

# Sexual violence and harassment against female students in Germany

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## Riassunto

Sulla base di dati quantitativi e qualitativi raccolti tramite una indagine effettuata in Germania a livello nazionale, in questo articolo verranno analizzati i seguenti aspetti: numerosità dei casi di violenza sessuale, sentimenti di sicurezza, effetti delle strategie di coping in rapporto alla prosecuzione degli studi, cause per la (mancata) comunicazione dell'accaduto.

Essendo di particolare interesse, il focus è rivolto agli aspetti sociali dei miti su vittime e aggressori, al ruolo dei nuovi media in rapporto alla vittimizzazione e alla questione della responsabilità delle università nei confronti dei propri studenti. Le opinioni delle studentesse di una università tedesca intervistate tramite focus group integrano i dati ricavati dal questionario on-line. Tali punti di vista riguardano la percezione contraddittoria che le studentesse hanno relativamente alle loro esperienze e alla natura della violenza sessuale che si produce in ambito accademico.

## Résumé

Sur la base de données quantitatives et qualitatives recueillies par une étude effectuée en Allemagne au niveau national, les aspects suivants seront analysés dans cet article : la prévalence de la violence sexuelle, les sentiments de sécurité, les effets des stratégies de *coping* sur la poursuite des études, les raisons de la communication (ou plutôt de son absence) de ce qui s'est passé.

Sur la base de l'importance de certains sujets, cet article se concentre sur les aspects sociaux des mythes sur les victimes et les agresseurs, le rôle des nouveaux médias dans la victimisation et la question de la responsabilité des universités face à ses propres étudiants. Les opinions des étudiantes d'une université allemande interviewées dans un *focus group* intègrent les données obtenues à partir d'un questionnaire en ligne. Ces points de vue concernent la perception contradictoire que les étudiantes ont de leurs expériