both countries, is a very hierarchical university structure in which staff responsible for policy creation, policy compliance, or legal matters tend to be more senior—and therefore more invested in upholding structures that reproduce their power by protecting the institution and its reputation—than student-facing staff such as wellbeing advisers or counsellors; this is significant because staff resistance to university policies and procedures came mainly from less senior student support staff in my sample, most likely because they see and hear the impact of these issues first-hand from students. In this section, I give a brief overview of the case study universities and the staff members involved before analysing their implications.

Case Studies

All staff whose experiences I analyse below are white women. Across the two universities—an elite science university in the US and a small liberal arts university in England—there were three frontline student support staff members who were critical of their respective university's responses to sexual violence: At the US university, this staff member was April Ludgate[21], who is the head of the office that support survivors, and at the English university, this included both Nicola, a gender-based violence specialist working in the university's wellbeing team, and Joanne, the head of the wellbeing service of in which Nicola worked. April's comments stand in opposition to Michele, the head of the Title IX office at the elite US science university, while Nicola and Joanne's comments appear in opposition to Candice, the staff member who oversaw the English liberal arts university's sexual violence response strategy. I will first discuss April and Michele's university in the US before moving onto Nicola, Joanne, and Candice's university in England.

April and Michele's elite science university is unique among my US sample because of the proximity of the Title IX office to senior leadership, and this turned out to be a site of contention in interviews. April and her team did not receive much, if any, recognition from senior management, while Michele as the head of the Title IX office was nearly among senior management herself. Michele explained the positioning of her office as follows:

> *I report directly to the chancellor, which I think is helpful in having such a high-level reporting structure, because I do think... [brief pause] There is something valuable in I have direct communication with the decision-*

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[21] This was the participant's chosen pseudonym, and is the name of a fictional character. I will refer to her as "April" following this introduction.

> *maker as opposed to reporting to an assistant dean, who reports to a dean, who reports to a dean that reports to the chancellor, which is what I used to do when I first started [here]. And so having that direct reporting line, I think things happen quicker, people take me more seriously because they know that I report directly to the chancellor and have sort of a platform to be able to bring issues up at a very high-level.*

At Michele's university, the chancellor reports to the university president, who is the most senior leader; since she reports to the chancellor, this placed her as the director of the Title IX office only two steps away from the highest university official. In contrast, at the majority of US universities where I interviewed staff, the Title IX office was more than two steps removed from the highest university official. What throws Michele's positioning into sharper relief is the relative lack of organisational power April had as the director of victim services, as April explained, "I would say we're definitely viewed as very low on the totem pole in terms of institutional hierarchy. So [brief pause] I guess not a lot of authority." Furthermore, April was the only staff member who, when I asked if the university supported her and her office's work, directly said no:

> *[brief pause] No. [both laugh] No. I don't think—I don't think we have...I would argue we don't have enough staff. Our compensation is not super fair. Even...Also titles are not super fair. So for example, our new department is Student Support and Wellbeing. And there's the senior associate dean and then there are several associate deans. So my boss is an associate dean. So that means that I'm an assistant dean. And my entire team, no one else is a dean. So that's true for my office. For Alcohol and Other Drug Services, there's an assistant dean. And basically that's it right now. But every other office in that division, the director is an associate dean and everyone on the team is an assistant dean. So we're the only ones without that. So literally at the bottom... Because we're at the bottom of the hierarchy, we often have to sort of just, I don't know, give in. And not really truly weigh in on things unless it's like...I don't know, all the political pieces. There's also a sense of [pause]—this is actually something that my team has been talking about for the past I'd say year or so, feeling not seen, not acknowledged, not heard, not valued outside of the team.*

She attributed this lack of institutional support in large part to her office's institutional positioning, and saw this positioning as a reflection of the lack of respect senior management had for her office's work. April explained to me at length the structure of comparable offices, such as Alcohol and Other Drug Services, in order to demonstrate how victim support staff were not recognised as equals in the institutional hierarchy with regards to their titles and resourcing. This apparent disregard for victim support services stands in stark contrast, again, to Michele's Title IX office, which reports directly to the second most senior official in the university. The disparity in positioning between student support and policy enforcement signals which office senior management at this university values more: Policy compliance here takes precedence over direct support for survivors.

Furthermore, April was not always consulted or included in conversations about Title IX response to sexual violence. There was a particular moment in our interview that to me embodies the emotional toll this institutional positioning had on frontline student support staff. April had just finished explaining to me that her office often serves as content experts for university policy: "we tend to be tapped at some point in the [policy creation] process just to give perspective in terms of like, 'how would this be viewed by survivors you worked with?'" Since I had interviewed Michele earlier that afternoon, I immediately thought of a changing policy she had mentioned, and asked April if her office contributed to these discussions:

> *ERIN: I met with [Michele] just before this, from Title IX, and she was telling me about the new process that is going to be introduced... which is about like centralizing all different types of reports involving sexual violence where the respondent is a staff member or a faculty member. So that would be like all in the same place.*
>
> *APRIL LUDGATE: Oh.*
>
> *ERIN: Did you guys provide any feedback on that?*
>
> *APRIL LUDGATE: [quietly] No.*

She quickly followed up that there was going to be a meeting that she and her office staff would attend about this changing procedure, but this moment poignantly contradicted her assertion that the university asks for her office's input on sexual violence policies. This initial exclusion of the victim support office in discussions of changing policy underscores the different (i.e. lesser) value the office has in contrast to the Title IX office, and works to demonstrate the impact of institutional embellishment in practice: While April and her team worked hard to support survivors within their resources—even putting our interview on hold while she took a 15-minute call on her office's sexual violence hotline—the university appeared to tokenise their work without engaging with it until after making key decisions.

While April and Michele respected each other's work, it was clear that institutional hierarchies impacted their perceptions of the university's response to sexual violence. Michele spoke very positively about the work that April and her team do, as well as the counselling team, in supporting student survivors; she admitted that not all academic staff respond well to student disclosures, but this was her only point for improvement. On the other hand, April saw serious structural flaws in how her university responds to sexual violence. For example, she found recently updated disciplinary procedures—which split the process between finding someone responsible for a policy violation and the sanction they receive for said violation,[22] using two different conduct boards over a longer period of time—to favour perpetrators:

> *So my interpretation of this—again with limited information—is that...The system has been set up to both draw out the time and energy required to participate in something like this. We've somehow built in an extra step to give respondents yet another chance to sort of plead their case or say—I can't imagine what a 'mitigating circumstance'[23] would be. Like... [laughs in frustration] Just the term 'mitigating circumstance,' that's not something that applies to a complainant, right? And so that tells me this is set up explicitly for a respondent.*

In critiquing how this process protects perpetrators, April highlights the implicit disparity in conduct hearings in the amount and type of information a complainant and a respondent can offer: There are no such things as “mitigating circumstances” for complainants, but a respondent has several days after one board finds them responsible to present evidence that further pleads their case to another board as to why they should not receive the harshest punishment possible. There is no comparable consideration for complainants in this university’s process. Beyond her own university’s response, April was also highly critical of the Title IX system itself, as she explained,

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[22] The previous procedure used the same conduct board to determine a student's responsibility for a policy violation and the sanction they received upon being found responsible; this process all occurred at once, whereas the new process offered an initial finding of responsibility and then a new board would convene to determine sanctioning.

[23] "Mitigating circumstances" in US university student conduct proceedings are factors that lessen the severity of the policy violation, and are usually taken into account during the sanctioning phase. For example, a student having never committed a policy violation before could be a "mitigating circumstance."

> *[T]he Title IX office is largely the office that implements the procedural pieces, and so just because of their role and who they are, they have to be neutral. And I think given that we live in a culture and [small laugh] society where there is a lot of victim-blaming and skepticism, that neutrality can be viewed as feeding into that. Right? Because it's perpetuating the status quo. And I imagine it can feel that way, like if you're in an interview and the person asking you these maybe personal questions is being neutral, that can feel like not believing. So I—It's not that I have a better idea for a system [both laugh] and I think that's why it's important to have sort of multiple pieces [in a response process, like discipline and advocacy].*

It is possible to read April’s ability to see these structural issues as a result of her positioning, or being slightly removed from the Title IX system, whereas Michele is enmeshed both within Title IX and with senior leadership. In other words, while the positioning of April’s office constrains her ability to carry out her work, it enables a critique of the university, while the positioning of Michele’s office enables her ability to carry out her work but constrains her ability to critique the university.

These dynamics of relatively powerful policy staff and relatively powerless frontline student support staff were also present at Nicola, Joanne, and Candice’s small urban liberal arts university in England. Similar to April and Michele, Joanne and Nicola—as the respective head and a member of the wellbeing team—had little institutional power compared to Candice, who oversaw the university’s response strategy, which included policy development. In the last chapter, I discussed how senior management uninvited Joanne, the head of the wellbeing team, from relevant meetings because she was critical of the university’s new sexual violence response procedure. In addition, at the time of our interview, Joanne had been working without a line manager for some time. This changed the dynamic of our conversation because it became like a supervision or emotional unburdening for her, as she shared the many difficulties she experienced in her job; since she did not have a formal outlet to share these issues, our interview became that outlet for her. This change in interview dynamic definitely impacted how I approached the analysis of Joanne’s interview: I had to step away from it at times because I would get caught up in feeling angry on her behalf when transcribing and analysing it. Even she herself was slightly shocked upon reading the initial transcript that she was so open about critiquing her university; she allowed me to keep the content, however, as she has since changed roles—a move which, in itself, speaks volumes. Whereas Joanne had little direct support or supervision, Candice, conversely, reported to the chair of the university’s advisory board, and she and her line manager met with the senior leadership team on a monthly basis.

Joanne, Nicola, and Candice’s university was the third university at which I interviewed staff, but the first university where staff expressed clearly different—and often conflicting—views about the institutional response to sexual violence. The university initially hired Nicola as a wellbeing adviser and Candice as a strategy adviser with (matched) funding from the Catalyst grant and extended both of their contracts by a year with university funding. In contrast to the newness of Nicola and Candice to the university, Joanne had worked there for years: She built the wellbeing centre five years prior to our interview and was very proud of the work that it did, but she felt that university leadership were undermining her and her team. Joanne’s feeling of overlooked and undermined resulted, in part, from how senior leadership instructed Candice to carry out her job as a strategy manager: Candice explained her role as, “the idea was to come in and review all of the organisation's policies and practices and make recommendations for improvement, to look at doing prevention and response training, and create an organisational strategy for eradicating sexual violence at [the university]. [with irony] Just a small job." What happened in practice following this review was not necessarily an improvement upon existing resources—particularly the wellbeing team, as the main source of support for student survivors—but rather the creation of new policies and pathways that did not necessarily utilise staff members and offices already engaged in sexual violence response. Joanne said of the new policy and procedures:

> *[I]t's been frustrating from the very beginning, really. But I think the strategy manager, Candice, I think she's been at least wanting to listen and meets with us and has a very difficult job. But I think she's pretty much the only person who's kind of given us any kind of voice really in all of this, which is bizarre given that we're actually doing the work. We're the ones providing the support to students. [somewhat emotional] And I built a service that could manage that, you know? And it's not been... Nothing, no recognition, none of it, none of it. [getting quieter] And I just find it really sad and I just... yeah. I don't know. It's demoralising.*

Both Joanne and Nicola made sure to highlight that they were critiquing institutional issues and not Candice personally, but they also had very visceral reactions to how senior leadership (mis)handled incorporating the wellbeing team into the new procedure. Along this line, Nicola saw the new policy and procedure as not matching up, which caused many issues:

> *They were in such a rush—or this is my perception—but they were in such a rush…created a short-term post so there's this massive rush to do something, but they didn't look at existing structures. So they didn't look at ensuring that the student conduct agreement matched up with the new policy. They didn't check, who's doing investigations? What training had they had? Was that appropriate? Had they considered risk? Did they know anything about domestic violence? No. And so the investigations have been massively mishandled and it's because [brief pause] not the support for the students—because that's us—so that's fantastic [laughs] but the actual processes are just, they've oversold and are completely unable to deliver.*

Nicola's analysis here as to why sexual violence response policy and practice are decoupled (Meyer & Rowan, 1977) in her university connect back to chapter one's discussion of institutional embellishment and creating structures that outwardly look good, but are not effective: She perceived a rush to create something against which outside parties could measure successful response and, in this rush, the university failed to fully incorporate both the wellbeing team and the student conduct team into the new procedures.

While Joanne and Nicola as frontline student support staff found the new response process to be ineffective, Candice, as the strategy manager, thought it was working. She offered this assessment of the new procedure:

> *I do think that we are holding some of those disclosures really, really well. But I think especially within the Wellbeing Team, they sometimes struggle to see the successes over the really, really difficult cases. Because I meet with them on a two-weekly basis and [quietly] they're struggling sometimes with, you know, the rest of the university not being as skilled up as them. For sure. There's definitely a deficit in comparison between other teams and their team. [brief pause] But I do—There's a really strong commitment from the university, I think it's just a matter of resourcing again and we are currently looking into the need for maybe a case manager or a case coordinator of some kind to hold these cases a little bit more delicately.*

In explaining her perceptions of the process's success, Candice also acknowledged the strain that the wellbeing staff experienced. Despite this acknowledgement of the wellbeing team's expertise, however, the wellbeing team was often not mentioned as a resource at staff trainings or included in high-level discussions with senior leadership. These decisions were not always up to Candice's discretion: She understood that there was tension between her position and the wellbeing team and was not trying to undermine their work in carrying out her role. Like Michele in the aforementioned US university, Candice's role existed in closer proximity to senior leadership than Nicola or Joanne's roles; as a result, she could see what she perceived as commitment from the university in improving sexual violence response, but since her role did not directly engage with students in the response process, she did not experience the procedure in action, unlike Joanne and Nicola.

These two cases—of Michele and April in the US and of Joanne, Nicola, and Candice in England—demonstrate that staff perceptions of university responses to sexual violence depend on the positioning of staff within larger institutional structures. Those who work face-to-face with students in a support role and witness how processes impact students are often more critical of response processes than those whose remit involves policy creation or implementation and legal compliance. When unpacking the similarities and differences between the universities, it is possible to see these findings as more broadly applicable: The two universities examined here only have a small undergraduate student population in common; one university is science-focused while the other is liberal arts, and one is based in the US while the other is based in England.

To illustrate this analysis's broader applicability, I turn to another university, a US college with the most centralised infrastructure and most supportive senior management of my sample, as collectively described by the six staff members who spoke with me. This divide between better resourced, more institutionally powerful policy/compliance staff and less well-resourced, less senior student-facing support staff was also present in this college, as Stephen, a member of the survivor support office, said, "[t]here are still things that sometimes we feel pushed to the side on or that we're not as important because we're not legal, we're not compliance." Ultimately, while April and Michele, and Joanne, Nicola, and Candice's situations are more extreme examples of this phenomenon, that this divide persists in a generally supportive and well-resourced university speaks to larger structural issues of whose work is valued by the institution, and whose words carry weight when expressing dissenting opinions, such as drawing attention to harmful policies or procedures. The valuing of policy staff often at the expense, literally and metaphorically, of student-facing staff illustrates a commitment to protecting the university from liability—which, returning to chapter one and institutional airbrushing (Phipps, 2018), can serve as a mechanism to save face—and reveals that this response work may not always be done for the benefit of the students, but rather the benefit of the institution.

The Fractured University

In analysing how different departments within universities respond to disclosures of sexual violence, I grappled with the question of who really *is* ‘the university,’ as mentioned earlier. I did not come to this question on my own: Both Vivian, a wellbeing adviser at a small religious post-’92 university in England, and Danielle, a violence prevention worker at a US Ivy League university, challenged me to define “the university” in our interviews because they said that different offices are responsible for different actions, so they could not discuss the overall university in any meaningful way. What became apparent throughout interviewing was that the definition of the university depended on whom I asked, as staff in different roles at the same university as well as students all had drastically different understandings of this. To make sense of these varying definitions, I returned to Bourdieu’s (1988) habitus. I argue that habitus working to induct certain staff members into the culture of the overall university is partially responsible for determining who is and who *is not* the university: Those acclimated to university culture do not feel (as) alienated by their role within the institution and students view them as part of the administration, while those coming from outside of the higher education sector and/or actively resisting policies within the institution tend to not identify themselves as part of the university. Furthermore, students are more likely to see staff members involved in student advocacy—which, as discussed in the previous chapter, often conflicts with institutional edicts—as allies as opposed to “the man.” April’s experience with how students perceive her office reflects this very idea:

> *I think sometimes we're viewed as—because we're low on the hierarchy or totem pole or whatever, I think that works to our advantage because sometimes we're viewed as like...For students who are like, ‘the administration,’ like ‘the man,’ we're kind of an exception because we're on the fringes in that way. So sometimes...And we've done a lot of intentional work around relationship building in those communities but sometimes that works to our advantage.*

Although April's office suffered from a lack of resourcing support related to the distant position of the office in relation to senior leadership, this very positioning also enabled students who do not trust senior leadership to more easily seek support from April and her colleagues. These various and conflicting interpretations of 'the university' as a body and who is (not) included within that definition ultimately reveal that university responses to sexual violence are fractured because 'the university' itself is not a coherent or stable category.

The concept of the fractured university is meaningful because it illustrates how less-senior student-facing staff are routinely ignored when voicing their concerns. In my sample, when less-senior frontline student support staff raised issues around sexual violence response, their outspokenness was always accompanied by the silence of more-senior policy or compliance staff; I draw on the above case studies as an example of this. Bourdieu's (1991) concepts of legitimate language and authorised speakers help unpack this dynamic: He asserts that the power of language is not found in the words themselves, but rather in who speaks them. Bourdieu argues that we cannot "[treat] language as an autonomous object, accepting the radical separation…between the science of language and the science of the social uses of language" or else we will be "condemned to looking within words for the power of words" (1991, p. 107). As a result, he claims that we must look at the social context of speech in order to understand how—and whose—language becomes meaningful: "The power of words is nothing other than the *delegated power* of the spokesperson" (Bourdieu, 1991, p. 107, emphasis original). Someone's connection to an institution therefore determines the legitimacy of their language (Bourdieu, 1991). While I do not unequivocally agree with this—as I subscribe to a critical discourse analysis position that looks at power in and outside of text—Bourdieu's theory helps highlight how someone's position can grant or deny authority to their words.

If, as Bourdieu argues, the power of language derives not from the words spoken but instead from the power of the speaker—who gains power through their association with a more powerful institution, such as a university—then levels of seniority matter when it comes to raising issues around sexual violence response. I diverge slightly from Bourdieu's analysis because I acknowledge—as the next chapter fully unpacks—how social hierarchies, like race, class, and gender all influence legitimacy; at this juncture, however, I focus on relationships within the university before addressing how labour is divided and (de)valued along gendered lines in the following section. Senior managers can ignore complaints that come *only* from less-senior student support staff and not from more-senior legal/compliance staff for the sheer reason that student-facing staff are some of the least senior people involved in sexual violence response work. Since these frontline staff members are less embedded in the university from a management perspective, they have less institutional power and therefore less delegated institutional authority than their more senior colleagues. This tenuous connection to the university as an institution makes the language of frontline student support staff less legitimate than the language of more senior, more connected legal/compliance staff; since frontline staff's language is less legitimate than their senior colleagues, so too are their complaints about sexual violence response processes, especially when those complaints are not shared by those higher up in the institutional hierarchy.

Furthermore, as Ahmed (2020) states, "to complain within an organisation so often brings you against it" (n.p.); this is true for those staff members who raise issues with their universities' sexual violence response procedures. In attempting to change policies they find harmful, staff resistance reveals the multiple levels and types of complaints within universities, such as student survivors making a complaint about the initial act of violence, student survivors as complainants making a complaint *about* the complaints process, and staff in student-facing roles also raising—if not making formal—complaints about complaints processes. All of these complaints are part of what Ahmed calls a "world-dismantling effort" (2020, n.p.) to attempt to change the violent, coercive status quo, since "the usual is the structural in temporal form" (Ahmed, 2020, n.p.). Senior leadership can overlook these complaints at every level because those raising them lack legitimate language due to their institutional positioning. I will explore student survivors' language in the next chapter about survivors' experiences of power relations in university responses, but I raise the issue of legitimacy alongside complaints here to underscore that the breadth of complaints from a variety of stakeholders ultimately uncovers both how institutions work, and for whom they work (Ahmed, 2020).

Gendered Labour in the Neoliberal University

Acknowledging the disconnect between student-facing support staff and policy/compliance staff also allows for a more nuanced analysis of gendered power relations within universities. In my sample, gendered power relations were more fraught and less clear than a simple divide between men serving as senior managers who then require significantly less powerful female administrators to carry out their policies: Every single high-level Title IX Coordinator, disciplinary head, or policymaker I interviewed in both countries were women, as were the majority of student-facing staff. This finding comes into some conflict with Acker's (2006) theory of inequality regimes, as she contends, "[t]he steepness of hierarchy is one dimension of variation in the shape and degree of inequality [within organizations]… Hierarchies are usually gendered and racialized, especially at the top" (p. 445). How then can I make sense of hierarchies that are populated with white women exercising power (including the power to be silent) over other white women? While my findings do not mirror inequality regimes in the traditional sense, Acker provides a useful tool to understand this repackaging of leadership roles away from men and toward women: "Jobs and occupations may be internally segregated by both gender and race: What appears to be a reduction in segregation may only be its reconfiguration. Reconfiguration and differentiation have occurred as women have entered previously male-dominated occupations," (Acker, 2006, p. 446). To illustrate what this reconfiguration looks like, she gives the example of women entering medicine, but working in more feminised specialties like paediatrics, within a larger, male-dominated field; this phenomenon applies in universities in my sample through the transformation of student support into care work, which I explore below.

In order to examine care work versus disciplinary work within universities and the gendered discourses that accompany both, it is first necessary to discuss the gendered make-up of my staff sample. Connell (2006) argues that, "[o]rganizational gender arrangements are active, not passive," (p. 838) and this rings true especially for sexual violence response in universities, which Jones, Chappell, and Alldred (2019) also note in their analysis of feminist education around disclosure response with university staff. Of the 26 staff members I interviewed in England and the US, only three were men, and only one of the three occupied a traditionally masculine role as part of the student conduct team (the other two were counsellors). Given the gendered dynamics of sexual violence and harassment—in which most perpetrators are men and most victims are women (Brownmiller, 1975; Cantor et al., 2015; NUS, 2010)—it makes sense that more women than men work in specialist response roles. At all universities where I interviewed staff, sexual violence response in terms of pastoral support fell under the broader umbrella of student wellbeing, which I argue can be conceptualised as care work, another highly feminised industry.

Since my sample is predominantly (white and) female at all levels of hierarchy, looking at gender by itself is less helpful as an analytical tool than looking at the type of work done at each level of hierarchy: Returning to Kallinikos's (2003) concept of roles and agency helps make sense of why frontline student support staff are often devalued while (over-

)valuing legal, compliance, and policy staff. Although frontline student support staff engage in emotional management of students and manage their own feelings in turn, they do not meet the criteria for Hochschild's (2012) concept of emotional labour because they lack an 'emotional supervisor,' someone enforcing certain emotional states in employees. Despite not fitting into this specific type of labour, care work—especially with traumatised students suffering from gendered forms of violence—is still seen as women's work, a "'labor of love,'" and devalued accordingly (Barker, 2012, p. 574). Lynch (2010) furthermore contends that within the neoliberal university, "carelessness"—or the absence of caring responsibilities for oneself, for dependents, and for students—is a virtue, yet "[w]omen are disproportionately encouraged to do the 'domestic' work of the organization, and/or the care work" (p. 56). Lu's more recent (2018) study on university teacher/student affective encounters underscores Lynch's argument that care work is feminised, as she found "an implicit but persistent tie between care, emotion and womenness [sic] in the university context" (p. 89).

I argue that, in the neoliberal university, senior management devalues care work not only because it is feminised, but also (and more so) because of the attendant individualisation that comes with neoliberal ideals: Individualisation in the neoliberal market sense of the term views people as responsible for only themselves, and this extends to their wellbeing. Beck and Beck-Gernsheim assert that "[t]he ideological notion of the self-sufficient individual ultimately implies the disappearance of any sense of mutual obligation—which is why neoliberalism inevitably threatens the welfare state" (2001, p. 21). If everyone should be personally responsible for themselves, then the collective care (and caring) for others becomes unimportant. Care work can then be seen, in the eyes of university leadership focused on metrics and ranking, as devalued (Lynch, 2010) and also a luxury instead of a necessity for university success. Compliance and policy work, on the other hand, are both more traditionally masculine roles as they do not involve affective engagement; this type of work is also necessary for success in the neoliberal higher education landscape that emphasises metrics, auditing, and performing accountability over actual accountability (Ball, 2012). As a result, the (de)valuation of work within universities reflects neoliberal ideals of individualisation which therefore positions those involved in caring for others (i.e. frontline student support staff) as less important than those who can secure or maintain ‘excellence’ through compliance (i.e. policy staff).

Conclusion

This chapter analysed the role of staff within university responses to sexual violence. It serves as the second half of the discussion from the previous chapter using the structure versus agency debate as a framing device: Whereas the last chapter examined how the structure of universities themselves impede survivor-centric responses to sexual violence, this chapter explored how staff members become agents in universities and how different categories of staff members use this agency. In order to understand the limits of agency and the separation between ‘the university’ as a body and individual staff members, this chapter began with a conceptual framework which combined Kallinikos’s (2003) concept of roles as agency-granting mechanisms within organisations and Bourdieu’s (1988) concept of habitus. Kallinikos (2003) claims that people as individuals do not automatically have agency within an organisation, but rather gain it through occupying highly specialised positions (i.e. roles) that enable and constrain their action. In order to make sense of what staff members do with the agency granted through their roles, I then looked to Bourdieu’s (1988) habitus, a concept that blurs the lines between structure and agency through a socialisation process that often makes people (unconsciously) act in accordance with overarching organisational ideals, regardless of their own viewpoints.

After establishing a conceptual framework for understanding staff actions, I then used two case studies to highlight the differing value and perceptions of staff offices in sexual violence response. At both case study universities—one small elite science university in the US and one small liberal arts university in England—frontline student support staff were outspoken about the failings of their university's response processes while more senior policy staff viewed their university's response favourably. When there are such disparate perceptions of efficacy, the position of staff offices informs their opinions; in both cases, the frontline staff dealt directly with students and were much more junior than their policy counterparts, who often had minimal interaction with students and were closer to senior management within the university. Furthermore, I contended that the positioning of these offices in relation to senior management also demonstrates what the university values: In having senior policymakers/compliance staff and junior frontline student support staff, universities appear to value legal compliance and the prevention of litigation over student wellbeing. I then used these case studies as a starting point to discuss who is considered to be part of 'the university,' and uncovered that again, the position of staff informs their perceptions of belonging, and ultimately that using 'the university' as a category for analysis is difficult as the university in itself is fractured and contested.

The chapter concluded with an analysis of gendered power dynamics and neoliberal ideals: Since the majority of staff participants were women, I looked beyond gender as an analytical tool and instead considered the type of work various offices do. I conceptualised pastoral support of student survivors as care work, a feminised and therefore devalued form of work, in opposition to policy/compliance work. A main tenant of neoliberalism is individualisation, an ideal that asserts everyone should be personally responsible for themselves; using this background, I argued that the less-senior student support staff working to help survivors are devalued in the neoliberal university not only because care work is feminised, but also because it challenges the notion of personal responsibility through demonstrating collective care. Ultimately, through discussions of agency, the differing value and perceptions of staff in various offices, and neoliberal labour, this chapter challenged notions of a unitary body able to respond to sexual violence in a singular, coherent way. The next chapter moves on from analysing staff experiences to discussing the experiences of student survivors who perceived that staff in their universities valued their assailants more than they valued the survivors, and builds on some of the theoretical work (specifically that of Bourdieu's legitimate language and Ahmed's theory of complaint) introduced in this chapter.

Findings Chapter 4: Protecting the Perpetrator: Value Judgements in US and English University Sexual Violence Cases

Introduction

This chapter[24] transitions from discussing infrastructure and implementation of university sexual violence response to analysing the lived experiences of student survivors. It is important to note that this chapter is the first of two chapters on students' experiences of institutional responses: Findings chapter five, the final findings chapter, illustrates a comprehensive picture of the majority of my student participants' experiences through using a linear timeline that begins before they disclose and ends with the aftermath of their reports. This chapter, on the other hand, draws on five interviews with student survivors whose experiences of institutional responses most clearly reflect neoliberal modes of (de)valuing those within universities. It utilises a theoretical framework introduced in the last chapter—that combines Bourdieu's (1991) theory of legitimate language with Ahmed's (2017c) theory of complaint—working within Phipps's (2018) overarching theory of sexual violence in the neoliberal university.

The five US and English student survivors in this chapter all experienced their universities protecting the perpetrator in their sexual violence cases. They revealed that their assailants were not held accountable because the university determined that they were more valuable than the survivor, whether in terms of the role the assailant occupied or their potential to make an impact in their field. While the other 14 interviews in my student sample illustrate an institutional devaluing of survivors—which I explore in the next chapter—I analyse these five cases separately because they all reflect a particular mode of reputational protection that universities appear to employ, that of *valuing of the perpetrator* in addition to devaluing the survivor. In unpacking these five experiences, I combine the aforementioned three theories to show both how power/value relations in the neoliberal university make certain people (in)dispensable, and how these power/value relations are enacted through power dynamics of speech and hearing to protect the more "valuable" party in university sexual violence cases. I ultimately argue that across these institutions, students' experiences of reporting sexual violence resulted in universities demonstrating that they valued the perpetrator more than the survivor through their (lack of) response. The experiences recounted here ultimately offer an opportunity to understand how institutional cultures and the wider culture of neoliberalism exploit power and value.

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[24] A slightly reworked version of this chapter (as a journal article) is currently under revision at *Gender and Education*. I have included the full citation in the references (Shannon, under revision).

Sexual Violence in the Neoliberal University

In order to make sense of how and why universities prioritise power and value, I examine the influence of neoliberalism in the English and US academy. While neoliberalism takes slightly different forms in England and the United States, there are significant similarities. Shamir defines neoliberalism as "a complex, often incoherent, unstable and even contradictory set of practices that are organized around a certain imagination of the 'market'" (2008, p. 3). In other words, neoliberalism and marketisation go hand-in-hand. Neoliberalism spreads the logic of the market and its attendant principles—competition, individual responsibility, and meritocracy, to name some—into areas of people's lives that are not market-driven. A more detailed definition of neoliberalism is available in the literature review of this thesis.

Instead of places of learning, neoliberal universities become businesses offering commodities (i.e. degrees) to customers (i.e. students). This reconceptualization of the university has shifted university tuition fees off of the state and onto the student, though this occurred at different rates in the United States and England (Brown & Carasso, 2013; Heller & Rogers, 2006). This turn to the market in universities not only affects the relationship students have with the university, but also the relationship universities and staff have with each other: Scholarly collaboration is often replaced with competition for funding, resources, top ranking in the *US New & World Report* or Research Excellence Framework, and students. In such a context, anything that could threaten the income—and reputation—of the university must be eliminated via institutional airbrushing (Phipps, 2018), while anything that could enhance it must be protected. A discussion of methods staff use to protect the university appears in findings chapter one, which analyses the aforementioned concept of institutional airbrushing as well as my originally-developed concept of institutional embellishment—making the university appear to respond well to sexual violence although this is not the case in practice—and Edelman's (1992) concept of symbolic structures. As Phipps's (2018) work informs much of this chapter, the experiences here most closely reflect institutional airbrushing and institutional embellishment, which I have posited are two sides of the same coin.

Phipps (2018) argues that market logic is pervasive in universities and this in turn affects how universities respond to sexual violence. She asserts that

> *these [market] ideologies situate harassment and violence within 'reckonings', in which the institutional impact of disclosure is projected and totted up…Neoliberal modes of value also interact with gender, race, class and other relations to ensure that some are 'reckoned up' differently to others. (Phipps, 2018, p. 230)*

To describe how these modes of value determine someone's worth, Phipps introduces the theory of power/value relations. These relations are the intersection of a person's positioning within the academy (e.g. professor, undergraduate student) with their positioning in larger racialised, gendered, and classed hierarchies (Phipps, 2018). The interplay between these two mirrors *and* maintains what value someone has within the academy, as value-awarding activities such as high-profile publishing and grant capture are not equally distributed (Phipps, 2018): Racial and gender bias in citation practices (Gutiérrez y Muhs et al., 2012; Schucan Bird, 2011; West et al., 2013) and grant awarding (van der Lee & Ellemers, 2015), as well as the higher value attributed to the masculine-coded disciplines of hard sciences over feminine-coded soft sciences ultimately “construct some people, usually privileged men (and often in well-funded subjects), as institutional breadwinners who contribute and matter more” (Phipps, 2018, p. 233).

Power/Value Relations in Sexual Violence Cases

The five women whose experiences I examine here have two things in common: They all experienced sexual harassment or violence while at university, and their universities did not hold or only reluctantly held the perpetrators accountable. Though a discussion of what accountability looks like was beyond the scope of this research, McGlynn and Westmarland (2019) found that female survivors of sexual violence have many understandings of what justice is, including but not limited to consequences for the perpetrator, recognition of harm, and enabling survivors to speak their truths. For Sydney, Marie, Alexandra, Tamara, and Marie Tharp[25], some or all of these elements are notably absent in their cases. The five women vary in age, race, and level of study. The dissimilarities between them extend to their universities: Some are in the United States while one is in England; some are research-intensive while others are teaching-focused; and some belong to a top-tier competitive sports conference[26] while others rarely acknowledge university athletics.

Given these differences in context, how is it possible to make sense of their shared experience of institutional betrayal? This institutional betrayal—defined by Smith and Freyd as when “an important institution acts in a way that betrays its member’s trust,” and exacerbates the interpersonal trauma of the initial sexual assault (2013, p. 120)—is not merely a general absence of justice, but rather the result of each university making a specific value judgement that determined the perpetrator was more valuable than the survivor, and acting accordingly. “Value” differs in each case: Sometimes there is a clear financial cost, such as the perpetrator bringing in research grant money, yet value elsewhere is harder to measure, such as the perpetrator’s academic potential or athletic ability. Despite these differences in value type, all universities found the perpetrator to be more important than the survivors were, and subsequently only held him—because in every case here the perpetrator was a man—accountable after a drawn-out process that required extensive survivor labour, or never held him accountable. In determining a perpetrator is valuable and therefore worthy of protection, universities are also implying that a survivor is not (Phipps, 2018).

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[25] Both Marie and Marie Tharp chose their own pseudonyms; I will use Marie Tharp’s full name when referencing her case to avoid confusion with Marie.

[26] This is official terminology of Division I university athletics in the United States, which I will explain when it becomes relevant to a case.

In what follows, I use Phipps’s theory to explore how power/value relations protected perpetrators in these five instances of sexual violence at English and US universities. I examine how structural violence within universities leads to survivors leaving the institution through Sydney and Marie’s accounts, both of whom are white women that experienced sexual violence as undergraduate students and left university because of the lack of safeguarding. Through Alexandra and Tamara’s cases—a white Ph.D. student and a Black postdoctoral researcher who experienced sexual violence or harassment from renowned professors—I then explore how powerful perpetrators can weaponize their status to commit violence and avoid consequences. I close the interview findings section by returning to Tamara and introducing Marie Tharp, a white Ph.D. student, to discuss how retaliation for reporting is an attempt by powerful parties to restore power/value relations.

Valuable Perpetrator, Expendable Survivor

Inextricable from power/value relations is comparison. What power or value one person has in the university is increased or decreased when viewed against another, as is the case in any disciplinary proceeding which positions people in binaries (i.e. complainant versus respondent). This comparison privileges one person over another through making value judgements based on what each contributes to the university. Phipps gives the example, "[c]ompared to the eminent professor, the complainant is dispensable" (2018, p. 234). Power/value relations are not only present in cases where there are staff or faculty perpetrators, and extend to value judgements universities make in cases of student-on-student sexual violence. In the following cases, student value comes in the form of athletic ability and rare subject knowledge. For Sydney and Marie, their universities determined their assailants were "worth" more than they were and so protected the perpetrators.

Sydney's Division I university recruited her to be a swimmer. Division I is the most competitive of the three inter-university athletic divisions in the United States (NCAA, n.d.), and many Division I university athletes go on to become professional athletes. Division I universities also spend a lot of money on their athletes: Sydney explained that the recruitment process involves wining and dining prospective athletes, campus visits, and offering a partial or full scholarship. She agreed to attend her university after going through the recruitment process with two universities, and became a swimmer on a partial athletic scholarship. While this position as a top athlete may seem to give her value, the value she had as a swimmer depended upon her athletic performance. That performance was also tied to money: "It was like the faster I swam, the more money I got. So like if I was swimming well, it would upgrade the next year." If Sydney swam faster, not only would she be even more valuable to the team, but she would also earn more money towards her scholarship.

What complicates Sydney's value is the value of her assailant, who was also a recruited swimmer on a partial scholarship. Her swimming suffered as a result of the assault, yet his was unaffected. When she told their coach what happened, the coach's immediate and only response was to offer Sydney help transferring universities. I asked why she thought her coach responded in that way and she paused before saying,

> *I don't like to think this, but I was swimming really bad because of what happened. So I think maybe it was like, 'oh well he's still swimming great, we don't want—' you know? Like, 'it's good for the team to have him here and Sydney is kind of like not…necessary.'*

Sydney was aware of the different value team members had in this ultra-competitive context: The better an athlete someone is, the more they offer to the team. The inverse is also true: The poorer an athlete performs, the less integral they are to the team. In this case between two students who initially appear to offer similar value to the university, performance—and thus contribution to university reputation—differentiates them and determines who is more important and therefore who must be protected. When considering the monetary implications of their athletic scholarships, the issue of “value for money” also becomes relevant. In her coach’s eyes, Sydney, in struggling to perform at the level at which she was recruited, was failing to demonstrate why she deserved an athletic scholarship. If her assailant was still swimming well, there was not a question of his value for money, and any abusive behaviour he engaged in outside of the pool became unimportant. The Title IX office at Sydney’s university appeared to agree with her coach, as it took no action against her assailant.

Money also played a role in determining the value of Marie’s perpetrator, though here it is tied to subject area. Marie attended a university in England for both her undergraduate education and her Postgraduate Certificate in Education (PGCE), a Masters-level teaching qualification. In her second year of undergraduate study, a group of students assaulted her, one of whom went on to be in her PGCE cohort. Though she did not pursue a university investigation, she did disclose the assault to multiple staff members and registered her resulting PTSD with the university. Before the course began, she emailed the course leader to speak about what accommodations she would need for her PTSD and was met with welcome support. When Marie walked into the first class, however, and saw that one of her assailants was going to be studying with her, things began to deteriorate. The only safeguarding measure in place after she disclosed the situation was the course leader telling her to stay away from the assailant in lectures:

> *There was no real safeguarding in place and I basically got the sense that because...because he was a maths trainee and they wanted to keep the*

> *maths trainees, it felt like they were prepared to put me at risk in order to keep him...there was very, very much a sense that maths and physics are the chosen ones...because they're a much rarer commodity than people with history degrees wanting to go into teaching. It was very much a sense of, you know, 'keep them on the course as much as humanly possible' and, you know, a little bit of a sense of 'can do no wrong.' You know, us history graduates are a dime a dozen…*

I asked Marie why she thought the PGCE course seemed to value hard sciences over soft sciences, and she explained,

> *they openly said in the [introductory] lecture that he'd only got onto the course in July, which is a good sort of six months after the places for history and English had been filled up, so it's very much a sense of desperation for maths trainees. I think the fact that the government gives maths and physics trainees lots and lots of money…*

Marie's language choices throughout the discussion of why the department valued the assailant over her demonstrate how marketized the university is: She calls his subject matter, maths, "a rarer commodity," something more in demand than her history knowledge, since history teachers are "a dime a dozen." Not only is value linked to subject matter, but the subject matter itself also translates to higher employability and therefore better placement success for the PGCE program. Furthermore, the discourse of subject rarity mobilises an implicit discourse of gender makeup in teaching: Women outnumber men as schoolteachers (Gov.UK, 2018), so in retaining a desirable "rarer" subject expert, the PGCE program also retains a coveted male future teacher who will have an easier time securing a job in a feminised industry.

Marie also referenced her assailant's government bursary, which indicates another aspect of value differentiation. Though the bursary paid for his living expenses and not his tuition fees, which means that the university did not directly receive that money, its existence still speaks to the value attached to their subjects. The English government created a bursary scheme to incentivise science, technology, engineering, and mathematics (STEM) students to become teachers (Get Into Teaching, n.d.), and Marie's assailant received the highest paid one available at the time, which was £26,000. In contrast, Marie received a bursary “from the lowest bracket that you get any sort of funding,” for only £4,000. This funding discrepancy relates back to Phipps’s (2018) comment on how money is more often funnelled into hard sciences as masculine-coded subjects, which shows its relative importance in contrast to the feminine-coded soft sciences. Governmental bursaries exist in two ways in Marie’s case: Explicitly as a funding mechanism to help students cover the associated living costs of their program, and implicitly as a value differentiation method by which universities can determine what students are more worthy than others of accommodation and protection.

In both Sydney and Marie’s cases, trusted employees of their universities decided that the they offered less to the university than their perpetrators did, and acted accordingly. By choosing the value that the perpetrators offered over the safety of the survivors, Sydney and Marie’s universities made it difficult for them to feel safe and ultimately they left: Sydney transferred after only her first semester at university and Marie dropped out of her PGCE program. Working in this worthy/worth-less binary, Sydney and Marie’s universities made it clear that if their assailant had value, they themselves did not. These women’s experiences also offer an insight into the lived consequences of institutional airbrushing (Phipps, 2018): Value judgements in these cases are not abstract concepts with no material impact; they have tangible effects and further harmed already traumatised students. Protecting the perpetrator here looks a lot like pushing out the survivor. If the survivor is gone, so too is the instance of sexual violence that universities so desperately want to erase.

Weaponizing Status to Harm with Impunity

Despite the clear value differentiation in Sydney and Marie’s cases, neither woman indicated that their perpetrators knew their comparative value; the perpetrators in the next two case studies were highly aware of their power and used it to not only harm others, but also to attempt to avoid facing consequences for doing so. Phipps argues that “[t]he power/value generated by the combination of neoliberal systems with patriarchy and other structures can be used to perpetrate harm, and to avoid accountability" (2018, p. 234) which can look like men occupying powerful positions in universities knowingly harming others because they are aware of their "untouchable" status. Those who have power because of their academic fame or the grant money they bring in tend to know this protects them, as their university will be reluctant to force them out: By expelling a multi-million dollar grant winner, the university no longer benefits from the acclaim or funding of that person. Should an investigation begin, Phipps notes that the institutional and social power perpetrators have can also give them "more leverage to protect themselves," (2018, p. 234). This dynamic of powerful institutional players committing harm is complicated by the issue of permanent job security, as universities face legal difficulty should they want to remove someone in a permanent position, such as a tenured professor in the United States.[27] In Alexandra and Tamara's cases, the perpetrators were renowned tenured professors in the United States. Both cases feature a significant institutional power gap between the perpetrator and survivor, as Alexandra was a first year Ph.D. student and Tamara was a postdoctoral research fellow. Despite these similarities, Alexandra and Tamara's universities responded in nearly opposite ways, though the status of the perpetrator was still the main issue. These experiences first appear in the first findings chapter's discussion of institutional airbrushing, but I return to them here to discuss the power dynamics of their cases.

Alexandra was not willingly a complainant in this case. She explained this to me at length during our interview: Instead of making a formal complaint, she became involved with the Title IX office after it had reached out to her, and she thought she was only sharing information they asked for. Instead, the university forced her into the formal position of complainant against a powerful professor. An undergraduate student had previously made a formal complaint against the same professor and was suing the university for mishandling her case against him. This lawsuit subsequently brought in a lot of negative press. The university could not investigate him again for the same instance of assault, so they needed a new complainant in order to fire him for cause[28]. Alexandra informally shared with her advisor that this professor had harmed her. Her advisor, a mandatory reporter[29], had to report it to the Title IX office, which meant that the university knew Alexandra could be the complainant they needed. Alexandra describes her first meeting with the Title IX Coordinator as follows:

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[27] According to the American Association of University Professors, tenure "is an indefinite appointment that can be terminated only for cause or under extraordinary circumstances such as financial exigency and program discontinuation" (n.d., n.p.).

> *I went to [the Title IX Coordinator's] office and I broke down bawling and like told her like, 'yes absolutely believe everything that [the initial complainant] is saying, but please leave me out of it, like this man can ruin my career, this man can ruin my life, like I'm a first year graduate student, I worked so hard to get even to this point. He will ruin me.' Like he was the most famous [professor] in the department, like far and away.*

She was very aware of his power and her relative vulnerability. Since she wanted a career in academia, she knew that he could prevent her from getting a job if she were to speak out about his behaviour. He could potentially have the support of the field behind him because he was well-established, but she was just starting out and female in a male-dominated subject area.

Furthermore, he was well aware of this power differential between them, and used this previously to control her. Alexandra shared:

> *sometimes he would snap into a very aggressive, 'I am your professor. You are the student. You need to defer to me for this reason,' right? So sometimes it was like a kind of more manipulative intimate kind of like demand for deference. And other times it was very explicitly professional.*

He himself slipped between modes of professor and pursuer; he wanted to collaborate professionally but also wanted to be her boyfriend. In muddying the boundaries between professional and personal, this professor made it impossible for Alexandra to deny him and to hold him accountable for the harm he caused her, unless she was willing to risk her career and wellbeing. Although she very explicitly did not want to do so, her university wore her down—continually trying to get in contact with her personally and then through her supervisor—until she agreed to become the complainant they needed to fire him.

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[28] See footnote 13 on page 122 for a definition of termination for cause (Euben, 2004).

[29] a staff member at a US university that must tell the Title IX office when they receive any report of sexual harassment; see findings chapter two for a more detailed discussion

Conversely, Tamara's university tried to cover up what her harasser did to her and others. Tamara described the behaviour of the primary investigator (PI) for her postdoctoral research fellowship as an open secret in her university: "everybody knew he was a sexual harasser or that he was a bully, but since he brought in so much [redacted] funding, nobody—nobody cared." His ability to win large grants from a prestigious funding body made the university loathe to correct his behaviour, as it was benefitting from the money he brought in. When Tamara first tried to report her PI's sexual harassment, the Title IX Coordinator "was very dismissive of what I was saying…She knew that [he] was famous, and so she talked a little bit about that." I asked Tamara if she thought the Title IX Coordinator believed her account, and she provided this astute yet harrowing analysis:

> *I felt that they thought it was possible that he could do stuff to me but I think at the same time, they were just like, 'he's very famous, he brought in a lot of good media, good press,' and millions of dollars to [the university] that they were willing to overlook it.*

In Tamara's case, the issue was not a lack of belief from the office charged with investigating sexual harassment; the issue was a lack of care. This apathy is a direct result of the status he had as a high-profile researcher. Senior management and administrators in the Title IX Office prioritised his value to the university over the harm he caused.

Much like Alexandra's assailant, Tamara's harasser was also well aware of the power he had. Tamara said that:

> *he told students to seek out tenure positions because if they, um if they like raped the Vice Chancellor's daughter, they would still have a job…it's like he just knew the system would protect him because he, you know, he was a*

> *highly-funded—you know if you're tenured or highly funded by the [body], you're okay. You're going to be safe.*

He knew that he was untouchable, and Tamara later found out how he knew this. She discovered that other students years earlier had brought multiple complaints against him for sexual harassment, yet the university let him continue working with no repercussions. He knew the system would protect him because it already had been for years. Tamara, on the other hand, had relatively little institutional or social power. Her job depended on working with her harasser.

Tamara's case also highlights the extent to which multiple social hierarchies play into academic power/value, as she is a Black woman and her harasser is a white man. In a white supremacist patriarchy such as the United States or England, white men benefit from both their whiteness and their maleness and thus occupy the most culturally valued position. Black women, conversely, face oppression at the intersection of their race and gender, as Crenshaw (1991) explains. In the context of academia, these already existing social power disparities are exacerbated because of the overwhelming white-maleness of senior academic staff and underrepresentation of women of colour in every rank of academic staff (Gutiérrez y Muhs et al., 2012). Gutiérrez y Muhs and colleagues (2012) point out the hypocrisy of US academia for celebrating meritocracy—allegedly unencumbered by racial and gendered dynamics—while relying upon dominant racist and misogynist discourses to assume women of colour in universities are incompetent. When factoring in these social positions, the power/value disparity between Tamara and her PI becomes even greater, as does his ability to get away with abusive behaviour.

For Alexandra and Tamara, their perpetrators weaponized their power in order to harm others. Both men were powerful in that they were well-known scholars, and Tamara's harasser also brought in significant funding. These cases differ, however, in how each university responded: Where Alexandra's perpetrator's power made him a publicity liability, Tamara’s perpetrator’s power made him a publicity asset. Another student at Alexandra’s university went to the press about how it allowed him to operate with relative impunity after she reported him for assault, and his tenure made it difficult for the university to remove him. On the other hand, Tamara’s perpetrator’s power brought in positive press coverage through his funded work. Knowing these disparities in press coverage helps make sense of the outcomes of these cases. Since Alexandra’s university forced her into becoming a complainant, her assailant was ultimately fired for cause in order to eliminate bad press, and while Tamara’s perpetrator was found responsible for harassment, her university wanted her to be quiet so he could continue the work that made the university look good. That both men faced some form of consequences for their actions does not detract from the harm caused by institutional power/value relations: Alexandra had to take three years out of her Ph.D. to fight lawsuits and recover, and at the time she reviewed her initial interview transcript, Tamara was on leave from her medical school residency because of PTSD.

Retaliation: When Power/Value Relations Fail to Protect Those in Power

Several people shared that others retaliated against them for reporting their experience of sexual harassment or violence. Using Phipps’s framework of power/value relations, I position retaliation in sexual violence cases as when power/value relations fail to protect the powerful—an upset of the “natural order” of things, in which those with more institutional power act with impunity. Sometimes this failure to protect the powerful is not an actual failure, but a perceived one, as reporting does not always lead to consequences. Retaliation becomes an attempt by the powerful to restore the social order when their power has been challenged. It is an attempt to put those with less power back in their place. Both Tamara from the above section and Marie Tharp in the section following, research students/early career researchers at US universities, experienced retaliation for reporting their experiences of harassment. While those surrounding Marie Tharp’s harasser retaliated against her, Tamara’s harasser directly retaliated. These experiences of retaliation compounded the initial harm of harassment and significantly impacted both women’s education and careers.

Marie Tharp is a geoscience Ph.D. student and while doing fieldwork, another student from her university stalked and harassed her. She told her team leader in the field about what happened and while the team leader was initially supportive, that support evaporated when Marie Tharp said she wanted to officially make a complaint about this student. Her own Ph.D. advisor also thought reporting the student was “extreme.” Seeking advice from a more neutral party, she emailed her department head a brief summary of what happened, and found out that the department head was a mandatory reporter who had to alert the Title IX office about the incidents. In order to avoid this student in classes and labs, Marie Tharp decided to proceed with a formal complaint and investigation. The university’s investigation into her stalker also uncovered retaliation from multiple people through an email search of the involved parties: “So [the Title IX office]...called me in and they were like, ‘we have found enough evidence in these emails that your advisor and your lab manager have been retaliating against you for making this report.’” At the time of our interview, Marie Tharp had three ongoing university investigations, one against the student who stalked and harassed her and two (opened in the university’s name) against the faculty members for retaliation.

The value of Marie Tharp’s perpetrator and the culture of her field contributed to this retaliation response from faculty. He is considered to be a rising star, so the faculty focused on protecting his potential at the expense of her safety: “Everyone was like, ‘you can’t use the word “sexual harassment” because you’ll ruin his career.’ I mean, that’s a direct quote.” Furthermore, aside from his individual potential, Marie Tharp describes the culture of her male-dominated field as “macho,” which means that the tendency to protect men over women already existed. She pointed out that it was not disbelief on the part of her lab manager and advisor, as “it was very much so preventing him from being labelled a sexual harasser than actually—I mean, I don’t think anyone actually disputes the behaviour. They just don’t want it to come to light that it’s what happened.” The idea that Marie Tharp could ruin this student’s future career—worth more than hers because professors identified him as a rising star and because he is a man in a male-dominated field—and thus upset the status quo is what provoked these two faculty members to retaliate against her.

Whereas Marie Tharp faced retaliation for the potential damage to the career her assailant was “entitled” to, Tamara faced retaliation that damaged her own career. When her university’s Title IX office finally investigated her report of sexual harassment, Tamara faced retaliation from her PI throughout the investigation process. In a particularly notable incident, he denied her authorship on a joint paper: “So there was a paper that I was writing with him and then once I turned him in for sexual harassment and I finished the paper, he took my paper and submitted it to a journal without my name on it.” The comparative value of that authorship to each contributor reveals how he meant this act to penalise her: As an established scholar who regularly won large grants, he did not need another single-author journal article to support his career, yet as an early career researcher in a postdoctoral fellowship, Tamara needed publications to look for a long-term academic position. Since she spoke up against his sexual harassment, which disturbed the decades-long impunity he operated under, his erasing her from her own article was an attempt to re(im)balance the scales that gave him more power than she. Much like in Marie Tharp’s case, retaliation here was meant to remind Tamara of who was more powerful and whose career was more valuable.

In both Marie Tharp and Tamara’s cases, the perpetrator or perpetrator’s enablers retaliated against them because of the perceived threat to the status quo each woman’s reporting represented. Whether or not that perceived threat was an actual threat is immaterial here, as the very suggestion that those with institutional power/value could lose some of it was enough to provoke a response. In this light, power in the university is simultaneously strong enough to often protect those with it from facing consequences, and, once acquired, fragile enough to require constant vigilant guarding. In only one of the two accounts, however, did the perceived threat translate to even the suggestion of a threat. Marie Tharp's lab manager was temporarily suspended from campus because the university discovered that she had called witnesses in the Title IX investigation to claim that Marie Tharp was lying. When we last spoke, all three of her cases were ongoing, so I have not heard if there were any long-term consequences for her stalker and the faculty who retaliated against her. On the other hand, Tamara's university chose not to investigate her PI for retaliation despite her raising the authorship issue: "They felt like he didn't retaliate because they said that even though I wrote the paper, he was the PI of that grant, so it didn't matter that even though I wrote the paper and came up with the ideas, I wouldn't get credit for it." Tamara decided to escalate this retaliation case to the court system and only got her research back as part of the settlement she won in her lawsuit against him. Both cases ultimately demonstrate that retaliation is a reaction to power/value relations in universities failing to protect those with institutional power, and is a form of symbolic and institutional violence in and of itself.

Mechanisms of Power/Value Relations: Dynamics of Speech and Hearing

Thus far, I have discussed how Sydney and Marie's universities prioritised their assailants over their safety, how the perpetrators in Alexandra and Tamara's respective cases weaponised their power to harm them and (attempt to) avoid the consequences, and how Marie Tharp and Tamara faced retaliation for reporting their more "valuable" harassers. These cases—despite their differences in location, types of perpetrators, and categories of victims—demonstrate how universities make value judgements and opt to protect those with more to offer the university. In each case, this more valuable person was the perpetrator. This concept of power/value relations explains the rationale behind *why* universities make certain decisions, and now I will show *how* universities enact those value judgements. I use Bourdieu's theory of legitimate language and Ahmed's theory of complaint as a technology of hearing to argue that in each of these cases, the dynamics of language and listening inform whose account is legitimate and heard as authoritative.

Legitimate language and authorised speakers

As described in the previous chapter, Bourdieu's (1991) theory of legitimate language argues that power in speech does not result from the language itself, but instead from who speaks it. Speakers become authorised—seen as legitimate—through their connection to a powerful institution (Bourdieu, 1991). The institution in question for these cases of sexual violence is the university. Since both the victims and perpetrators belong to the same university, however, and thus draw their authorisation from the same source, there needs to be a mechanism to differentiate whose words are more legitimate in this shared context. This differentiation method is not as clear-cut as it tends to be when comparing administrative staff in the same university: Whereas staff have clear roles situated within an institutional hierarchy that signals seniority and therefore authority, students allegedly occupy the same band within this hierarchy.

Value judgements matter in this context because of the translation of value into institutional power: Those with value are seen as legitimate speakers because of their connection to the institution. The more connected someone is to a powerful institution, the more powerful they are, and subsequently the more weight their language carries. The stronger institutional connection the perpetrators had in the above cases—such as grant winners, famous scholars, successful athletes—validated their language and made it legitimate in ways that the comparatively less powerful victims could not access. Interestingly enough, belief was not an issue for each of these women. Their universities believed them—but that belief simply did not matter as soon as the more powerful perpetrator offered his (legitimate) account. Bourdieu explains that "[i]t is the access to the legitimate instruments of expression, and therefore the participation in the authority of the institution, which makes *all* the difference" in authorised language (1991, p. 109, emphasis original). Without institutional authority, each woman could not access the legitimate language necessary to be "heard," and make her university act.

Hearing as a Technology of Complaint

Whereas Bourdieu theorises about speech, Ahmed theorises about hearing: The way in which universities hear complaints determines their (in)action. She posits that complaints "can be considered a technology of hearing," and goes on to describe how universities hear complaints (2017c, n.p.). Ahmed claims that complaints are heard as negative, like whining about something that someone could choose to accept; as destructive, like thinking the complainant wants to tear down the university instead of improving it; and as magnified, by assuming the complainant is asking for more than they are and are therefore unreasonable (2017c). Once a university hears a complaint in these ways, it "can then be treated as self-referential, as being about the complainer. A complaint becomes the expression of a failure to be properly integrated into the culture of an institution" (Ahmed, 2017c, n.p.). The complaint is no longer about an act of violence, but rather about the complainant's refusal to assimilate into university culture.

Should a university hear a complaint as self-referential, it will not recognise the survivor-speaker as part of *itself* and subsequently will not give them the institutional backing they need to become authorised speakers in Bourdieu's framework. In this way, the university shuts down complaints and complainants by refusing to acknowledge their legitimacy since they are considered institutional outsiders. Ahmed also explains that, "[w]e learn from hearing. We learn from *how we are heard*. Which is to say: we learn from *how we are not heard*" (2014, n.p., emphasis original). By regarding complainants as institutional outsiders, universities remove any delegated power they might have if they were considered insiders, and without this delegated institutional power, complainants no longer have access to legitimate language. I analyse the effects of universities disassociating students from themselves in the following chapter, but for now, this disassociation is relevant because of its implications within this framework of legitimate language and complaint: Complainants lacking legitimate language means that universities do not have to listen to them. Their assailants, on the other hand, use legitimate language because their comparative institutional power makes them authorised speakers. Ultimately, insider/outsider status within the university determines whose words carry weight, and subsequently the course of action that the university will take.

What these findings do not suggest, however, is that *only* powerful perpetrators get away with their actions, or that a less "valuable" perpetrator would face consequences. Academia does not exist in a vacuum; the same rape culture and patriarchal beliefs that exist in US and English society at large saturate the academy. The influence of these ideologies means survivors in universities still must contend with victim-blaming and tendencies to protect accused men, regardless of how institutionally connected their assailant is. What I attempted to show in this analysis is how the culture of neoliberalism in universities makes these value judgements possible in sexual violence cases, and how these value judgements impacted five women.

Conclusion

This chapter critically examined the experiences of five student survivors to emphasise how dynamics of power and value, speech and hearing operate in the neoliberal university to promote the university's reputation. When reporting sexual violence to their universities, Sydney, Marie, Alexandra, Tamara, and Marie Tharp all experienced the privileging of their perpetrator over themselves. I hold that this privileging is the result of the university making value judgements based on the comparative power/value relations of each party, conceptualised by Phipps (2018) as the intersection of a person's positioning in gendered, racialised, and classed hierarchies with their positioning in the neoliberal university. As illustrated by the narratives of these five women, power/value relations in university sexual violence cases can take several forms. Though these cases exemplify different aspects of power/value relations, they share the painful experience of institutional betrayal: Instead of supporting the victims, each university opted to protect the perpetrator from or delay holding him accountable.

Power/value relations explain *why* universities frame certain people as (not) worth protecting, while Bourdieu's (1991) theory of legitimate language and Ahmed's (2017c) theory of complaint explain *how* this framing leads to protecting powerful perpetrators. For Bourdieu, the power of language lies not in the words themselves, but in who voices them: The stronger the institutional connection a person has, the more legitimate they are seen as a speaker, which explains why those with more power so frequently evade justice in these cases. Furthermore, dynamics of hearing matter as much as dynamics of speech in determining case outcomes. Ahmed describes how universities hear complaints as negative, destructive, and magnified, which leads them to view complainants as failing to fit into institutional culture. Hearing a complaint of violence as a complaint about failed assimilation allows universities to position complainants as institutional outsiders. For these women, it was not only the perpetrators' value that prompted their universities to side with the perpetrator—it was also their universities' refusal to acknowledge them as members of their institution deserving of support. The next, and last, findings chapter builds on some of the themes introduced in this chapter, specifically institutional betrayal, to analyse student survivors' experiences of institutional responses more broadly.

Findings Chapter 5: Access and Aftermath: Student Survivors' Experiences of University Responses to Disclosures of Sexual Violence

Introduction

Whereas the previous chapter theorised why universities appeared to protect the assailants in five cases of sexual violence, this chapter analyses the subjective and affective experiences of student survivors more broadly. It organises thematic analyses along a chronological path to examine students' experiences at various points in the reporting and response process. This timeline covers the initial accessibility of reporting options, students' experience of disclosing to their universities, and the aftermath of these disclosures. This analysis begins before students' decisions to report to critically discuss the availability and accessibility of reporting at survivors' universities; since this information was not readily available for many survivors, particularly in my English sample, I argue that poor or no signposting of resources is another way in which universities can protect themselves and their reputations, as it often limits or discourages complaints, which in turn makes the university appear as if few, if any, instances of sexual violence occur within it. This lack of signposting in my sample also tended to reflect absent or opaque response processes. I then move to discuss survivors' emotions following disclosure resource identification: This experience often began with an initial feeling of relief and/or confidence that the students' universities could and would support them, but this feeling evaporated upon prolonged engagement with university offices, at which point many survivors expressed that their universities made them feel as if they—and not their assailants—were the problem.

Before analysing students' experiences of institutional betrayal, I posit a new theorisation of institutional betrayal as the betrayal of the institution to explain why university staff react in ways that are often unsupportive to and traumatic for survivors. I unpack the varying expectations of the individual/institution or student/university relationship in doing this, and subsequently highlight some important contradictions in neoliberal (il)logic employed by universities themselves. I then return to Smith and Freyd's (2013) theory of institutional betrayal, introduced briefly in the previous chapter, to make sense of students' experiences of institutional responses. Institutional betrayal—which argues that important institutions that do not support their members following experiences of sexual violence exacerbate the initial harm of sexual violence (Smith & Freyd, 2013)—provides a useful analytical framework for understanding the aftermath of students' engagement with their universities, as many expressed a sense of retraumatisation following their disclosures. From this discussion of institutional betrayal, I continue to explore the connection between university structures and students' affective responses to unpack several students' self-reported feelings of naïveté following their disclosures, and argue that sexual violence scholarship should critically engage with survivors' affective responses, as they can indicate how infrastructure works in practice. The chapter concludes by returning to two case studies introduced in the previous chapter and introducing two additional students' experiences to analyse how universities reject—or disassociate from—those who report sexual violence by no longer recognising them as members of the university community.

Pre-Disclosure Experiences

Accessibility of Reporting Information

Before discussing the experiences of students who manage to report, it is first necessary to examine how, for many students, reporting sexual violence to their universities was an arduous, unclear process. If I were to begin this chapter by directly discussing institutional responses, I not only would miss a significant theme from my findings—that of under-signposted reporting information—but also work under the assumption that every student who wants to make a complaint is able to find the necessary information in order to do so. In examining how universities make reporting information (un)available, it is possible to unpack the effects of this availability, both for student survivors and for universities as institutions. This section therefore analyses the accessibility of reporting information at survivors' universities, and argues that minimal or no signposting to reporting services can be read as another manifestation of universities' concern with their institutional reputation, despite the clear reputational risk of mishandling sexual violence complaints (Anitha & Lewis, 2018). The students' experiences on which I draw—that of Bailey, Dylan, Marie, and Scheherazade—all come from English universities, which I argue reflects the less institutionalised (Meyer & Rowan, 1977) English response to university sexual violence when compared to the highly institutionalized US response, as discussed in chapter two.

Many students, especially in my English university sample, struggled to find any information about to whom they could report sexual violence, and what help was available within their universities. When I asked how knowledgeable they felt about the support services available through their respective large, urban, Russell Group universities in England, Bailey and Dylan—both of whom are white non-binary students, though Dylan was a second year undergraduate while Bailey is a postgraduate research student—mentioned not knowing much. Bailey said that their university had very feminine/-ised pink postcards with information about where to disclose:

> *there's little postcards and they're all pretty and pink… it's almost feminine, like it's soft text, and it's pink and purple and it kind of doesn't draw your eye. I don't know, this isn't okay. Like 'hey girls, this thing might be wrong, talk to some people.'*

Bailey perceived these postcards not only as an ineffective way to advertise reporting information, but also inordinately gendered. While the feminised presentation is perhaps the university's attempt to demonstrate it understands sexual violence is a gendered issue that predominantly impacts women (NUS, 2010), at the same time, this presentation limits the targeted audience: By assuming only women experience sexual violence and gearing advertising towards them, the university misses—or ostracises—survivors who are not women, which included Bailey as a non-binary student. Beyond these postcards, Bailey said not much information was available elsewhere, since "[t]here's nothing on the website, there's nothing on the Students' Union, I really had to dig to find information and…it wasn't clear who to go to."

Furthermore, once Bailey did find out to whom they should report, the sexual harassment team contact was unsure of how to apply university guidance to their case because of Bailey's status as a Ph.D. student. They explained that,

> *I used to work in the administration of the university a few years ago and I don't think there's any kind of protection regarding keeping Ph. D. students safe because we're such a weird entity. We're not staff, we're not students, we're in-between and there is staff procedure, you know, about reporting, about keeping safe, about making sure that they don't have communication or things like that, but there's nothing for us and I don't think that it's very clear which procedure they would use in what situation for me.*

Not only did Bailey struggle to discover where they should report, but the infrastructure in place upon their disclosure was unable to provide any clear recourse because of the position they occupied as a Ph.D. student with teaching responsibilities. Since Bailey taught in addition to their doctoral research, they were both a student and a staff member, yet in occupying both positions, the university considered them neither a full-time student *nor* a full-time staff member for the purposes of policy application. They explained that there was a university policy for staff-on-student sexual harassment, but because of the in-between nature of Ph.D. students, the sexual harassment response staff member struggled to determine what, if any, policy to follow: There was "[n]ot specifically [a sexual harassment policy] for research students and I think when I was talking to the sexual harassment team contact, she didn't really know how to apply that [staff-to-student policy] because I wasn't staff." In Bailey's case, the poor signposting of services was merely the beginning of a difficult engagement process with their university, as it also lacked the infrastructure to properly handle cases involving Ph.D. student perpetrators and survivors.

This lack of information and subsequent lack of process clarity was present at more than just Bailey's university, as Dylan also encountered difficulties reporting. Dylan managed to find out where to disclose at their university, but they "didn't know anything about anything to do with the university services with regards to sexual violence. I didn't know policies or procedures or what was going to happen." For Dylan, even though they found out where to disclose—an online form—the process that followed was shrouded in mystery. The incident most emblematic of this opaque response process was the involvement of the police at the university's—and not Dylan's—request. In their initial meeting, the university sexual violence response staff member said that she could help facilitate Dylan reporting to the police, but that the decision was theirs. This assertion of agency in police involvement, however, did not come to pass, as several weeks after their initial meeting, Dylan received a voicemail from someone with an investigative police unit that said he was "'calling about what you told the university.'" They returned his call but declined to give any information after the officer explained that if Dylan told him anything, he would have to open an investigation. There was no indication in the online reporting form that the university would share the reported information with the police, and Dylan did not want the police to be involved; they ultimately told the sexual violence reporting staff member that the university should not have passed along their disclosure because it was an incident that occurred several years prior, they were not physically at risk, and they did not give their consent for the university to share this information.

Although Dylan did not want to pursue a police investigation, they were interested in an internal conduct case, yet staff members could not guarantee that the conduct process would remain internal. They told me,

> *[i]f I do the next part [of the internal investigation], which is write a full account of everything and sign every page, which is what the university want me to do—If they then send that to the police, the police have my full details. Everything. In which the police would then—according to what the*

> *police said in the telephone call with them—have to investigate everything. And the university said that they couldn't confirm that it wouldn't be sent to the police if I sent a full written statement. Thereby, if I was to do that then the university would therefore instigate that police process and the police would not be able to stop apparently.*

Since the university process was unclear in what staff could and would share with the police, Dylan decided against pursuing a university investigation because "the university can't guarantee to me that it will remain an internal university thing and they won't share that information outside—and I already know that I don't want to go through that [investigation] because I'm not mentally well enough." Similar to the disempowering dynamics of Title IX mandatory reporting at US universities explored in chapter two, Dylan's university here, in providing an initial reporting form, appeared to give agency to survivors, but the process that followed disclosure removed power from (would-be) complainants. The material effect of this unclear process was to prevent Dylan from making a formal complaint, as they ultimately did not pursue an internal university investigation upon hearing the university might share (more of) their disclosure with the police. In limiting complaints in this way—through murky internal processes and unauthorised sharing of student data with outside entities—their university appears to benefit: The fewer students that lodge formal complaints, the fewer incidents of sexual violence the university appears to have.

Neither Bailey nor Dylan attended a collegiate university, but for several students at one collegiate university, the structure of colleges and how—or even if—colleges connected to the overarching university presented unique challenges in uncovering how to make a complaint. Collegiate universities, as explained in chapter two, come with their own structural impediments for survivors; these structures vary as in some universities, colleges are autonomous bodies, where in others, colleges serve more as a social space and have significantly less power than the university as a whole. The latter structure—of non-autonomous colleges contributing to a more powerful university—is what Marie and

Scheherazade had to navigate in attempting to report. They are both white women who attended the same mid-sized collegiate university in northern England, and experienced sexual violence as undergraduate students. Marie and Scheherazade mentioned in their respective interviews not knowing to whom they should report, if their college's pastoral staff was available to support them, or, in Scheherazade's case, who this pastoral staff was. In Marie's case, she felt that college staff were only available to support first year undergraduate students:

> *ERIN: In your college, would you have known who to talk to if you wanted to disclose this to someone just strictly for pastoral support purposes?*
>
> *MARIE: Not really, because when it happened, I was second year living on campus. I never really got the sense that continuing students were...part of the college pastoral care system. When it initially happened, the only sort of pastoral support I ended up accessing was the chaplaincy team [sardonic] because unlike [the mental health service], they could not have a three month waiting list.*

At Marie and Scheherazade's university, it is common for the majority of first year students to live in their colleges and Marie perceived that colleges' welfare teams focused on the first year undergraduates who lived on campus. Scheherazade's experience challenges this apparent focus on first year undergraduates, however, as she told me that she did not know to whom she should report in her college after an assault in her first year:

> *I mean... they make a big deal saying, 'it's not acceptable, you shouldn't [assault others],' but... I never have known who you're supposed to go to if something does happen. When I was living on campus in first year, despite the 'oh, this should not happen, this should not happen' [comments] the students said and the apparent availability of the [college] staff, I never knew who the [college] staff were or who I should go to.*

Since she was unable to identify welfare staff in her college, Scheherazade was not "able to make an official disclosure. To the university. Because I didn't know who to." Although Scheherazade and Marie were in different colleges at the same university, the lack of clarity around or the apparent availability of college staff in both of these instances suggests a more systemic failure of the university to adequately signpost students to reporting options within their own colleges. While this critique applies specifically to the collegiate university that Marie and Scheherazade attended, interviews with staff at a different collegiate university lend credence to the idea that colleges within a university can complicate and obfuscate complaint processes: Leanne, a specialist sexual violence support worker at an elite university with legally autonomous colleges, explained that, "[t]he university has updated its procedures around sexual violence and the colleges have been advised to use that, but obviously each college has its own, and so some colleges don't have policies that deal with sexual violence." In this instance, a barrier to reporting might not be a lack of clarity around where to report, but rather a complete absence of policy and procedure, depending on the college.

(In)Visibility of Reporting Information and its Implications

These issues of inaccessible reporting mechanisms in English universities partially result from the lack of standardised visibility mandates nationally, as well as the significant variation in English university responses. As previously discussed in chapter two, both of these attributes signify that university responses to sexual violence in England are much less institutionalised—or attaining "a rulelike [sic] status in social thought and action" (Meyer & Rowan, 1977, p. 341)—than US university responses. This difference in institutionalisation again reflects the different policy contexts of each country, as England's guidance for universities responding to sexual violence focuses on promoting best practice tailored to individual university needs, while all US universities must respond in ways that conform to the legal mandate of Title IX. Students in my sample who attended US universities also occasionally struggled to find out where they could report, but to a much lesser extent than students attending English universities. Reporting knowledge on US university campuses is not about a lack of visibility in the same way it is at English universities because Obama-era Title IX federal guidance detailed that reporting information needs to be publicly and easily accessible (Ali, 2011). While 7 of the 12 US students in my sample expressed that they struggled to find confidential pastoral support (e.g. counselling, specialist sexual violence services) at their universities, only 3 US students said that they did not know where to make a formal complaint that would launch a student conduct investigation.

Although most students in my sample were eventually able to uncover the correct offices for reporting and/or support, in some cases, such as Scheherazade's, this information was inaccessible. This burying of reporting information is yet another mechanism of institutional airbrushing (Phipps, 2018). As explored in findings chapter one, institutional airbrushing is the erasure of things that could damage the reputation—and thus the income—of a university, which includes the presence of sexual violence (Phipps, 2018). Limiting reports of sexual violence works as institutional airbrushing because universities perceive sexual violence as "*potential damage,* as that which could damage the reputation of an individual or an organisation" (Ahmed, 2017a, n.p., emphasis original). While findings chapter two analysed how decentralised infrastructure works to limit reports of sexual violence, hidden reporting mechanisms in otherwise centralised universities—such as Bailey or Dylan's—serve the same purpose: By making it difficult for survivors to uncover where they can make a complaint, universities limit the number of reports of sexual violence they receive, and, in doing so, make themselves appear as safe places where sexual violence does not happen as often as it does. The cases analysed above support this theory: Of the four survivors, only Marie lodged a formal complaint while Bailey, Dylan, and Scheherazade did not.

Post-Resource Discovery, Pre-Disclosure Experiences

Once students managed to unearth the correct information about where they could report, a common response for both English and US students was a sense of initial confidence that the university would be able—and willing—to help them. This phase, between discovering where students could make a complaint and the act of disclosing, is integral to understanding the affective experiences of student survivors when situated in the overall institutional response: It is a setting of expectations before accessing university resources, which students' lived experiences either reinforce or (more frequently) fail to meet, as I will discuss shortly. At this juncture, the discovery of a suitable resource serves to instil the students with confidence in the university and occasionally a simultaneous sense of relief that something does, in fact, exist to nominally help them. While the previous section focused exclusively on students' experiences at English universities because of how non-institutionalised responses to sexual violence enabled unclear or absent signposting at different universities, this section examines students' experiences in both England and the US. In fact, whereas institutionalisation in the previous section appeared to benefit US students through standardised, clearly identifiable reporting options, this same institutionalisation and the use of these processes in nominal response offices (which I later argue are symbolic structures, as conceptualised by Edelman (1992)) often led to students' initial confidence in the university but ultimately undercut that confidence.

Before discussing this initial confidence, I must first raise several exceptions to this experience. In my US sample, there are two notable cases in which undergraduate students—Rachel and Shelby, both white women—did not have confidence in their universities, even before disclosing. Rachel's sister experienced a sexual assault at another university, and the student conduct hearing took over a year and resulted in a disappointing outcome for her. Knowing of her sister's experience did not entirely colour Rachel's perception of the possible institutional response to her own case, as she recognised the differences in their circumstances:

> *ERIN: And you said that because it was, you know, such a difficult process for her, you didn't really have a lot of faith in your own university to handle this correctly?*

> *RACHEL: Yes and no because our cases were so different. Like obviously from day one, her attacker was just deny, deny, deny. [connection cuts out on Skype momentarily] The only evidence she had was like the rape kit, which, you know, came back with results from him, but you know, it was also a he-said/she-said, whereas mine was like…he admitted to it on record [in a text message]. So I was like, [mimicking being naïve] 'well, you know, maybe things will still push through for me.'*

Even with the differences in their cases, however, since she witnessed her sister go through a similar process, Rachel told me that she "already knew that universities didn't really handle [sexual violence cases] well." She ultimately had very complicated emotions prior to her conduct hearing because although she saw how disappointing and retraumatising university processes could be through her sister, she was also aware that different evidence was available in their cases that could impact the outcome to be more favourable for her. Rachel's case demonstrates that trauma can manifest in different ways: Researchers must allow room for contradiction when analysing the affective experience of survivors, as those contradictions may highlight competing narratives (e.g. practical caution based on observed experience versus personal hope) produced by their surrounding context.

On the other hand, Shelby did not have a university response against which to modify her expectations, but rather a police department's response. She initially did not think that her university would help her because she previously reported a different instance of sexual violence to her city's police, who responded by not believing her:

> *I called [the police station] back a month later after reporting it, and one of the officers I reported to put me in contact with the detective on the case. And he was like, [imitating an aggressive, accusatory tone] 'oh how did you know it was* ***this*** *[sexual assault]?' I was like, 'because it literally was and your colleagues confirmed that?'*

Shelby said that every phone call with this detective was hostile and so she stopped engaging with the police department, which effectively let her case disappear. Due to this difficult experience with the city police, she thought that reporting to her university would be similarly unhelpful: "The anticipated response [from my university] was basically what the city had responded like. And so I was like, ‘oh this is probably just gonna be another negative experience.’ But then like…it’s been comparatively a lot more positive.” She went on to explain that because of her existing relationships with the university police chief and the Title IX Coordinator, both of whom she spoke with about her assault, she felt less alone in reporting to her university compared to the isolating process of her police report. Shelby disclosed to the campus police chief first, who responded with kindness and transparency, as he explained what the university police and Title IX processes would entail, and he explicitly told her, “‘you didn’t do anything wrong, you’re not in the wrong here.’ And he’s like, ‘if you need anything, just reach out.’” After disclosing to both campus police and the Title IX office, staff stayed in contact with her regularly without her having to follow-up. She summed up her involvement with the city police compared to her university as follows: “I reported to the city on a separate issue, and that was very isolating, and I wasn’t sure who I could talk to—but at the university, I felt like people were actually there and that they cared.” Although she lacked confidence in her university at the start of the response process, Shelby was one of only two students in my final sample of 19 students who had a positive experience with her university.

While many students mentioned a culture of not believing survivors or not taking sexual violence seriously at their universities or in their departments, in seeing offices purportedly designed to support survivors, some students initially felt reassured that they could access help in their universities. Upon finding the correct person, resource, or office nominally meant to respond to and support survivors, students in both the US and in England shared that they experienced an overwhelming sense of relief. When Bailey, a white non-binary Ph.D. student at a large urban Russell Group university in England, found the aforementioned pink postcard with sexual violence resources listed on it, they “thought ‘good. There it is, there’s the team. I would talk to them.’ They have something, you know, that just kind of struck me as they've got something in place, they're aware, they're going to do something." Although Bailey ultimately had a negative experience with their university's response—and even found the advertising of resources ineffective and inaccessible—they still felt hopeful upon discovering that *something* purportedly existed to support survivors. Sometimes what staff members said in the first meeting compounded survivors' initial feeling of relief or confidence: For Marie Tharp, a white female Ph.D. student at a mid-sized public research university in the US, the first time she spoke with Title IX investigators was comforting. She said that the Title IX staff at her university,

> *before this [investigation] even started, they would say things like, 'there's so much evidence that it would be impossible for us not to make a finding.' And so I was like, 'okay well yeah, make a finding. I don't want to work with this person, make it happen.' So yeah I definitely had more faith that…yeah, they would do something. [laughs] Anything.*

This early confidence that the university had appropriate dedicated resources and that it could help students matters precisely because of what regularly happened upon prolonged contact with these resources: the disappearance of that confidence and the letting down of students' expectations.

Post-Disclosure: The Complainant Becomes the Problem

Students' initial feelings of confidence or relief in finding the correct university resource for making a complaint gradually evaporated after they disclosed and upon continual engagement with university offices. A common experience shared by students in both US and English universities was the realisation that they themselves as complainants of sexual violence—and not the assailants who attacked them—became the problem in the view of their universities. This treatment was especially jarring because of the preliminary confidence in the university that complainant students described. Regardless of how this confidence was achieved, such as assumed by students through the availability of resources for sexual violence and/or implied by the actions of staff, the reality of the response failed to meet the expectations that the students had. I argue that universities may position sexual violence complainants as the problem following disclosure because of the threat to the university's reputation their complaints represent (Ahmed, 2020). Whereas chapter one critically discussed several mechanisms universities use to protect their institutional reputation, this chapter analyses how those macro-level structures and agendas to preserve reputation impact student complainants at the subjective micro-level within universities. To demonstrate the ways in which universities turn complainants of sexual violence into problems, I draw on the experiences of Marie, a white female PGCE student at a mid-sized collegiate university in England; Sydney, a white female first year undergraduate student at a small, private, religious university in the US; and Rachel, a white female final year undergraduate student at a public mid-sized university in the US.

As mentioned in the previous chapter, Marie attended the same university in England for both her undergraduate degree and her PGCE, an MA-level teaching qualification; several students assaulted her in the second year of her undergraduate study, one of whom went on to be in her PGCE cohort. When she saw that he was in her cohort, she disclosed her situation to the programme leader, who was initially supportive but who did not put in place any safeguarding measures: There was no option to change their lecture schedules in order to separate them as the whole cohort attended the same lectures, and staff did not put in place any measures to keep him away from her while engaged in cohort activities; she said, "basically the attitude I got from the department was, 'you keep away from him and it will be fine.'" Due to Marie's PTSD from the assault and this lack of safeguarding, she struggled to perform well in her school placement. The programme leader called her into her office to reprimand Marie for her performance in the classroom and urge her to take a leave of absence. Marie identified the programme staff's actions as gaslighting, and explained the situation as follows:

> *I think the double catch thing of I wasn't able to talk about it, nobody reached out to support, and then when I was able to talk about it, it being used as a weapon against me to get me to leave and stop ruining their statistics… I very much got the sense... [pause, stammering when begins speaking again] Like there was some member of staff being sent into school to support me and all the communication I was getting was very much a sense of, 'you're not well, you should leave. You're not well, you should leave. You're not well, you should leave.'*

As a result of this absent safeguarding, Marie's PTSD was triggered, and when she told the programme leader about this, she continually tried to convince Marie to leave the course. This triggering of her PTSD prevented Marie from performing at her best in her classroom placement, and because of this poor classroom performance, she became a problem for the programme because she was "ruining their statistics." It was allegedly this poor performance with which the programme leader and other programme staff took issue, but, for Marie, there was no separating this placement behaviour from the staff failing to safeguard her from her assailant. Ultimately the programme forced her to take a leave of absence from which she never returned, and her parents "were sort of quite seriously considering suing the department for disability discrimination" because it failed to enact measures to keep her and her assailant apart and to support her, despite knowing that she had PTSD.

Whereas program staff framed Marie's inability to succeed in her teaching placement as a problem, a senior athletics administrator recognised the threat that Sydney's victimisation posed to the university and prevented her from becoming a problem by silencing her. Sydney was a recruited swimmer for her university's Division I team[30]. In the first semester of her first year of undergraduate study, one of her teammates assaulted her. She had a difficult time following the assault and after the term ended, she decided to transfer. Since she was a recruited athlete on a partial athletic scholarship, she had to have an exit interview with a senior athletics administrator about why she was leaving. Sydney said,

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[30] As explained in the previous chapter, university athletics in the US are in three "Divisions," with "Division I" being the most competitive and has the most money invested in it.

> *I was kind of excited to tell him because I was like, 'maybe something will happen.' And I started telling him that there was this guy on the swim team who sexually assaulted me, and he was like, 'no. No. You're good, you don't have to say anything else. Don't worry, you don't have to go into it.' And I was like, 'you're just going to cut me off like that?' And I was just surprised that he would...do that. And then I kind of left, like the conversation wrapped up really quickly after that and he kind of shooed me out. So I felt like it was almost like...like if he knew, maybe he would have to do something.*

Although the Title IX office at her university was aware of the situation, she had not yet decided if she wanted to pursue a student conduct investigation against her teammate.

It was unclear if this administrator knew about the assault prior to his meeting with Sydney, but what is clear is that he did not *want* to know about it: She mentioned how quick he was to shut her down when she mentioned the assault, and how he “shooed” her out of his office shortly after telling her she did not have to speak about the assault. Sydney attributed these actions to him possibly having to take action if he knew about the assault; this could be the case, if he was a mandatory reporter of sexual violence. If he knew of an assault—specifically one perpetrated by an athlete at a Division I university that spends a lot of money on athletics and that accrues a reputation based on the performance of its athletes—and had to report it, there is a chance that the assault could become public knowledge. Given how much money and attention is on athletes, public knowledge of one assaulting another would be bad publicity not only for the university in general, but also for the prestigious athletic program in particular. In preventing Sydney from sharing the details of her assault, the senior athletic administrator attempted to prevent her words from damaging the reputation of both the university and the university’s athletics department. While Sydney did ultimately go through with a student conduct hearing against her assailant, he was found not responsible, and therefore the reputation of the Division I swim team remained intact.

Whereas both Marie and Sydney’s universities framed them as (potential) problems for the outward appearance of their respective universities, Rachel’s university framed her as a problem for uncovering an ineffective internal response process. A co-worker at her on-campus job assaulted Rachel before her last semester of undergraduate study at a mid-sized public university in the US, and she decided to go through with a student conduct investigation. The conduct board found her assailant not responsible, both at first and on appeal; she was unwilling to accept the ruling because she had text message evidence of her assailant admitting to the assault. Rachel explained that if she wanted to appeal the conduct board's appeal ruling, she had "one final chance, which was the presidential appeal… They said it's like...really rare that the president of the university would get involved," but the vice president agreed that the president[31] should review her case and ultimately uphold or negate the conduct board's finding. Since so few people used the presidential appeal, however, it became clear that there were no strict guidelines on how the president should implement it:

> *I kept checking in with the Title IX office and the Student Conduct office and I was like, 'how long does this usually take?' And they're like, [imitating how noncommittal they were] 'oh, you know, like two weeks, four weeks max,' and I was like, [skeptical] 'okay.' ... So a month goes by, nothing, and I'm like, 'hey just checking in.' Then I got, 'oh, you know, he's very busy. He's been traveling. Eight weeks max.' And I'm like, [more impatient now] 'okay.' So then eight weeks go by and I'm like, 'um...what's going on?'... And they're like, 'well he's just very busy,' and I'm like, 'okay, but I'm going to graduate at the end of the semester.' And then I tried setting up an appointment to talk with him, to go to his office. And his assistant called me back and basically said, '[the president] said that I am not to set up any sort of meeting with you, you are not to come to his office.' And...I kind of feel bad for his assistant because I about lost it with her on the phone.*

Rachel eventually graduated without having an answer from the president about her appeal. She had to interact with him on her graduation day, which she described as follows: "He still hadn't made a decision. He gave his speech at my graduation and then I had to accept my diploma from him [starts laughing] and I told him to go fuck himself." In this case, the president and his office staff made Rachel into the problem because she highlighted that the presidential appeal process was unregulated, and did not work as it nominally should. That she reported in the first instance, here, was not the issue: Upon disclosing to the Title IX office, a senior administrator told her that he would recommend the university expel her assailant because she had text message evidence of him admitting to the sexual assault; it was only when Rachel continued to pursue different modes of appeal following the initial unsuccessful conduct case that university leadership positioned her as a problem. Through her continual advocating for herself against an unregulated response process, Rachel came up against the university's most senior leader. Ahmed's (2020) assessment of how complainants become the problem is particularly salient here, as she explains, "[i]f you have to yell to be heard, you are heard as yelling" (n.p.). In other words, it is easy to be framed as a problem when those who force someone to yell are on the receiving end of that yelling.

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[31] A president at a US university is the highest ranking senior official and is comparable to a vice chancellor at a university in England.

Although staff at these three universities framed reporters of sexual violence as problems for different reasons, each case represented a threat to the reputation of the institution. Marie's sub-par performance in the classroom as a result of the PGCE program revictimizing her threatened the reputation of the PGCE program as producing only excellent trainee teachers. Sydney's attempt to explain the assault as the reason she was transferring universities threatened the reputation of both the university and its Division I athletic program by potentially revealing the existence of sexual violence among recruited athletes. Rachel's attempt to hold her university president accountable for conducting the appeal in an untimely manner threatened to reveal the process as unworkable and not meant for use. In connecting back to the first findings chapter, it is possible to situate these cases as reflecting institutional airbrushing (Phipps, 2018) and my originally-developed concept of institutional embellishment: Marie and Sydney's respective universities erased the threats they posed to institutional reputation by removing them, while Rachel's university attempted to airbrush her complaint away in order to erase public knowledge of the presidential appeal process serving as little more than window-dressing, or institutional embellishment.

If reporting sexual violence has the potential to result in reputational damage for the university (Ahmed, 2020), then the complainant is the aggressor because they are responsible for exposing the university to that damage. In such a framework, the perpetrator of sexual violence is not necessarily the aggressor from the university's point of view: Violence itself is not inherently a problem for the university. Violence only becomes an issue for the institution when it becomes public, as when it is public, it can threaten the university's reputation. This idea that what is public is threatening, and what is private—or purposefully hidden—is benign connects to Phipps's (2018) concept of institutional airbrushing detailed in the first findings chapter. Drawing on institutional airbrushing, it becomes clear that the public exposure of sexual violence is what is problematic for universities, not that sexual violence occurs within them. Ahmed (2020) understands that universities have a vested interest in containing public knowledge of sexual violence, and, as such, argues that universities see complaints and disclosures of sexual violence as aggressive and violent. She states that "[v]iolence is often dealt with by not being faced," (Ahmed, 2020, n.p.): Since complaints threaten the reputation of the institution, the institution buries them; when these complaints resurface—usually through a complainant following up on their case—Ahmed argues that, precisely because of this initial institutional burying, the complaint has the same force as the initial violent act, as "a complaint can be what it takes to…let the violence out" (Ahmed, 2020, n.p.). As a result of this force, the university views complainants of sexual violence as the problem, not only because they experience complainants as aggressive for refusing to allow the university to erase their experiences, but also because, in speaking their truths, they open the university up to reputational damage.

Institutional Betrayal as Betraying the Institution

Working within this framework that positions the complainant as the problem, I suggest a new interpretation of institutional betrayal to make sense of the aftermath of sexual violence complaints in universities as described by students in my study. I will still draw on Smith and Freyd's (2013) original definition of the concept in exploring students' experiences of institutional aftermath, as introduced in the previous chapter, but will first introduce a novel twist on the definition to theorise an explanation as to why universities respond in ways that (re)traumatise survivors. To briefly review, Smith and Freyd (2013) define institutional betrayal as when an institution violates the trust of a member following that member's disclosure of sexual violence, which ultimately compounds the trauma of sexual violence. This definition reflects the perspective of the survivor as the one whom an institution betrays. In what follows, I posit a new interpretation of institutional betrayal that reflects the perspective of the *institution*, which perceives itself to be on the receiving end of a betrayal by one of its members.

This new take on institutional betrayal—or a betrayal of the institution by a member—is inextricable from the framing of disclosures of sexual violence as potential damage to a university. By making public an instance of sexual violence, the complainant is opening up the university (i.e. the institution) to damage not only in the form of reputational damage, but also possible legal damage should a court case ensue, or monetary damage should groups, such as alumni or other funding bodies, revoke donations or grants, or should fewer students choose to apply to the university as a result. Given the breadth of this potential institutional damage, the complainant—in the eyes of the university—has betrayed the institution. By situating a complainant in this way, universities are (further) enabled to cast them off or cast them out; this casting out of the complainant reflects the theme of disassociation from the university, which I introduced at the end of the previous chapter and will explore more in depth in this chapter's final section. The disassociation that results from the university positioning both the complainant as a traitor and itself as betrayed could explain why students in my sample so frequently experienced the original conceptualisation of institutional betrayal after making a complaint: If they are no longer considered a (loyal) member of the institution deserving of support, then they are an outsider, and subsequently the "complainer becomes a foreigner" (Ahmed, 2020, n.p.). Whatever consequences that follow as a result of the assault for the complainant are ultimately no longer the university's problem, because the reporter is an institutional turncoat.

Institutional Betrayal

Beyond this betrayal of the institution from the university's perspective, institutional betrayal—as originally defined by Smith and Freyd (2013)—was present in many students' cases, alongside frequent retraumatisation from the university response. I begin this section by defining how Smith and Freyd (2013) conceptualise institutional betrayal, and how this theory relates to a university setting. I then analyse several students' experiences of institutional betrayal following their disclosures of sexual violence. I start by examining Sydney's experience with her campus's student support office and the following student conduct case to explore how fear of heightened reports of sexual violence contributes to betraying those who notify the institution of its presence. I then examine Hailey's experience of transmisogyny that she endured from university police officers during her report of sexual violence, as well as her engagement with the university specialist sexual violence office, to highlight how perceptions of who belongs in the university informs institutional responses. The last experience on which I draw is that of Tamara, who experienced sexual harassment as a medical school resident and on whom staff members retaliated for making a complaint. Following these cases, I close this section by analysing different understandings of the relationship between the individual and the institution, and how this contributes to both the original conception of institutional betrayal that students experienced and institutional betrayal as a betrayal of the university that I posited above.

Smith and Freyd developed institutional betrayal as a concept through studying betrayal trauma theory, which “explains the unique posttraumatic sequelae of traumatic experiences that involve betrayal as stemming from the maintenance of attachment relationships necessary for survival” (2013, p. 119). In other words, betrayal trauma theory focuses on how harmful actions from people a victim trusts—and upon whom they need to rely for their continued safety and/or wellbeing—further harm said victim. While betrayal trauma theory focuses on interpersonal trauma, institutional betrayal moves the site of betrayal from an individual to a trusted institution: Smith and Freyd assert that,

> *betrayal trauma theory would predict that sexual assault occurring in a context where one’s safety is dependent upon an institution (e.g., the military) would be associated with more difficulties as one continues to try and function in that environment (e.g., continue to serve in the military). (2013, p. 120)*

While the authors use the military as a key example of an institution upon which its members rely for safety, the relationship between students and a university makes the university a comparable institution. Traditional full-time undergraduate students will be in university for three or four years minimum, and much longer for postgraduate research students. Universities are often not only places to study, but also places where students live and socialise, and therefore require a degree of safety and security comparable to a healthy home environment. When a university fails to protect and support its students, the resulting damage can exacerbate the initial harm of sexual violence, as “sexual assault occurring in a context where an important institution acts in a way that betrays its member’s trust will be especially damaging” (Smith & Freyd, 2013, p. 120). In the following cases, this betrayal looked different, but the effects were the same: Sydney, Hailey, and Tamara all felt discarded and/or further harmed by their respective universities following their disclosures of sexual violence.

Sydney, as discussed above, was hesitant to pursue a student conduct case against her assailant. She felt there was a divide between how staff members felt for her and how they treated her assailant:

> *I felt like the lady I talked to at Campus Life who, you know, I was like crying in her office, she wanted to help. She's like, 'well you could do a hearing.' I think like in the back of her mind, she knew that—like I got the sense that she knew that… nothing was going to come of it…Afterwards I just remember feeling like extremely set-up, like I went through all of that again, talking through everything again and it was for nothing. [quiet laugh in disbelief]*

While she understood that the staff member with whom she spoke at the Campus Life office had good intentions and wanted to support her, Sydney also felt like this staff member was well aware of the (high) probability that even if she were to pursue a student conduct case, her assailant would be found not responsible, which is what ultimately happened. Since the staff member did not inform Sydney of this possibility, she felt like the staff member suggesting a conduct hearing was a placating measure that resulted in more harm than good. Ultimately, Sydney had her hopes raised by this staff member only to have them dashed after having to recount details of her trauma to a conduct board that did not believe her. As discussed previously, however, other staff members at Sydney's university routinely acted in ways that protected the institution or her assailant: Her swimming coach wanted her to transfer upon disclosure, and the athletics administrator would not allow her to discuss the sexual assault in their exit interview. That this is a pattern of behaviour across three staff members situated in different departments suggests that this betrayal was institutional, as opposed to several staff members acting as individuals in potentially well-intentioned but materially harmful ways.

Furthermore, beyond staff actions are structural discrepancies in conduct outcomes for Sydney's assailant: Although a conduct board found Sydney's assailant not responsible for sexual assault and he received no disciplinary sanctions in her case, she told me that "[h]e actually ended up being expelled the following year for something really stupid, like stealing." That a conduct board—using the same standard of evidence—expelled him for stealing after previously finding him not responsible of sexual assault suggests there are systemic issues in how the university treats cases of sexual violence. Sydney said that there was little physical evidence, so her case relied heavily on witness statements, including hers, his, and other people who were around the dormitory—which happened to be his roommates and best friends, who presented narratives that supported the assailant's own. She told me,

> *the witness statements were definitely skewed towards his narrative. And I think that really hurt me. [small laugh] But basically the whole hearing was…trying to prove that…he knew that he was doing something wrong. And I guess there wasn't enough evidence for that because of the witness statements and people more agreeing with his narrative… there was no evidence besides [witness] narratives. So it was like, I said this happened, he said this happened.*

According to Sydney, the conduct board appeared to unproblematically accept the statements of her assailant and his friends over her own account of the incident. Given that he was later expelled for stealing, this discrepancy in case outcomes suggests a systemic scepticism towards survivors, or a lack of belief in their narratives: Without physical evidence, it is not as easy to prove sexual violence as to prove robbery, though it appeared as if there were no processes in place to account for cases with little to no physical evidence, such as sexual assault. The absence of infrastructure able to work with only witness statements as evidence indicates that there is also an institutional devaluation of these cases. Ultimately, the differing outcomes of these cases imply that the university assigned differing levels of value and acceptability to each offence, and sexual violence appears to be the lesser-valued—and more acceptable—of the two.

Whereas Sydney's experience of institutional betrayal resulted from engagement with student life, the athletics office, and student conduct, Hailey's experience of institutional betrayal resulted from her engagement with campus police and the university's specialist sexual violence service. After a man she met online attempted to sexually extort her, Hailey, a trans woman first year undergraduate studying at an Ivy League university in the US, reported this to the university police. She told me that she takes issue with the fact that her university even has a police force, but was so panicked and terrified that she reported to them upon suggestion because she could not think clearly. As soon as the police arrived, however, things deteriorated:

> *immediately get misgendered the entire time, like asking me to relive the experience, like...very insensitive about it too, being like, 'damn, this is what happens when you meet up with strangers on the Internet, kids these days gotta be more careful.' ...And then someone interviews me, takes all my information, misgenders me again the entire time even though I repeatedly had told her, she repeatedly deadnames me—which my name wasn't in the system, but I was like, 'my name is Hailey, like I am Hailey. I know the name is different than the name on my ID.' And they were just like, 'okay, so [deadname],' and... like they just really hardcore interrogate me again, like victim-blame, are like, [imitating their condescension] 'damn, you should be more careful. You never know what's going to happen out there on the Internet,' like... [brief pause, speaking more slowly when she resumes] And then basically let me go.*

Instead of listening to her, the officers repeatedly misgendered and dead-named[32] Hailey, even after her continual corrections, and when they were not treating her like a suspect—with interrogation techniques—they were blaming her for someone attempting to extort her. This kind of hostile behaviour from police towards transgender people is not specific to this university's police, as there is a documented pattern in the US of police bias against transgender people seeking help (Stotzer, 2014). Dynamics between police and victims versus between universities and students are different, but when a police force works for a university, it becomes part of the university's response to harms against students. Although the university's police force is allegedly in place to protect the students, in Hailey's case, it exacerbated the trauma she experienced following the attempted sexual extortion.

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[32] Misgendering refers to a person's (un)intentional use of the wrong pronouns for someone, typically a trans person who has made their pronouns explicit (e.g. a trans woman asking for others to use she/her pronouns when referring to her, yet someone uses he/him pronouns for her instead). Dead-naming refers to the practice of refusing to call trans people by their chosen names and instead calling them by the names they were given at birth, which do not match their gender identity. When somebody intentionally misgenders or dead-names a trans person, it is an act of transphobic violence. Hailey's university did not have an option for her to use her chosen name and pronouns in university systems, so the officers would have seen her dead-name in official documents, but she repeatedly asked that they use she/her pronouns for her and call her by her chosen name, and they still refused to do so.

While university police acted violently towards her, Hailey also experienced institutional betrayal from her engagement with the university's specialist sexual violence office. When she was eventually able to get specialist sexual violence support from her university, Hailey was disappointed: She was placed with a trans male counsellor and felt like he had a difficult time empathising with her and that he wanted her to educate him on issues that trans women face, as opposed to helping her process the incident. She only went to one 45-minute session because she felt very uncomfortable; she did say that sessions tended to be offered once every other week over a limited number of weeks, but this could take time to start and was not a long-term solution. Though Hailey was a student volunteer with the sexual violence support office, her experience attempting to use its services as a survivor prompted her to quit this volunteering. When I asked her how she had anticipated the university would respond to her disclosure, she told me,

> *I think I expected like...I honestly expected better. [small laugh, kind of surprised at herself] … I was really surprised, because at that point, I was like one of [the sexual violence support office's] student minions who was like going to frats and trying to teach them to be like slightly nicer…. at the time we also were presenting on [the university's] sexual violence reporting system, and was super rosy from that, like, [mimicking a naïve voice] 'oh this is gonna be great. Like you'll immediately get support services, there's so many like dedicated staff members'—there are literally two… Like it totally surprised me I think, and was actually a big thing that motivated me to quit that work. I was like, 'oh this is not actually helping.'*

Hailey made sure to stress that the sexual violence workers were "both lovely people," but because "there's only two people for literally 10,000 people they tend to be overworked." Although her counsellor's attitude did not help the situation, she attributed her negative experience with the office less to interpersonal staff interactions and more to structural inequality: She understood that while the specialists had good intentions, the university not properly resourcing their office—not hiring more staff, not enabling current workers to meet with students on a regular and timely basis, and not training staff properly on dynamics of sexual violence in marginalised communities—ultimately worked to harm survivors more so than help them. Her sense of betrayal in this instance was perhaps exacerbated by her role as a student volunteer with the office, as she knew about the services that the office was advertising but found these were ultimately unavailable. Whereas the university police were openly hostile towards her as both a trans woman and a survivor of sexual violence, she had anticipated some of that hostility (she told me "[a]ll cops are bastards"), but was not expecting the specialist sexual violence office—with whom she volunteered—to make her feel unable to access their services. Since these interactions span two university departments, Hailey's experiences speak of a larger institutional culture that devalues sexual violence survivors, and trans women survivors in particular.

Tamara's experience diverges from both Sydney and Hailey's in a significant way because, when she made complaints about sexual harassment at two different universities, both people were found responsible through conduct boards, but this did not affect the sense of betrayal she felt. Tamara is a Black woman and the last chapter discussed her experience reporting the famous, grant-capturing, white Primary Investigator of her postdoctoral research fellowship; in this section, I analyse her experience of retaliation following her complaint of sexual harassment when working as a medical resident[33] at a small private research university hospital in the US. At this hospital, a more senior, white, female medical resident continually sexually harassed Tamara. Although a university conduct board found the more senior resident responsible for sexual harassment, Tamara's faculty members acted hostilely towards her for disrupting what she described as an institutional culture that accepted and normalised sexually inappropriate comments, and subsequently retaliated against her:

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[33] In the US healthcare training system, "[r]esidents are doctors in training. They have graduated from medical school, been awarded an M.D. degree, and now are training to be a particular type of doctor" (Komaroff, 2017, n.p.).

> *they wouldn't talk to me [before the investigation], and then even when the investigation showed that [the other resident] was guilty of sexual harassment, they started retaliating by giving me negative work performances because I remember one of the faculty members, she told me when she ended up being my advisor at a later point in time, she told me that, 'you know, your work performance in June of 2018, it wasn't based upon your evaluations at all. It was based upon the fact that you complained about sexual harassment.'*

In this instance, the behaviour of the faculty members overseeing her work constitutes institutional betrayal not because they all treated her poorly, but rather because they mobilised a coordinated effort to penalise her—through her work performance reviews—for making a complaint. This retaliation ultimately transformed individual inappropriate work conduct into a collective institutional reaction to her complaint. Of all the students who spoke with me, Tamara most clearly identified her experiences as institutional betrayal without using the term. In her comments to our initial interview transcript, she added the following analysis:

> *being gaslighted by Universities after reporting leads to further victimization than the original sexual harassment. You feel 'ok I have been sexually harassed on campus and that is bad. But then the University causes further harm by not being empathetic and not automatically believing you. The university is making your original sexual harassment wound deeper and longer to heal.'*

In the case of the medical residency, her university appeared to punish Tamara for challenging institutional culture through the creation of a hostile work environment and the unearned negative work performance reviews; as a result of this betrayal, she experienced further victimisation. Tamara’s experience demonstrates two things: Firstly, that institutional betrayal and finding someone responsible for sexual harassment are *not* mutually exclusive phenomena, as her sexual harasser did face some form of consequences following conduct hearings; and secondly, that survivors are aware that institutional responses can exacerbate the initial instance of violence. In her comments on the transcript, she also shared that she was currently on leave from the university hospital because the institutional responses incited PTSD. Institutional betrayal ultimately has material consequences.

Institutional Betrayal, Student-University Relationships, and Neoliberal (Il)Logic

Beyond institutional betrayal, what Sydney, Hailey, and Tamara all share is the experience of their university failing to uphold its part of the relationship between students and itself: Sydney expected staff to listen to her and support her through disclosure, Hailey expected to be supported by campus police and the sexual violence specialist response office, and Tamara expected senior faculty members to not penalise her for making a complaint. What makes the behaviour "institutional" in each of these three cases differs slightly: For both Sydney and Hailey, the breadth of unsupportive responses across multiple offices (i.e. the athletics department, Campus Life, and student conduct in Sydney's case, and university police and the specialist sexual violence response office in Hailey's case) indicates that there is a larger culture of devaluing survivors of sexual violence at their respective universities. For Tamara, on the other hand, the betrayal was localised to her immediate senior faculty members, but in these faculty members working together to give her unwarranted negative work performance reviews, they changed individual hostile behaviour to retaliation through her job, which would make it more difficult for her to succeed within the hospital. What these experiences indicate is students' desire for their universities to not only treat them fairly, but also to protect and advocate for them when necessary. Institutional betrayal—and university responses to sexual violence more broadly—ultimately reflect different understandings of the relationship between an individual and an institution. This relationship begs the questions of what an institution (e.g. university) owes to its members (e.g. students), and what an individual member owes to an institution.

In attempting to make sense of how universities frame their relationships with their students—integral for deconstructing institutional betrayal—I turned to the study of neoliberal higher education, as discussed throughout the previous chapters. Based on student interviews, I argue that universities apply neoliberal logics unevenly, and this uneven application becomes visible in universities’ relationships with their students. Universities use neoliberal modes of thinking when it comes to marketisation, competition, and the withdrawal of (pastoral) care, and, in framing sexual violence disclosures as a threat to and therefore betrayal of the institution, universities implicitly encourage students to not make complaints about sexual violence so as to not ‘devalue’ the university and thereby their own degree. The contradiction in universities’ application of neoliberal logic, however, arises when unpacking the tension between resourcing and loyalty: In embracing resilience discourses—which reflect the individualisation inherent in neoliberalism by claiming that “we are…able to thrive or fail as a result of our own individual actions, traits and determination” (Webster & Rivers, 2018, p. 525) regardless of structural disadvantages—universities offer fewer support resources for students and instead push a self-help narrative (Webster & Rivers, 2018). Despite providing few resources for students and encouraging them to rely on their own resilience, universities still expect individual students to do whatever is in their power to protect the university. In other words, the university expects devotion from its students in exchange for very little in return. The implied individual sacrifice universities require of a student, notably a sexual violence survivor, for the sake of the “greater good” of a positive institutional reputation goes against everything neoliberalism, as a hyper-individualistic philosophy, promotes. This dynamic reveals the limitations in how universities apply neoliberalism: Under pure neoliberalism in marketized universities, students-as-consumers would have a significant amount of power due to said consumer status, but this is not the case in practice. University leadership thus only applies neoliberal logic to benefit the institution and its profits, not those (i.e. students) whom the institution purportedly serves.

It is important to note that not all students are powerless across the board under this application of neoliberalism, as the previous chapter illustrated. Some students do have power, but this power does not come from their position as a consumer in a marketized university, otherwise all fee-paying students would share that powerful status. Students' power comes in part from their power/value relations (Phipps, 2018), or the intersection of their identities both within (e.g. Division I athlete, rising star Ph.D. student) and outside (e.g. gender, race, class, disability, etc.) of academia, as described in the last chapter. For student survivors who face marginalisation from existing social structures, like white supremacy or cisgender heterosexual patriarchy, their existing status as marginalised in society at large only serves to further marginalise them within the university. For example, Hailey, the trans woman who attended an Ivy League university, told me that her professors "'already don't think I belong in academia.' I've already had professors literally refuse to write me letters of recommendation because they're like, 'trans women—like you need to deal with your gender stuff before you can become an academic.'" This experience highlights how existing marginalisation in wider society is inseparable from treatment within academia based on ideas of who belongs there, and for whom universities work (Ahmed, 2020).

In addition to these power/value relations, I argue that what makes someone powerful in academia is what they can contribute to the university in terms of positive reputation. Interviews with student survivors revealed that reputational power is not confined to one population within universities: Both students and academics have access to this power, as demonstrated in the previous chapter by the differing types of value student and staff perpetrators had, which ranged from athletic ability to grant capture to subject matter. This form of power makes those who threaten the reputation of the university, such as complainants of sexual violence, simultaneously powerful enough to harm the reputation of the university and rendered powerless through university processes to discard them. In a neoliberal higher education context, reputation becomes the most valuable form of currency—even over income, as a positive reputation can facilitate the accrual of wealth (Phipps, 2018). For Sydney, Hailey, and Tamara, their disclosures of sexual violence threatened the reputation of their respective universities, and staff and colleagues therefore not only treated *them* as traitors for reporting, but also were able to more easily betray them. Since both Hailey as a trans woman and Tamara as a Black woman do not fit the mould of who "deserves" to be in white cisgender academia, staff turning on them was possibly even easier than it would have been for them to turn on Sydney, as both a white woman and an elite recruited athlete.

Given the differing conceptions of the relationship between institution and individual, and the power of reputation in neoliberal higher education, I want to return briefly to Sydney, Hailey, and Tamara to examine the implications of institutional betrayal. While students want their university to support them following incidents of sexual violence, the university often under-resources support units and promotes discourses of resilience (Webster & Rivers, 2018), yet—defying neoliberal logic—appear to expect unwavering loyalty from students to the university. Loyalty in this case appears in the form of protecting the reputation of the university; since universities conceptualise sexual violence disclosures as damage to the institution (Ahmed, 2020), those who report sexual violence are not only threatening the reputation of the university, but are also traitors. Once universities frame sexual violence and complainants in this way, staff can treat them as aggressors, which in turn leads to the betrayal of the complainants by the university and its staff (or, Smith and Freyd's (2013) concept of institutional betrayal). For Sydney, this betrayal took the form of a concerted effort across multiple departments to dissuade her from discussing the assault, and ultimately finding her assailant not responsible in a conduct case; for Hailey, campus police treated her as the problem instead of the man who attempted to sexually extort her, and were transmisogynistic in the process, and the specialist sexual violence response office was too under-resourced to support her; and for Tamara, even though conduct boards found both of her harassers responsible, senior faculty members retaliated against her as if she herself was the traitor for making a complaint, which caused her to take leave due to PTSD. Ultimately, through varying perspectives on institutional betrayal or a perceived betrayal of the institution, universities in my sample tended to respond to student complainants of sexual violence in ways that further victimised the students. The next section will analyse students' self-described feelings of naïveté in engaging with their universities following sexual violence reports.

Feelings of Naïveté Following Sexual Violence Reports

In addition to experiencing institutional betrayal, student reporters of sexual violence often described themselves as "naïve" in their initial interactions with their universities. Institutional betrayal and naïveté both reflect the differing expectations students and university leaders hold regarding the relationship between the individual and the institution detailed in the previous section. Although not all students who experienced institutional betrayal reported feelings of naïveté, of those who did report feeling naïve, all had also experienced institutional betrayal. Returning to the theme of institutionalisation (Meyer & Rowan, 1977) and symbolic structures (Edelman, 1992) briefly introduced earlier in the chapter, I make the following two-fold argument: first, that the available infrastructure in universities signals the university's ability to support survivors, and second, that this infrastructure is embellished or symbolic, which in turn can produce an added layer of shame in survivors that appears as feeling naïve for thinking the university would protect them. This section expands scholarship on institutional betrayal by theorising the affective experience of survivors, which mainstream studies tend to overlook by focusing solely on structural impediments. Institutional betrayal, as growing out of betrayal trauma theory, should engage with the emotional experiences of survivors because of its inherent focus on trauma, yet the literature often foregoes such an analysis. In what follows, I discuss the self-reported feelings of naïveté of Robin Goodfellow[34], a white non-binary student in England who did not want to report to the police, but whose university did not know how to otherwise handle sexual violence complaints; and of Marie Tharp, a white female Ph.D. student, and Tamara, a Black female postdoctoral research fellow and medical school resident in the US, following their initial meetings with their respective universities' Title IX offices. Robin Goodfellow, Marie Tharp, and Tamara's experiences demonstrate how the presence of symbolic structures in university sexual violence responses enables feelings of naïveté following engagement with said structures, and indicates an infrastructural failure.

Robin Goodfellow's case is unique in my English student sample because they reported sexual violence to their university at the start of the repeal of the 1994 Zellick guidance. As discussed in the first findings chapter, this guidance directed universities to instruct students to report sexual violence to the police; only after this police report could universities conduct their own internal investigations (NUS, 2015). Robin reported their experience during their second year of undergraduate study at a small collegiate university in December 2015 and attempted to access university support through the spring of 2016. Universities UK officially began reviewing the Zellick guidelines in March of 2016, though the National Union of Students had been campaigning for its repeal since November 2015 (NUS, n.d.). Their university, however, had not begun creating alternative intra-university sexual violence response options despite the aforementioned NUS campaign. Robin did not want to go to the police and wanted the university to handle it internally, so they contacted their Students' Union welfare officer, who directed them to the dean of the university. At first, they were hopeful that the dean could help them:

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[34] Robin Goodfellow, the full name, is the pseudonym that this participant chose and a Shakespeare reference; I will reiterate it at the start of their section, and then refer to them only as "Robin."

> *I emailed him and I was like 'hey, this happened. Can we do something?' And he emailed me back, 'yes please tell me everything.' So [laughs] I, being a hopeful and optimistic [laughs again] naïve child, was like, 'okay I will.' So I emailed him like, 'here is exactly what happened.'*

Robin eventually set up a meeting with a college welfare staff member in February 2016 following the advice of the dean, with whom they continued to exchange emails. They paraphrased this staff member's response to their disclosure as follows:

> *she said, 'why don't you report it to the police?' And 'oh, but you've started taking antidepressants now, so you'll be fine,' which was a separate thing. [small laugh] Like I was already seeing a doctor for depression before any of it and she was like 'oh but you've been prescribed a thing so you'll be fine, and we don't need to see each other anymore.'*

In the context of the Zellick guidance, it makes sense that this college staff member's initial response to Robin's disclosure would be to suggest that they report to the police. Since efforts to repeal the guidance were underway at the time, however, this suggestion appears out of touch with the sector. Furthermore, since Robin did not want to go to the police and was uncomfortable speaking with college staff following this meeting, the welfare staff member emailed the dean and told him the case was closed. Robin later found out that "my disclosure was the first one where they were like, 'you don't want to go to the police and we can't make you, so what do we do?'"

Instead of putting in place university response systems that would work following Zellick's repeal, in Robin's case, the dean of the university and college welfare staff appeared to follow outdated guidance that left Robin without university support following their disclosure. That a Students' Union welfare officer could direct them to someone whose job nominally included sexual violence response initially raised their hopes that the university could help them. These initial feelings of hope evaporated once Robin realised their university did not have internal response options, despite updated guidance that directed universities to do exactly that. Robin not only felt frustrated with the response from staff members who were used to operating under Zellick guidance, but also duped: The use of “naïve” in describing themselves at the start of this interaction indicates a sense of foolishness for believing that the university was able and willing to help them without resorting to old guidance that worked to limit institutional liability more than support survivors (NUS, 2015). When staff members revealed themselves to be unable to effectively support them—despite the nominal presence of this support—Robin was the one who ultimately felt embarrassed for hoping otherwise.

Whereas the staff members and offices that could support Robin did not exist exclusively for sexual violence response, Title IX offices do exist to prevent sex-based discrimination in education, including sexual violence, and this discrepancy between the purpose of the office and their lived experience accessing it ultimately produced self-described feelings of naïveté in both Marie Tharp and Tamara’s cases. Both women were early career researchers, as previously mentioned—Marie Tharp a Ph.D. student, and Tamara once a postdoctoral research fellow and then a medical resident—who made complaints of sexual harassment to their respective universities. When I asked Marie Tharp what she thought her university’s response to her disclosure would be prior to reporting, she said, “I thought, [laughs] which I now see is extremely naïve, I definitely thought that they would do something a lot faster… [Title IX staff] said all these things that kind of…made me think [laughs] things would be different.” Tamara, on the other hand, described her own act of reporting as naïve. When I asked why she disclosed her experiences of sexual harassment to both universities, she told me, “Yeah so I think part of it, naïveté [laughs]. Like being naïve. Because actually most women don’t report.” Tamara had explained earlier in our conversation what, exactly, made her feel naïve, and it was her first interaction with each Title IX office:

> *in both situations I felt like [the staff] were cold because I think the people that you first interact with at [University Y] and at [University Z] is a lawyer and their purpose is really just to kind of talk to you to figure out whether or not you may have a case against that university at a later point in time.*

As discussed at length in this chapter and the previous chapter, neither woman had a positive experience of their university's response: They both faced retaliation for reporting, while Marie Tharp's Title IX office viewed her request for a stricter no-contact order with her stalker as her being difficult, and Tamara ended up taking leave from her medical residency for PTSD caused by the retraumatising response process. Both Marie Tharp and Tamara thought that having a visible office for handling sexual violence meant that university staff would support them, yet this—like in Robin's case—was not what happened.

Institutional Embellishment, Symbolic Structures, and the Production of Naïveté

I argue that in all three cases, survivors' reported feelings of naïveté are the result of institutional embellishment or symbolic structures (Edelman, 1992). I analysed the presence of both phenomena in the first findings chapter as manifestations of universities protecting their reputations over student wellbeing; at this juncture, I move from a structural analysis to an affective analysis to show how the presence of these structures evokes feelings of naïveté, and why such an analysis matters. Institutional embellishment, my originally-developed concept, refers to the work that universities do to appear as if they are responding to sexual violence—often through the presence of nominal offices—without doing the necessary work to support survivors. Universities engage in institutional embellishment to gain reputational currency by appearing to handle sexual violence well. Whereas universities utilise institutional embellishment to enhance their public perception, organisations utilise symbolic structures (Edelman, 1992) to appear as if they have achieved legal compliance without significantly changing their internal processes; though institutional embellishment can take the form of symbolic structures and they can overlap, these slightly varying end goals differentiate the two concepts. Organisations often implement symbolic structures in ways that benefit themselves as opposed to the law's intended purpose (Edelman, 1992), and universities' use of Title IX reflects this: Instead of Title IX ensuring there is no sex-based discrimination in education, including sexual violence, universities such as Marie Tharp and Tamara's can use Title IX offices as ways to minimise their own liability. The presence of the office prevents students from alleging institutional negligence, yet what that office actually does may not be what the law requires.

As mentioned in the first findings chapter, due to the policy contexts of England and the US regarding university responses to sexual violence, England tends to engage in institutional embellishment because national guidance focuses on promoting best practice while the US engages more frequently in the creation of symbolic structures because national guidance takes the form of legal mandates. Given this, it is possible to frame Robin's experience as attempting to seek support from structures whose respons(ability) to help students was significantly embellished, while Marie Tharp and Tamara came up against the symbolic structure of their Title IX offices, there in name for survivors but in reality for the university. What both mechanisms share is the ability to instil feelings of naïveté in student survivors: The appearance of offices, staff members, or other resources to nominally help students after sexual violence gives students confidence that their university can do *something* to support them—as discussed earlier in this chapter—but when students uncover that these offices or resources are more window-dressing or mechanisms to protect the university and not meant to be utilised for their purported role, students can feel tricked for thinking their university would care for them. It is ultimately this façade of care, facilitated by the presence of embellished or symbolic offices, that leads survivors to describe themselves as naïve. In attempting to protect itself legally or promote a positive public appearance, the university also raises survivors' expectations of support only to dash them later. In examining university responses to sexual violence disclosures, it becomes clear that the structural and the affective are linked: This linking of structural and affective analysis is significant because it reveals that universities who, on paper, appear to be complying with federal mandates or suggested best practice guidance by purportedly having these offices are directly responsible for retraumatising students because of how they put into practice such guidance or mandates. In other words, universities—through these symbolic forms of compliance and/or response performance—are enacting harm on the very students that national guidance seeks to protect. In this last section, I continue to explore the linkage between the structural and the affective to analyse how universities disassociate student reporters of sexual violence from themselves.

Disassociation of the Survivor from the University

Thus far, I have discussed the experiences of student survivors both prior to and after reporting sexual violence to their universities: First, many students had trouble finding where they should report; once they uncovered this information, they initially felt a sense of relief and confidence that their university could support them; upon prolonged engagement with the reporting office, however, several students realised that their universities framed them—and not their assailants—as the problem; in becoming said problem, universities subsequently treated reporters in ways that betrayed their trust; and some students, in working with embellished or symbolic offices, admitted to feeling naïve for expecting their university to help them through the aftermath of sexual violence. This last section of the chapter analyses the chronological end-point of university responses to sexual violence, that of the university disassociating the survivor from itself, or no longer recognising the survivor as part of the university. I briefly introduced this idea at the end of the previous chapter in discussing how dynamics of speaking, hearing, and legitimacy enable universities to discard less "valuable" survivors in cases where their assailants offered more to institutional reputation (e.g. better athletic performance, significant research funding). I now argue that universities disassociating survivors from the institution—or refusing to recognise reporters as members of the university community—is the natural result of university staff perceiving sexual violence complaints as both damaging and a betrayal on the part of the complainant. Universities disavowed student survivors in my sample in two main ways: cutting them out and kicking them out. "Cutting out" refers to university members disavowing reporters although the reporters stayed in the university, while "kicking out" refers to students' (in)voluntarily exiting of the university following their reports. Since I detailed how both Sydney and Marie's universities made them (in)voluntarily leave following their reports of sexual violence in the previous chapter, which represents the latter form of disassociation, I will not re-state these cases here. Instead, I focus on disassociation as a "cutting out" of the survivor, or what happens when the complainants stay in the university but the university no longer welcomes them. In what follows, I discuss how staff and/or colleagues at their respective universities cut out both Dawn, a white female Ph.D. student at a large public research university in the US, and Grace, a white female first year undergraduate student at a mid-sized collegiate university in England, following their reports.

Dawn's experience is emblematic of the power of departmental culture in estranging survivors. She described her department, social work, as "male-driven" and "a boys' club," despite it being a traditionally feminised discipline because of its proximity to care work. She herself was adjacent to sexual violence: A student brought a Craigslist posting to her colleague's attention, the subject of which was Dawn's Ph.D. supervisor marketing himself as a hot professor looking for students to have sex with him (photographs of his genitalia included), and her colleague, knowing this was Dawn's supervisor, told her. Dawn did not want to formally make a complaint about her supervisor for this incident or go to her department; she did not want to "embarrass him," and she simply wanted to switch supervisors. Her supervisor found out she knew. Dawn approached the graduate ombudsman, who was a mandatory reporter, and who directed her to Human Resources. Human Resources then prevented her from having further contact with her supervisor. Things deteriorated from there: In order to switch supervisors, she needed to have a meeting with her current supervisor and explain why, and then have the program director approve it. Dawn described the situation as follows:

> *So I was in this... holding position, this really awkward holding position because... I knew that he knew, it's a boys' club, I knew that all of the other professors that he was friends with—including the program director—knew, so I'm walking around like tiptoeing. I don't really want to be here because I don't feel safe.*

This boys' club in the department became hostile towards Dawn. The program director avoided meeting with her and staff spread rumours about why she was changing supervisors to make it appear as if she was the issue, not her supervisor's online conduct. When she approached another faculty member with whom she had a positive working relationship to ask if she could supervise her, Dawn said this faculty member responded by saying, "[sounding skeptical] 'umm…okay. Of course I'll be your [supervisor], we've been working together forever, and I like your ideas… But is what happened between you and that professor gonna happen to us?'" Despite not being a member of this "boys' club," this female professor had heard that it was Dawn who was responsible for the rift between her and her supervisor, and Dawn's credibility as a Ph.D. student suffered as a result.

Dawn ultimately switched supervisors after explaining the situation briefly to this professor and continued on in her program, but as a departmental outcast. In attempting to protect herself, Dawn became a site of scorn for her department because she breached an unspoken contract that assumed all department members would remain quiet about unflattering (or outright harmful) behaviour, especially if it involved someone in the department's inner circle. Her experience reflects Ahmed's theory that "the complainer becomes a foreigner" (2020, n.p.): When Ahmed speaks of foreigners in the university, she refers to the perceived failure or refusal of a complainant to assimilate into institutional cultures that normalise sexual violence (2017c). In making formal complaints about sexual violence or otherwise reporting it, students reject the presence of sexual violence as acceptable, and mark themselves as outsiders; in this marking, complainants confirm judgements that they are not members of the university (Ahmed, 2020), which makes it possible to turn complainants' rejection of sexual violence into an institutional rejection of—or disassociation from—the complainant. For Dawn, this foreigner behaviour involved violating institutional norms because she refused to continue working with her supervisor after discovering his online harassment; in this refusal, staff saw her as "other" and therefore no longer as an acceptable member of the department.

Whereas academic staff were responsible for cutting Dawn out after drawing attention to her supervisor's online harassment, it was administrative staff that cut Grace out of the investigation of her own case. I have discussed Grace's case in findings chapter two relating to how the structure of collegiate universities hinders their responses to sexual violence; I draw on her experiences here not to analyse structural impediments but rather interpersonal dynamics. A flatmate assaulted Grace and she wanted to make a complaint about this, but there was nobody serving in the role of the main pastoral care staff member in her college, to whom she would have reported if someone was available. Since there was no replacement in this role at the time of her assault, she reported to the next visible college staff member, who happened to be the head of her college. She found his response to be wholly unsupportive and unconcerned. He refused to move the perpetrator out of their shared flat in college accommodation during the investigation, even when Grace expressed fear for her safety, but most notably for this discussion, the head of college cut her out of the investigation in which she was the complainant. He did not ask for her account of what happened and did not communicate the outcome to her:

> *I thought I'd have to share information for them to do an investigation. But I didn't. Other people in my flat did. I think they just went off things I said to other people, which I thought was a bit—I actually wanted to give them information. But then they didn't tell me when they'd finished the investigation, they didn't tell me 'this is the outcome of this investigation.'*

This cutting off of Grace from her own investigation went beyond the conduct of the head of college and included those responsible for handling sexual violence reports at the university level. She did not know the details of the investigation or the resulting no-contact order[35] against him until she explicitly asked for them from the university contact, as Grace told me, "it wasn't until I emailed and asked…'are you still investigating this? Did you do an investigation? Has it finished? Did you do anything about it?' Had to ask for that information myself. They didn't give me that." According to her university's student conduct web page, none of these actions follow student conduct guidance.

These actions demonstrate not only how staff members cast Grace out from the university community, but also removed her from participating in her own case. She theorised this could possibly be the result of her assailant's parents threatening the university with telling media outlets that the university was not looking out for their son's mental health if staff did not protect him; she told me that she was not supposed to know this information but she did. If this was the case, then in the eyes of university and college staff, Grace becomes a traitor to the university for opening it up to reputational damage. Viewing Grace as a traitor would make it easier for college and university staff to see her needs as less important as her assailant's, and subsequently would make it easier to prioritise appeasing the assailant's parents in order to protect the university's reputation. Grace ultimately did not leave the university—and her assailant did not either; he was merely transferred to a different college in the same university and given a no-contact order, which prevented him from interacting with her and areas of campus that she regularly accessed.

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[35] A no-contact order is a less stringent restraining order that is often used in university sexual violence cases and limits where people involved in the case can go so they do not interact with each other.

Whereas Sydney and Marie's experiences (in)voluntarily leaving their respective universities detailed in the last chapter show how the institutional rejection of—or disassociation from—sexual violence complainants manifests in the (in)voluntarily exiting of the survivors, Dawn and Grace's experiences demonstrate how disassociation from the university can still occur while the complainant remains. Taking these four cases as a whole, it is possible to see that there is not simply one reason why universities turn complainants of sexual violence into institutional strangers: For Sydney and Marie, their respective universities appeared to prioritise the value of their assailants—a successful Division I swimmer in Sydney's case and a maths PGCE student in Marie's case—over their safety, while Dawn inadvertently challenged her departmental culture to become a foreigner (Ahmed, 2020), and Grace 'betrayed' her university by opening it up to reputational damage through her assailant's parents threatening negative press. What emerges in looking at all four experiences is an image of US and English universities not only failing to support some of their most vulnerable students, but also actively rejecting them because of the threat they pose to institutional reputation. This ultimately indicates that if students are unwilling to protect its reputation, they do not belong in the university.

Conclusion

This chapter critically discussed student survivors' experiences of US and English university responses to sexual violence disclosures. I attempted to present these experiences on a timeline, which began prior to students' decision to report, moved to finding where they could report, and then concluded with an extensive discussion of the various aftermaths of reporting. In order to most accurately showcase my data, it was necessary to start this analysis before students reported. Many students in my sample indicated that they had difficulty finding the correct office or staff member for reporting sexual violence, which is significant because it indicates two notable things: first, that university reporting processes are not advertised in ways that are accessible; and second, since reporting information is so difficult for survivors to find, it can limit the number of complaints of sexual violence the university receives, which in turn makes it appear as a safe and therefore a desirable place to study for prospective students and families. In this way, inaccessible reporting information can serve as a mechanism of institutional airbrushing (Phipps, 2018).

Upon finally uncovering the correct information about where to report, many students expressed an initial sense of relief or confidence that their university would be able to support them. This relief and/or confidence was short-lived, however, as students continued to engage with university staff: Instead of finding support, many complainants found that staff treated them—and not their assailants—as if they were the problem. I argued that a new framing of institutional betrayal (Smith & Freyd, 2013) as a betrayal of the institution helps explain this phenomenon: Since universities interpret sexual violence as potential institutional damage (Ahmed, 2020), anyone who reports it inherently threatens the reputation of the university. As a result, it is not the existence of sexual violence but rather the public knowledge of sexual violence that harms universities (Phipps, 2018), and thereby it is not the assailant who is a problem, but rather the complainant.

While this betrayal of the institution could explain why universities respond in ways that situate complainants of sexual violence as the problem, students frequently reported experiences of traditional institutional betrayal, in which their university—as a trusted institution—responded to their disclosure in ways that violated their trust and compounded their initial trauma (Smith & Freyd, 2013). This betrayal took different forms, such as unsupportive or silencing behaviour that spanned multiple departments within the same universities, or a coordinated effort in one department to retaliate against someone (i.e. Tamara) for making a complaint about sexual harassment. Although not all students who experienced institutional betrayal reported a sense of naïveté following their disclosure to their university, all students who reported feeling naïve also experienced institutional betrayal. I posited that this affective response is directly linked to structures universities put in place to appear as if they have the necessary infrastructure to support survivors, when in reality these offices are examples of institutional embellishment, meant to appear positive but ultimately unable to fulfil its nominal purpose, and symbolic structures, meant to signal legal compliance without changing the internal dynamics of an organisation (Edelman, 1992). This affective analysis extends scholarship on institutional betrayal by further highlighting the impact infrastructure can have on traumatised students. The chapter closed with a discussion of how universities reject complainants of sexual violence as members of their communities by disassociating the complainants from the institution. This disassociation occurs because university staff and/or colleagues perceive their complaints as a threat to the reputation of the institution, and again see this threat as a betrayal of the institution and a breach of the relationship between the individual and the institution. Ultimately, this chapter analysed how the structures and staff responses described in earlier chapters impact students reporting sexual violence through connecting the structural, institutional, and affective strands of this research. The next and final chapter is the conclusion, which summarises my main findings, demonstrates how I answered my research questions, and addresses the implications of this research for future scholarship and university practice.

Conclusion

When I began this thesis in autumn 2017, I sought to analyse how universities in the United States and England respond to student disclosures of sexual violence, and what underlying discourses enable these responses. I chose to do a comparative study because universities in both countries have similar student demographics and sexual violence victimisation rates, yet differ drastically in response models: The US has a mandatory legal framework through Title IX that all universities must follow, while England then—and now—lacks a standardised national response. This thesis therefore asked the overarching research question, how do some universities in the US and England respond to student disclosures of sexual violence? In seeking this answer, I also asked the following three sub-questions: 1) How do national policies and guidance in the US and England conceptualise sexual violence and sexual harassment? 2) How do university support service providers (e.g. Title IX Coordinators or student welfare staff) perceive and navigate their university's response to student disclosures of sexual violence? 3) What are student survivors' experiences of university responses to disclosures of sexual violence in the US and England?

The previous five findings chapters analysed of a selection of US and English university responses to student disclosures of sexual violence. These chapters offered critical discussions of university responses from several perspectives, notably a structural perspective that accounts for national policy and guidance, an institutional perspective that details how staff respond to sexual violence within their universities, and a subjective perspective that illustrates how student survivors experienced their universities' responses to their disclosures. In conducting this multi-level analysis, I conclude that universities in both the US and England respond to student disclosures of sexual violence by prioritising university reputation over student survivor wellbeing. While this prioritisation of reputation appears different in each country, as the respective policy context enables different response mechanisms, the end result is the same: the revictimization of vulnerable students whom the university either figuratively or literally dispels as members of its community.

In what follows, I first briefly summarise each findings chapter and show how I have answered my research questions. Due to the considerable overlap in the answers to my research questions, I organised my findings chapters according to theme instead of according to research question; I therefore make explicit where each answer is in the body of this thesis. Following the summary of my main research findings, I also address the implications of this thesis before detailing its limitations. After I acknowledge its constraints, I then highlight how this research contributes to existing literature on sexual violence in universities. I close the thesis by highlighting implications for future research and offering recommendations for best practice.

Main Research Findings

Chapter One

The first findings chapter analysed the policy and/or guidance context in the US and in England with regards to sexual violence response in universities, and how these contexts are conducive to institutional responses that prioritise protecting the university over supporting students. In order to understand the policy context in each country, I conducted critical discourse analyses of the 2011 Dear Colleague Letter in the US, which makes explicit how the federal Title IX law covers sexual violence and harassment, and the 2016 Universities UK *Changing the Culture* report, which suggests good practice for responding to sexual harassment and violence. In analysing word choice, connotation and denotation, and structure—alongside existing power dynamics, as described by Fairclough (1992)—I determined each document's conceptualisation of sexual violence and also universities' relationship to it: The Dear Colleague Letter in the US positions sexual violence as sex-based discrimination under Title IX and therefore a violation of students' civil right to education

(Ali, 2011), while the Universities UK *Changing the Culture* report conceptualises sexual violence as something that harms universities and thus universities should actively try to improve their responses to it. These analyses answer the first sub-question to my overarching research question, which asked how policy documents in the US and England conceptualise sexual harassment and violence.

Following policy discourse analyses, chapter one of my findings explored three mechanisms by which universities in my sample protected themselves and their reputations: Institutional airbrushing (Phipps, 2018), my originally-developed concept of institutional embellishment, and symbolic structures (Edelman, 1992). In my sample, there was a significant geographic split in mechanisms—which I attributed to the policy context—as US universities tended to employ institutional airbrushing and the use of symbolic structures while English universities tended to engage in institutional embellishment. I argued that the Dear Colleague Letter heightened institutional responsibility to prevent and respond to sexual violence in positioning it as a civil rights issue, and, due to this increased responsibility, US universities had a vested interest in erasing incidents of sexual violence; this erasure translates to the use of institutional airbrushing, Phipps's (2018) concept that describes how universities invisibilise "blemishes," such as sexual violence, not by materially changing culture or policy, but rather hiding it from public view in order to remain marketable.

On the other hand, since England does not have legal mandates but rather suggestions for good practice in responding to sexual violence in universities, I argued that English universities in my sample often engaged in institutional embellishment. Institutional embellishment is my newly-developed concept that reflects performative university responses to sexual violence enacted in an attempt to improve institutional reputation. Whereas institutional airbrushing (Phipps, 2018) attempts to show the university as free from sexual violence, institutional embellishment attempts to show the university as a leader in responding to it, usually through the creation of nominal offices which suffice for action regardless of whether they are fit for purpose. I see institutional airbrushing and institutional embellishment as two sides of the same coin since the end result is the same: an improved reputation for the university as either a safe place where sexual violence does not occur (i.e. institutional airbrushing) or a place that acknowledges the reality of sexual violence and appears to actively tackle it (i.e. institutional embellishment).

Lastly, chapter one explored the notion of Title IX as a symbolic structure (Edelman, 1992). Edelman (1992) describes symbolic structures as the outward appearance of legal compliance without the corresponding inward process change that would enact what the law requires. This type of symbolic implementation prevents a US university from negligence or non-compliance lawsuits—and therefore positions the university as a rule-abiding institution—while enacting a version of guidance that best suits the institution as opposed to the students it is meant to protect. Ultimately, through policy discourse analysis and interviews with staff and students, chapter one presented three mechanisms by which universities protect themselves and their institutional reputation over their students: institutional airbrushing, institutional embellishment, and symbolic structures.

Chapter Two

While chapter one demonstrated what it looks like when universities protect their institutional reputations over survivor wellbeing, chapter two analysed exactly how universities enact these responses. It began a two-chapter-long discussion of the structure versus agency debate in organisational studies, which asks whether the structure of organisations or the actions of the people populating them drives change within organisations; this chapter focused on structure while chapter three focused on staff agency and (in)action within universities. Drawing on interviews with university staff and student survivors, chapter two argued that the structure of universities impedes survivor-centric responses to student disclosures of sexual violence.

The chapter began by analysing how decentralised infrastructure works in sexual violence response; while centralised infrastructure in my sample also worked to prevent survivor-centric responses, staff and students in both the US and England identified decentralised infrastructure as a significant issue. Decentralised infrastructure often appears as silo-working, or offices working without communicating and without clear communication channels between them; students attending decentralised universities typically have to find and access multiple offices in order to get the resources they need, as opposed to finding a single office that acts as the point of contact and helps facilitate student reporting and accessing of support from different areas of the university. I argued that decentralised infrastructure impedes survivor-centric responses in two significant ways: by harming students and by protecting the university. Decentralised infrastructure harms students through making it unclear where they can report or access help: If the signposting to offices is opaque or absent, it can prevent students from finding where they can make a formal complaint or get the support they need. It also protects universities by limiting the number of formal sexual violence complaints: If students cannot find where they need to report, there is a greater chance that they will not report, which in turn makes the university look as if fewer cases of sexual violence occur there than actually do. This benefits the university by making it appear like a safe place, which is attractive to prospective students and families.

Decentralised infrastructure was present in both my US and English university samples; I subsequently discussed context-specific structural impediments, namely collegiate universities in England and Title IX responsible employees/mandatory reporters in the US. Collegiate universities, or universities where there are contributing colleges with varying degrees of autonomy under the overarching university, are the most decentralised form of infrastructure; students and staff at these universities in my sample said that responses to disclosures often varied by college, which ultimately enabled disparities in treatment. Conversely, in the US, I examined the role of staff designated as "responsible employees," or mandated reporters of sexual violence, under Title IX. Whereas collegiate universities are very decentralised, the presence of mandatory reporters attempts to centralise university response by flagging all incidents to a central Title IX office. In theory, mandatory reporting of sexual violence should protect students by ensuring a designated response staff member is aware of their experience, but many students felt as if they had no power or choice in who heard their disclosures following a conversation with a staff member that they did not know was a mandatory reporter. In practice, I argued that mandatory reporting replicates dynamics of the original incident of sexual violence by removing students' power and autonomy, much like an assailant does, and instead works to protect the university by ensuring legal compliance. The chapter closed with a brief discussion of survivor-centric infrastructure, including a notable example of an alternative resolution model that used restorative justice ethos at a small public liberal arts college in the US, and (un)successful staff challenges to harmful infrastructure in the non-institutionalised response context of English universities.

Chapter Three

Whereas chapter two explored structural impediments to response, chapter three analysed staff agency in universities and expanded the structure versus agency debate in my findings. Before discussing staff interview data, I introduced a conceptual framework which drew on organisational studies and sociological theory to make sense of staff (in)action and/or complicity with harmful institutional processes. This framework combined Kallinikos (2003) concept of roles and Bourdieu's (1988) concept of habitus. Roles are the mechanism by which people become agents in organisations: They are highly specific templates of action that enable certain actions while constraining others (Kallinikos, 2003). Bourdieu's (1988) theory of habitus, on the other hand, argues that people gain agency within an organisation—specifically academia—through undergoing a socialisation process which reflects the constant interplay between available structures and individual action. This socialisation process ultimately benefits and reproduces academia by instilling the same values and goals in those working within universities (Bourdieu, 1988); I argue this process currently reflects the neoliberal drive to outrank the competition by preserving institutional reputation at all costs. Both facets—that of role-enabled/-restricted agency and socialisation that guides action—work together to explain why staff members acted in the ways that they did, especially when their personal values diverged from institutional goals and processes.

Following this conceptual framework, chapter three answered my second research sub-question about how staff experience and navigate their university's response to sexual violence. I interviewed 13 staff members across five universities in England and the US respectively for a final sample of 26 staff members across ten universities. Most of the staff members who spoke with me had a positive view of their university's response to sexual violence. English university staff in particular shared that there was a recent institutional commitment to improving sexual violence response, which most likely reflects the work made possible through the Catalyst fund. Not all staff, however, shared this positive opinion or even the same opinion within the same university: The most significant finding from my analysis of the 26 US and English staff interviews is that staff perceptions of their university responses in both England and the US depended upon their positioning.

The split between staff perceptions reflected both the type of work in which staff members engaged, such as policy or legal compliance versus student pastoral support, and where their offices sat in the institutional hierarchy, which highlights how the structure versus agency debate has material consequences for those working within universities. In both England and the US, policy and compliance staff tended to be much more senior than frontline student support staff. Several student support staff members were candid about the lack of institutional power and respect they felt they received, and how their comparatively junior position hindered their ability to challenge or improve processes they found ineffective or harmful. Policy and compliance staff, conversely, tended to be both more senior and less critical than their frontline student support colleagues.

What made unpacking these disparate experiences difficult is that the majority of staff interviewees—at all levels of hierarchy—were white women. There were no significant gendered or racialised differences at different levels of hierarchy within the same university. Therefore, instead of looking at gender as an analytical category, I argued that examining gender*ed* categories of labour help explain this divide. It is possible to conceptualise pastoral student support as a form of care work, which is a highly feminised—and therefore devalued—type of work, while policy and legal compliance are less interpersonal, less focused on the affective, and more concrete, which positions this type of work as more masculinist and therefore more valued. I asserted that the difference in value attributed reflects the wider neoliberal landscape of higher education in England and the US, which promotes individualisation and the withdrawal of care. Ultimately, staff location in their universities—and within this neoliberal framework—informed their perceptions of their university's response to sexual violence disclosures.

Chapter Four

Chapter four transitioned from discussing staff experiences of institutional responses to sexual violence to discussing student experiences. It used Phipps's (2018) framework of power/value relations to analyse five students' experiences of their universities appearing to protect their assailants following their reports of sexual violence. These five interviews came from my larger set of 19 student interviews across the US and England, and were selected as case studies for this analysis because they most clearly demonstrate how neoliberalism positions certain people as (in)dispensable in universities based on their perceived contribution to institutional reputation, while the wider set illustrates how universities devalue and retraumatise student survivors. Along with chapter five—which presented a thematic analysis of my full set of student interviews—chapter four contributed to answering my research sub-question three on student survivors' experiences of university responses to their disclosures of sexual violence.

Power/value relations (Phipps, 2018) are the intersection of a person's positioning within the university (e.g. full professor, undergraduate student) and their positioning in larger gendered, raced, classed, etc. categories; when these positions combine, certain people—such as a white, heterosexual, male professor—become indispensable to the university, precisely because those who are structurally privileged tend to have an easier time earning grant money and publishing in high-profile journals, which therefore positions them as valuable assets. In speaking of value, Phipps (2018) argues that if some people are valuable, others are not: I argued that in each of the five interviews discussed, the survivor was the less-valuable party compared to the assailant, which led to their universities acting in ways that protected the perpetrator. "Value" looked different in each case, as it ranged from athletic ability, comparatively rarer subject matter leading to better job prospects, grant capture and academic acclaim, and academic potential. For two white undergraduate female students, Marie in England and Sydney in the US, the cumulative effect of traumatising and structurally violent processes was that they left their respective institutions, which demonstrates that protecting the more valuable perpetrator can result in pushing the survivor out of the university. Two early career researchers—one white Ph.D. student, Alexandra, and one Black postdoctoral research fellow, Tamara—spoke of how their assailants, both tenured professors at US universities who were famous and/or brought in grant money, weaponized their status to harm them and (attempt to) avoid consequences. Tamara and another early career researcher, a white female Ph.D. student, Marie Tharp, also spoke of how they faced retaliation after their reports of sexual harassment, which I posited as an attempt by more powerful parties to right the perceived power imbalance caused by reporting their conduct.

In explaining how power/value relations lead to value judgements that protected perpetrators in these five cases, I designed a theoretical framework that combined dynamics of power in speech and language. This framework used Bourdieu’s (1991) concepts of legitimate language and authorised speakers, which asserts that the power of language does not come from the words themselves, but rather from those who speak; the power of the spokesperson, in turn, comes from their connection to a more powerful institution. I claimed that “value” in these five cases translated to institutional connection, which therefore saw assailants with more value having a stronger connection to their university than the comparatively less valuable survivor. Whereas Bourdieu discusses dynamics of power in speech, Ahmed (2017c) theorises dynamics of power in hearing, as she argues that how universities hear complaints determines how they respond. She asserts that universities hear complaints as destructive, negative, and magnified, and ultimately as an expression of the complainant’s failure to assimilate into institutional culture, instead of an act of violence. In positioning complaints as about the survivor’s failure to assimilate, survivors become institutional outsiders; since they are institutional outsiders, they therefore lack the institutional backing required to become an authorised speaker (Bourdieu, 1991). Ultimately, there are two simultaneous dynamics occurring within this framework: Not only do more powerful/valuable perpetrators have a stronger institutional connection because of what they can contribute to the university, but universities also see complainants as institutional outsiders, and it is this combination that enabled universities in these five cases to protect the assailants over the complainants.

Chapter Five

Chapter five continued the analysis of student survivors' experiences of institutional responses by offering a timeline of experiences before and after disclosure. As previously mentioned, this chapter answers sub-question three of my research questions, which asked how students experience their universities' responses. Student survivors self-selected to participate in the research; we discussed their experiences disclosing sexual violence to their universities, and how effective and supportive they found their university's response. My sample included seven students at English universities and 12 students at US universities for a total student sample of 19 across the two countries. Only two students of the 19 in my sample had positive experiences with their universities, as the majority expressed a sense of betrayal or trauma following their disclosures. Although there were context-specific differences in experience—notably what type of structural impediments survivors encountered, such as unstandardized and unclear reporting offices/procedures of English universities, or the role of staff as mandatory reporters of sexual violence at US universities—student survivors in both US and English universities reported university responses that bordered on or outright caused retraumatisation.

Before making a complaint, several students—particularly in England—had difficulty finding the office to which they should report, which tied back to chapter two's discussion of decentralised infrastructure obscuring reporting pathways. Once students located the correct place to report, both US and English students told me that they felt a sense of relief and had confidence in their university to handle their cases. Upon prolonged engagement with the university's reporting office, however, students' initial sense of confidence disappeared. A common post-disclosure experience for students at US and English universities included staff framing the survivor as the problem, instead of the assailant; I argued that in a context where universities must perform to be marketable, the potential public knowledge of violence—not the existence of violence itself—is a problem as it threatens the reputation of the university, which makes reporters and not assailants an issue at an institutional level.

Many students also experienced institutional betrayal: They originally expected their universities to support them, but after making a complaint, several students told me about patterns of institutional negligence or hostility they encountered across different university offices, which included incidents such as transmisogynist police violence and staff retaliation against a complainant for reporting sexual harassment. Furthermore, several students who experienced institutional betrayal also reported self-described feelings of naïveté, which I posited as a result of the appearance of structures in place to nominally support survivors, but the failure of these structures to help students. Lastly, students at US and English universities described how cumulative acts of structural violence made them leave—temporarily or permanently—their universities following their reports, or were treated as outcasts if they chose to stay. I described this phenomenon as the university as a body no longer recognising the reporter as part of itself, or a disassociation of the survivor from the university. In all, the experiences of student survivors at US and English universities demonstrate consistently unsupportive university responses to disclosures of sexual violence.

Implications of Findings

The three sub-questions asked and answered above each correspond to a different level of university responses to sexual violence, which includes the written—and public—level of the intended response (policy/guidance), the implementation level (how institutions carry out said policy/guidance), and the experiential level (how students feel about the implementation of policy to their complaints). Each of these levels then corresponds to a different type of analysis that offered insight into university responses: Studying policy enabled an understanding of structural (im)possibilities for response in each country, while studying staff experiences allowed an institutional analysis across different universities, and studying survivor experiences offered a look into the subjective and affective ramifications of structural and institutional modes of operation. In answering these three sub-questions, it became possible to answer the overarching research question of this thesis: How do some universities in the US and England respond to student disclosures of sexual violence? What emerged in the five findings chapters was ultimately a picture of US and English universities prioritising the reputation of the institution over the wellbeing of student survivors in institutional responses to disclosures of sexual violence.

While other feminist researchers—notably Ahmed (2017a-c, 2020) and Phipps (2018)—have similarly argued that the desire to protect institutional reputation leads to universities retraumatising sexual violence survivors upon disclosure, this thesis extends existing literature by highlighting that these retraumatising responses are *compliant with national policy guidance*. In mainstream media coverage of sexual violence "scandals" in universities—particularly in the US—the focus tends to be on universities who do not comply with national regulations and/or guidance; this coverage appears to utilise an institutional name-and-shame strategy to urge compliance. As discussed in the literature review, this framing of the issue in turn conflates "compliance" with "efficacy." Most universities in my sample, however, *were* complying with national guidance—whether that was (2011) Dear Colleague Letter Title IX guidance in the US or the (UUK, 2016a) *Changing the Culture* report guidance in England—yet that compliance did not prevent further harming survivors. In fact, the universities often presented in a positive light because they accomplished the recommendations set out by the US federal government (under the Obama administration) or by Universities UK are the same universities that are enacting trauma on survivors *through those very processes*.

If complying with national guidance enables universities to retraumatize student survivors, that suggests that the current response frameworks themselves are untenable. In other words: If the system itself does not work, then working *within* the system will not work. My data implies that liberal methods of reforming university responses to sexual violence—or attempting to improve university behaviour through modifying existing policy guidance—have been and will continue to be unsuccessful. In practical terms, this thesis suggests the need for transformative approaches to university responses to sexual violence. In uncovering the need for radical change outside of existing response frameworks in the US and England, I return to Audre Lorde, whose work and politics are integral to this research and to my feminist positioning: "*For the master's tools will never dismantle the master's house*. They may allow us to temporarily beat him at his own game, but they will never enable us to bring about genuine change" (Lorde, c1984, n.p., emphasis original). Ultimately, this thesis demonstrates that both compliance *with* and the existing systems *of* university response in both the US and England inherently harm survivors.

Limitations

As with any research, this thesis has limitations. These limitations result from methodological choices and barriers that emerged during data collection. At the ontological and methodological level, as addressed in the methodology chapter, is my choice of qualitative interviewing as a source of data: Although interviews reflect my poststructuralist feminist assertion that it is possible to understand the world through language, discourse, and interaction, the data produced from said interviews is not necessarily representative or generalisable. Since my aim, however, was not to produce generalisable claims, but rather to understand specific staff and student experiences of university responses to sexual violence, interviews may have constricted the type of analysis this thesis offers, but ultimately enabled me to answer the research questions.

Whereas the limitations of interview analysis reflect a specific methodological choice I made at the start of this research, other limitations—specifically those relating to sampling—arose from recruitment issues in the field. At the outset of my thesis, I wanted to conduct a comparative case study analysis, in which I interviewed staff and student survivors from the same universities so I could better understand institutional processes through the lenses of implementation and affective engagement. This proved impossible. I had difficulty recruiting student survivors at the universities where I interviewed staff members and, as discussed in the methodology chapter, had to change my sampling for students. As a result, I used self-selection for student participation, and in my entire sample, only a single student attended a university where I interviewed staff, a small pubic liberal arts college in the US. The claims I make in this thesis, therefore, are not case studies of university processes, but rather experiential case studies of the people within universities. Furthermore, self-selecting participation for student interviewees resulted in a more homogenous sample than I had hoped: The vast majority of student survivor participants were white cisgender women, and scholarship on sexual violence in universities already tends to centre these experiences. Beyond student participation, there were other perspectives missing from this research, both in terms of position in social hierarchies (e.g. gender, race, class) and in terms of role within the institution: My overall staff sample predominantly consisted—like my student sample—of cisgender white women, and I did not interview senior university leaders; there is scope to include such perspectives in future research. Ultimately, while these recruitment difficulties changed the type of claims I was able to make, I do not argue that my findings are representative or necessarily generalisable; the sample I have enabled robust close readings of particular staff and student experiences, and there is value in understanding these perspectives.

Contribution to Scholarship

This thesis contributes to existing scholarship on sexual violence in universities in several significant ways. First and foremost, it is one of the first comparative studies of sexual violence in universities, and one of the first studies of university *responses* to sexual violence that is not specifically focused on dynamic (i.e. I analysed experiences of both student-to-student sexual violence as well as staff-to-student sexual violence). In examining both US and English universities, this thesis extends the knowledge base of comparative studies of sexual violence in universities: It continues the work started in 2003 by Fisher and Wilkes which compared campus crime rates between US and English universities, as well as that of Towl and Walker's (2019) study of the challenges to reporting sexual violence at universities across the UK, US, Europe, Canada, and Australia. The value of this comparative analysis is in what its similarity reveals: Despite nearly opposing response frameworks in the US and England, universities across my sample in both countries responded in ways that protected institutional reputation over student wellbeing. Given the breadth of my sample—spanning different types of universities in two countries—it is impossible to locate this phenomenon in one specific country or one specific institution type. In other words, my data reveals that these responses are not an isolated intra-university matter, but something more insidious in the larger western university/research *system*. This thesis ultimately urges researchers to look beyond the ivory tower to the system that incentivises the behaviour that takes place within it.

In addition to contributing to scholarship on comparative studies of sexual violence in universities, this thesis also offers an in-depth analysis of university responses to sexual violence. Literature on institutional responses to sexual violence remains rare—as studies tend to focus on prevalence, impact, or perpetrators, as detailed in the literature review and Appendix A—yet eradicating sexual violence requires an understanding of how institutions enable and (re)produce it. Through unpacking policy guidance, staff experiences, and student perspectives of institutional response, this research contributes a multi-level analysis to the growing knowledge base of university responses to sexual violence, which notably includes the (2017a-c, 2020) work of Ahmed and Phipps (2018). This use of triangulation enables a comprehensive understanding of university responses from various viewpoints: I am able to make linkages between and across written policy, staff experiences, and student experiences, which ultimately offers a holistic depiction of structures, structural limitations, and the material impacts these have on the lived experience of stakeholders. In conducting such an analysis, I am able to draw on disparate fields of study—including feminist and sociological theory and organisational studies—which helps bolster any theoretical gaps in a given field (e.g. sociological theory may not reckon with the definition of an institution—or “the university”—but organisational studies does).

The most significant contribution of this thesis is my newly-developed concept of institutional embellishment. As defined in findings chapter one, institutional embellishment refers to the work, such as resource or office creation, that universities do to enhance or maintain a positive public appearance without using said work for its nominal purpose. “Institutional embellishment” as a concept offers two interpretations of “embellishment” to describe performative responses to issues within universities: It refers to “embellishment” as “decoration” by situating certain university offices as window-dressing, meant to beautify the university for outside audiences without fundamentally improving or changing it, and can also refer to “embellishment” as a stretching of the truth or an implied falsehood. In mobilising the latter definition, however, researchers must be able to prove intent to deceive, whereas the former refers to perhaps (un)intended visible consequences; since I did not interview any senior university leaders, whose insight would potentially enable me to determine intent to deceive, I used only the former definition of “institutional embellishment” as window-dressing in my analysis.

Institutional embellishment draws on different fields of research, and due to this interdisciplinary inception, could be widely applicable: I developed it specifically in contrast to Phipps's (2018) concept of institutional airbrushing, but it also reflects ideas of performativity in higher education (Ball, 2012) and phenomena such as policy/practice decoupling (Meyer & Rowan, 1977) and symbolic structures (Edelman, 1992) in organisational studies. Although I developed this theory with regards to sexual violence response specifically, the term has broader implications of use for higher education research in particular. For example, a university equality and diversity initiative enacted in name but not purpose or spirit might very well be a manifestation of institutional embellishment if it makes the university look good—i.e. marketable—to outside parties but ultimately fails to do what it purportedly should. For this specific research, however, institutional embellishment helps to make sense of institutional responses to sexual violence that appear positive, perhaps because of the presence of nominal infrastructure, but which are ultimately ineffective, unutilised, or not fit-for-purpose. It highlights the contradictions that emerge when considering the performative aspects of institutional response alongside the silencing of survivors or the silence of the institution following disclosures of sexual violence.

Implications for Future Research

This thesis opens up avenues for future research into sexual violence in universities with regards to populations to study, evolving policies, and theoretical questions. In terms of populations to research, my work indicates that interviews with senior university leadership could offer meaningful contextual information for institutional responses to sexual violence. Speaking with senior leadership was outside of the scope of this research, but throughout data collection, it became apparent that these perspectives have a place in research on university responses to sexual violence: While frontline student support staff and policy and/or legal compliance staff offer important perspectives on their universities' responses to sexual violence, senior leadership is able to speak about high-level institutional approaches in ways that staff in the aforementioned roles are not. Interviews with senior leadership could potentially reveal institutional aims with regards to sexual violence response; such information would add further nuance to institutional case studies of response by situating the experiences of student support and policy staff within overarching university agendas. In addition to senior leaders, a population of universities I was unable to access—namely, universities in England that did not receive dedicated Catalyst funding for sexual violence response—provides another opportunity for future research. My findings suggest that universities in England that received such funding are particularly prone to institutional embellishment and crafting performative responses to sexual violence, which I argue is a reflection of the project- and output-based nature of the funding. Responses may look different in English universities that did not receive outside grant money, and this is worth exploring to determine the impact of not only external funding, but also possible constraints of internal university budgeting on sexual violence response.

Beyond populations to study, the findings of this thesis also suggest that analysing new national policies and guidance is fundamental to understanding university responses. Due to the nature of the ever-evolving policy landscape of both the US and England, this thesis will inevitably already be dated by the time it is finished. This is particularly true of the US, as Secretary of Education Betsy DeVos repealed the 2011 Dear Colleague Letter guidance and implemented new Title IX regulations as of May 2020. In England, Universities UK likewise has continued to review and update guidance from its *Changing the Culture* report. Since students participants reported to their universities under the Dear Colleague Letter guidance in the US and under the initial *Changing the Culture* report guidance in England, my analysis needed to reflect that. What this thesis demonstrates, however, is that national guidance impacts institutional responses which in turn impacts the subjective experience of university staff and students; as such, it is necessary to study evolutions in macro-level policy in order to understand micro-level institutional responses.

Lastly, this thesis opens up room for theorising the university in sexual violence response more broadly. As mentioned, much of the existing literature on sexual violence in universities does not explicitly define “the university,” and appears to work on underlying assumptions about the relationship between the structure and its students. Throughout my findings chapters, I began to theorise who is “the university,” what expectations the university has of its relationship with its students, and what expectations students have of their relationship with the university. This theoretical work was necessary for achieving specificity in my analysis, but it is by no means complete. Future research on sexual violence in universities would benefit from a more in-depth exploration of these questions, as they will unpack some key points of contention that have remained thus far unexplored. Ultimately, this thesis opens up scholarly conversations around relevant populations to interview for researching sexual violence in universities, how evolving national policies impact analyses of institutional responses, and theoretical questions about the nature of “the university.”

Implications for Universities: Recommendations to Support Survivors

Since my findings demonstrate that universities in my sample across the US and England respond to student disclosures of sexual violence in ways that prioritise protecting institutional reputation over student wellbeing, there is clear room for improvement in university responses to sexual violence. I attribute this shared response, given the divergent policy and response frameworks in the US and England, to a larger issue in the western higher education research system, which has adopted a neoliberal mode of operation in past decades that notably embraces marketization, competition, and meritocracy. This behaviour outside of academia—propelled by research and funding councils, outside entities that rank and compare universities, and governments’ conceptualisations of the purpose of higher education, to name a few—affects the behaviour of actors inside of academia, which includes responses to student disclosures of sexual violence. In other words, unsupportive responses to sexual violence within universities is a systemic issue that both reflects and (re)entrenches neoliberalism's impact on western higher education.

As previously discussed, a systemic issue—like responses to sexual violence which prioritise institutional reputation over student welfare, enabled through compliance with existing policy frameworks—requires radical change. This means addressing the root problem that enables such responses: the neoliberal western higher education system. Liberal solutions that do not fundamentally challenge or change the underlying problem of neoliberalism, and its attendant gendered power/value imbalances, in higher education—and instead attempt to address the mere manifestations of it—will only ever mitigate harmful responses to sexual violence disclosures instead of eradicating them. I raise this because it is what my data suggests; I am aware that overhauling the existing research system is a lofty goal, and, one that, if achieved, will not occur overnight. I would, however, be remiss if in making the following suggestions, all of which take a more liberal than radical form, I positioned these recommendations as able to solve what is a larger entrenched issue. Given the impact of harmful university responses to sexual violence disclosures, any action taken to improve responses for survivors is better than no action at all. My findings therefore suggest universities should do the following—listed in no particular order—to improve responses to sexual violence and better support survivors:

1) **Centralise and make accessible reporting information in ways that are survivor-centric.** Chapter two addressed the ways in which both decentralised and centralised infrastructure alike harm survivors and protect the institution, often by obscuring where survivors should report or access help and thereby making the university appear as if sexual violence occurs less often than it does. Information on reporting should be clear and easy to find. Universities should focus group where this information is stored on their websites as well as the messaging of this with current

students to ensure it is as accessible as possible. All staff should also be trained on where to direct students who would like to formally make a complaint. In the US where staff members are mandatory reporters of sexual violence, Title IX or victim support offices should train all reporters on how to identify situations where a student may disclose something they have to report, gently let the student know of their reporting obligations before this disclosure occurs, and ultimately give the student the power to determine if they want the Title IX office to know about what they experienced.

2) **Improve internal resourcing for frontline student support staff, particularly those who work directly with survivors of sexual violence, and make a point to include their voices in staff meetings at the senior level about sexual violence response.** Chapter three discussed how frontline student support staff often have less power within institutional hierarchies, and how this can affect the resourcing they receive in turn, despite the high demand on their offices. Those in charge of internal university budgets need to put the university's money where its mouth is when it comes to supporting survivors, and ensure these offices are properly staffed, not overworked, and have the appropriate space and resources necessary to do their jobs. Furthermore, senior leaders should explicitly invite frontline student support staff to senior level meetings about sexual violence response because these staff members see the impact that policy and infrastructure have on survivors, and are best positioned to speak about survivor needs from an institutional standpoint.

3) **University policymakers and senior leaders should engage with academic research on sexual violence in universities, especially if those researchers work within their own universities.** University leaders should not co-opt or tokenise the work of academics researching sexual violence for institutional gain, but should

instead consult—and commensurately pay—staff experts about how to implement research-informed responses to sexual violence. In addition, university leaders and staff that select sexual violence education, prevention, intervention, reporting, and response programs must ensure that these programs are evidence-based. Not all available programs are based in sexual violence or practitioner research, which means they will not be as effective as possible and could potentially do more harm than good.

4) **Universities should work on changing institutional culture at two levels: 1) at the student level, to not only make sexual violence unthinkable and unacceptable, but also to foster cultures of respect and consent; and 2) at the staff level, especially senior leadership, to decentre the needs of the institution (e.g. reputation) and re-centre the needs of the student population, especially those who are most vulnerable.** While student cultures should change to eradicate sexual violence, this change will be slow; in the meantime, staff should focus on what their students need and how best to support them following sexual violence to ensure compassionate and just responses when sexual violence does occur.
5) **Universities should stop participating in and withdraw from institutional rankings, such as those produced by the *US News & World Report* or *Times Higher Education*.** If the neoliberal higher education landscape, which thrives on competition and ranking, is responsible for university responses to sexual violence that prioritise institutional reputation over survivor wellbeing, then a first step in changing this system is to refuse to perpetuate it. While this refusal to engage in rankings will not eliminate public scrutiny or performance due to the marketized nature of universities in the US and England, in removing *some* of the pressure to

perform, universities might be able to be focus more inwardly on their student populations instead of outwardly on public perception.

6) **University staff responsible for institutional responses to sexual violence should regularly hold focus groups with student survivors to determine what kind of response(s) and support they need/-ed from the university following sexual violence.** Staff should be aware that survivors are not a hegemonic group that all want the same kind of response, and should accordingly be willing to implement several different processes (e.g. confidential pastoral support, help making a formal complaint, help reporting to the police). Staff may also consider implementing some form of alternative resolution or restorative justice model if students indicate they would like this option, as this was an example of good practice in my sample; if undertaken, however, staff must consult with expert practitioners to clearly explain the parameters for all parties involved and ensure trauma-informed practice throughout.

Concluding Remarks

There are no quick and easy miracle solutions for improving sexual violence response in US and English universities. What I have recommended above represents a suggested starting place for staff and university leaders committed to improving support for survivors, but it is not the end. Disentangling universities from the larger neoliberal system of higher education—that values profit over people, reputation over resolution—and enables retraumatizing institutional responses to sexual violence is a monumental task. Beyond this research system, universities must also grapple with how they view themselves, their purpose, and their relationship with their students. As Alexandra, a white female Ph.D. student survivor at a US university, so succinctly described when I asked her if she thought her university was able and willing to support her:

> *[I]t's not quite that they don't have the tools. It's more like whatever they would need to acquire those tools would have to start with a fundamental reframing of how the university understands itself, its interests, its goals, how it values itself.*

Understanding institutional responses to sexual violence in US and English universities ultimately forces those of us within universities to reckon with the very system in which we work.

Those of us working within universities are complicit in these systemic failures that harm survivors. When we become aware of them, we have a responsibility to act in whatever capacity we have. There are, of course, limits of culpability; people occupying certain positions are better placed to enact change. Senior management, research funders, and administrators with a specific responsibility to safeguard students are best placed to change the system in which they work to make academia a more equitable place, a place that is less Machiavellian in its quest for 'excellence' at the expense of vulnerable members of the institution. If stakeholders can move away from promoting '*biographical solutions to systemic contradictions*' (Beck & Beck-Gernsheim, 2001, p. 22, emphasis original) and think holistically about structural change, eventually we might see some improvements—not just for student survivors, but for everyone in academia.

Appendix A: Background Information on Sexual Violence in US and English Universities

This appendix offers additional information about previous prevalence surveys about sexual violence victimisation in US universities, as well as an overview of groups of students who typically commit sexual violence, namely fraternity men and student athletes in the US and those engaged in lad culture in England.

Evolution of Measuring Sexual Victimisation in US Universities

The first of the US prevalence studies is Fisher, Cullen, and Turner's (2000) report, *The Sexual Victimization of College Women*, funded by the National Institute of Justice. The National College Women Sexual Victimization (NCWSV) survey used a randomly selected, nationally representative sample of 4,446 women in college[36] in the fall term of 1996 (Fisher et al., 2000). The telephone interview survey featured a two-step technique that first screened participants' experiences of specific sexual offenses and then asked them to complete a detailed "incident report" on said offense (Fisher et al., 2000, p. 3). Fisher and colleagues used behaviour-specific language as opposed to criminal, legal definitions to describe acts of sexual violence and was in this way able to catch acts that victims[37] themselves may not identify as rape, for example, but nevertheless constitute it. By measuring incidents that had happened since the start of a school year, they gathered that between 20-25% of female college students in their examined population would experience attempted or completed rape before they graduated (Fisher et al., 2000). The NCWSV study was ground-breaking because it was the first of its kind, yet it did not paint a full portrait of sexual victimisation in universities due to its sole focus on the victimisation of women.

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[36] I use "college" and "university" interchangeably when speaking about American institutions, for they refer to the same type of higher education; this is not the case in England, and as such I will only use "universities" when speaking about the type of English higher education I study in this project.

[37] There is an ongoing discussion in feminist scholarship and activist/practitioner circles about whether to use "victim" or "survivor" when discussing people who have experienced sexual violence. While I tend to use both simultaneously, for the sake of word count I alternate between them.

Seven years after the publication of *The Sexual Victimization of College Women*, the National Institute of Justice commissioned a second study on sexual assault in universities. Krebs, Lindquist, and Warner's (2007) *Campus Sexual Assault (CSA) Study* featured a larger sample size than the NCWSV (5,446 undergraduate women) and attempted to address the previous study's absence of men by including an exploratory section about male respondents (1,375 undergraduate men) (Krebs et al., 2007). Where the NCWSV meant to document rates of attempted and completed rape, the CSA's aim was to understand rates *of types* of sexual violence, which Krebs et al. (2007) broke down into the following categories: incapacitated sexual assault, drug-facilitated sexual assault, alcohol and/or other drug-enabled sexual assault, and other incapacitated sexual assault (e.g. sleeping). It was also the first study to examine previous sexual victimisation as a risk factor for sexual assault during university. I take issue with the CSA, however, because of its focus on victim behaviour as leading to vulnerability to sexual violence—particularly regarding victim alcohol intake and number of past consensual sexual partners (Krebs et al., 2007)—as it shifts the responsibility for sexual violence away from the perpetrators. Nevertheless, the CSA's findings were consistent with the NCWSV, and it is the study that provided the hegemonic "1 in 5" statistic that has informed much of American policy and advocacy efforts, as it stated "[o]ne out of five undergraduate women experience an attempted or completed sexual assault during their college years" (Krebs et al., 2007, p. xviii).

Following their findings with a predominantly white student population, in 2011 Krebs and Lindquist partnered with Barrick, Crosby, Boyd, and Bogan to analyse rates of sexual violence at historically Black colleges and universities (HBCUs) in the HBCU-CSA study. This was the first study to look at rates of campus sexual violence at HBCUs; compared to their primarily white institution (PWI) counterparts, HBCU undergraduate women less frequently experienced both attempted and completed sexual assault (Krebs et al., 2011). The type of victimisation rates, however, differed for HBCU undergraduate women as the authors also found that HBCU women less frequently experience incapacitated sexual assault but more frequently experience physically forced sexual assault than female students at primarily white universities (Krebs et al., 2011). In order to better understand whether fewer drinking-related assaults was a phenomenon specific to HBCU culture or to Black undergraduate women, Krebs et al. controlled for black women at both HBCUs and PWIs; they found that there was no significant difference across institution types, which suggests that race may account for these varying types of victimisation (2011). Since the 2007 CSA study highlighted the relationship between alcohol consumption and sexual victimisation, the HBCU-CSA study considered alcohol's role in the university experience of Black and white female undergraduate students: Referring to a national survey of university students' alcohol intake, the HBCU-CSA concluded that Black female students' unique victimisation experiences were due to their relatively infrequent alcohol consumption compared to white female students (Krebs et al., 2011). Though the (2007) CSA and (2011) HBCU-CSA offer important insights on prevalence and types of sexual violence that women of different races experience at university, I reiterate my ethical issue with studies that appear to partially assign fault for sexual violence to a victim's alcohol consumption. While I do not deny that alcohol can facilitate sexual violence, too few studies interrogate how perpetrators of sexual violence weaponize alcohol, which ultimately (and perhaps inadvertently) reinforces harmful victim-blaming narratives of personal vulnerability. In my view, any ethical examination of sexual violence does not focus on individual victim behaviour, but rather the systems that make certain people vulnerable.

In summary, the American prevalence studies evolved over 15 years from a relatively small sample size of undergraduate women to a large nationally representative study that included students of all genders and at all levels of study. Victimisation rates in the first two

National Institute of Justice studies, the (2000) NCWSV survey and (2007) CSA survey, were consistent at around 20% of female students experiencing some kind of sexual assault before leaving their undergraduate education. The nationally representative (2015) AAU Survey discussed in the literature review found that a little over 20% of undergraduate students of all genders experience non-consensual sexual contact before graduating, but that people victimise undergraduate female students and TGQN students at rates of 33% and 39% respectively. These surveys focused on different aspects of sexual assault in universities: the (2000) NCWSV study was concerned with capturing events classified as rape but that maybe the victims would not recognise as such; the (2007) CSA and (2011) HBCU-CSA studies interrogated the effect of previous victimisation, alcohol consumption, and racial disparities in victimisation types and rates; and the (2015) AAU study offered insight into the ways in which people of different genders experience sexual violence. When considered collectively, these surveys highlight how common sexual violence is in American universities.

Perpetrators of Sexual Violence in US and English Universities

One constant across both countries is the profile of perpetrators of sexual violence in universities. The (2000) NCWSV survey found that the most frequent perpetrators of this violence were people that the women knew, such as an (ex-)boyfriend, friend, classmate, or other acquaintance (Fisher et al.). In 2007, Krebs et al. were able to expand upon Fisher and colleagues' depiction of a typical university sexual assault: They also found that victims most often knew the perpetrators, and these victims were often female freshmen (first years) and sophomores (second years) who experienced sexual assault while incapacitated due to alcohol consumption. Similar to the NCWSV and CSA studies, the AAU study referenced in the main literature review (Cantor et al., 2015) gathered that the perpetrator in most cases was a friend. The (2010) *Hidden Marks* report in the UK discovered that the level of intimacy the perpetrator had with the victim varied across types of violence: The more severe the assault, the more well-known the perpetrator to the victim (NUS, 2010). In addition, *Hidden Marks* was the only study of the four to make explicit that these perpetrators were students at the same institution as the victim (NUS, 2010), which has important policy implications. Perpetrator profiles across all studies debunked the myth of the 'masked stranger' as the prime offender (Estrich, 1987), and instead found that victims usually knew their attackers, who were current or ex-boyfriends, friends, classmates, or other acquaintances.

Given these findings, it is perplexing that US policies about sexual violence in universities focus on a single study that constructs the figure of the perpetrator as a serial rapist. A (2002) article by Lisak and Miller argued that many 'undetected' rapists often victimise more than once. This data, however, is not from a dedicated study about sexual violence in universities, but rather from four separate studies that minimally addressed sexual violence and whose participants—although university students—were not traditional students whose actions can be generalized to a larger university population. LeFauve (2015) points out that much high-level government policy—including the now-archived (2011) Dear Colleague Letter and aspects of the Clery Act—has accepted Lisak and Miller's serial predator theory and in turn incorporated stringently punitive measures for those found responsible for sexual violence. She illustrates the weaknesses of Lisak and Miller's argument as follows:

> *The most widely quoted figures—that 90 percent of campus rapes are committed by serial offenders and that they average six rapes each—were calculated on a total of 76 non-traditional students who were not living on a college campus, and whose offenses may or may not have happened on or near a college campus, may or may not have been perpetrated on other students, and may have happened at any time in the survey respondents' adult lives. (2015, n.p.)*

Swartout, Koss, White, Thompson, Abbey, and Bellis further challenged Lisak and Miller's study in their (2015) article. By measuring pre- and during university perpetration rates of the same group of men, they found very little overlap between the those who sexually assaulted someone prior to university and those who did so during university. Though they did find a small group of men who reported multiple rapes, Swartout et al. (2015) assert that it is shared characteristics such as the tactics used, timing, and victim choice that determine whether someone who has raped multiple people is truly a serial rapist. They task us with the need to "recognize the heterogeneity of rapists and avoid 'one-size-fits-all' institutional responses to misconduct resolution or sexual violence prevention" (Swartout et al., 2015, p. 1153).

In addition to profiles of individual student offenders, universities in both the US and England have student groups or nebulous 'cultures' that are more prone to committing sexual violence than others. In the US these are fraternities and athletic teams, and in England these are students who perpetuate lad culture which can include athletes (Younis, 2014) and even debating society members (Boyle, 2015; Wilkinson, 2014). Fraternities are elite all-men's student social groups that are affiliated with philanthropy and brotherhood. They socialise with all-women's sororities, and together fraternities and sororities comprise what is known as Greek Life on campuses, which references the Greek letters that give each organisation its name (e.g. Tri Sigma, Alpha Epsilon Pi, etc.). Starting in the 1980s, American scholars identified fraternity brothers as more likely than non-fraternity men to commit sexual violence with Martin and Hummer arguing that their social organisation promotes acts of rape. Martin and Hummer (1989) assert that fraternities embrace stereotypical ideals of heterosexual masculinity, competition, and groupthink, which leads them to normalise violence and weaponize alcohol against women. As a result, "[f]raternity norms and practices contribute to the approval and use of sexual coercion as an accepted tactic in relations with women" (Martin & Hummer, 1989, p. 470). Sanday (2007) also explores how the dynamics of all-male student groups contribute to rape in *Fraternity Gang Rape: Sex, Brotherhood, and Privilege on Campus*, in which she proposes that members of these groups commit gang rape in order to bond with one another. Sanday also notes the role of alcohol as integral to this violence, though where Krebs et al. (2007, 2011) uncritically state that women who drink more are more vulnerable to sexual violence, Sanday situates the responsibility for this victimisation firmly with the men: She argues that these men infer the consent of women who drink at their parties (Sanday, 2007). Expanding on Martin and Hummer's (1989) work, Sanday states that group dynamics matter, as individual men would not think to engage in such violence.

Martin returns to her work on fraternities in 2016, but this time she also includes men's athletic teams' perpetration in her exploration of university sexual violence. She stresses the need to look at institutional cultures at different levels—first at the overall university level, then at the individual fraternity or sports team level—to understand the tensions between university and alumni stakeholders with regards to sexual violence accountability (Martin, 2016). She points out that both fraternities and athletic teams demand loyalty and secrecy from their members in addition to devaluing all things feminine, which provides ample opportunity for committing and subsequently covering up sexual assault (2016). Martin argues that the status afforded to certain men within the overarching academic institution makes them less likely to face consequences for committing this violence: As it requires money to pledge and maintain membership in a fraternity—thus producing wealthy fraternity alumni who become university donors—and as university athletics in the United States are a lucrative endeavour, the university also often has economic incentives to overlook sexual assault perpetuated by fraternity and sports team members (Martin, 2016).

Hearkening back to Phipps and Smith's (2012) claim regarding the differences in US and UK university cultures, England has no such formal—and therefore easily identifiable—openly misogynistic student groups like fraternities, and student athletics do not yield the same amount of status or wealth as they do in the US; what exists instead, however, is pervasive lad culture in universities. Key features of lad culture identified by 40 female student participants in a (2013) NUS study include pack mentality among male students, particularly seen in athletes; a focus on alcohol consumption; and homophobic and misogynistic ‘banter.’ Participants also revealed that they found lad culture to be “a sexualised culture which involved the objectification of women and rape supportive attitudes,” and subsequently “occasionally spilled over into sexual harassment and violence” (NUS, 2013, p. 28). Whereas fraternities and athletic teams in the US operate within contained spheres, participants saw lad culture as a dominant culture on their university campuses (NUS, 2013). To better grasp the extent of sexual harassment connected to lad culture, the NUS conducted an online survey the following year which garnered 2,156 responses (2014). The Lad Culture & Sexism Survey found that unwanted sexual advances were common among university students, but disproportionately affected heterosexual female and gay male students (NUS, 2014). Participants also revealed that rape jokes on campus were common occurrences (NUS, 2014), which contributed to a larger rape culture. Despite how pervasive sexual harassment was, most respondents were unaware of the sexual harassment policies and reporting processes at their universities (NUS, 2014).

While students identified lad culture as widespread at their universities, a (2015) study by Jackson and Sundaram revealed that university staff did not view it as such. Though Student Union officials, who were students or recent graduates, more readily identified lad culture as an issue for their university, more high-level staff agreed that lad culture was an issue—just not on their campuses (Jackson & Sundaram, 2015). This stands in stark contrast to student evaluations, which saw sexual harassment that resulted from laddish behaviours so normal as to be unremarkable and therefore not worth reporting (Jackson & Sundaram, 2015). Jackson and Sundaram explain that while most men are not lads, “people who are numerically in a minority can dominate space and shape the climate and culture, and lad culture seems to dominate some aspects of university life” (2015, p. 7). Furthermore, they explain that most university staff did not view lad culture as a problem of gender inequality

(Jackson & Sundaram, 2015, p. 4), which speaks to Phipps's (2017) call for better theorising lad cultures. Phipps asserts that we should use an intersectional framework to better understand the connection between lad cultures and sexual violence in the neoliberal university (2017). An intersectional approach to sexual violence in universities would be beneficial for both US and English universities, especially when deconstructing the power relations inextricably tied up in these acts, and especially when those power relations become more explicitly defined, as in the case of staff-on-student sexual misconduct.

Appendix B: Staff Interview Schedule

Before the interview:

- Go over consent form
- Ask about pseudonym and pronouns
- Safety planning
    - How would you like me to respond if you start crying?
    - How will you let me know if you'd like to skip a question?
    - What will you do tomorrow if you realise you wish you hadn't participated in this research?
    - Do you have any questions for me before we start?
- Ask about recording and note-taking
- Explain semi-structured style

Interview guide:

- Does your university have a policy and/or procedure for responding to and preventing sexual violence?
- Can you please explain to me what your role is, and how it fits into your university's larger response to sexual violence?
- Does your university publish statistics on sexual violence and harassment?
- Does your university have an anonymous reporting option?
- How would you describe the campus climate with regards to sexual violence?
- What is the standard procedure at this university when a student discloses an experience of sexual violence? / What happens once a university decides a case is "closed" following a disclosure?
    - Is there a difference between when this is a student-on-student case versus a staff-on-student case?
    - What does the university do to further protect the survivor? To prevent the perpetrator from re-perpetrating?
    - Is there a policy about personal relationships and domestic violence? About staff-student relationships?
- Have any students who disclosed to you given feedback about what that experience was like for them? If so, what did they say?
- How effective and supportive do you find your university's response to disclosures of sexual violence?
- If you could change something about the way your university responds to sexual violence, what would it be and why?
- How do you feel others view your position as part of the larger university?
    - Are you well-linked to management?
    - Do staff members who don't work directly with your team understand the necessity of what your team does, and why it's important?
    - Is your office well-advertised across campus?
    - Is your work well supported by the institution?

After the interview:

- Explain next steps: transcription, sending back to comment
- Provide resources sheet
- Any questions?

Appendix C: Student Interview Schedule

Before the interview:

- Go over consent form
- Ask about pseudonym and pronouns
- Safety planning
  - How would you like me to respond if you start crying?
  - How will you let me know if you'd like to skip a question?
  - What will you do tomorrow if you realise you wish you hadn't participated in this research?
  - Do you have any questions for me before we start?
- Ask about recording and note-taking
- Explain semi-structured style

Interview guide:

- What is the environment like at your university with regards to sexual violence?
- Tell me about your experience disclosing (to your university).
  - What channel did you disclose through? Academic staff, other student, pastoral care, student discipline/conduct? A non-university provision?
- Why did you decide to disclose to your university?
  - What did you anticipate the response would be, and did it happen?
- Before reporting your experience, how knowledgeable did you feel about the support services available to you through your university?
- How confident were you that the university would be able (and willing) to help and support you (both prior to reporting and after)? That it would believe you?
- How effective and supportive did you find your university's response to your disclosure?
- If you could change something about your university's disclosure and support processes, what would it be and why?
- Do you know of other people who have reported to your university, and if so, what were their experiences like?

After the interview:

- Explain next steps: transcription, sending back to comment
- Provide resources sheet—or send via email
- Any questions?

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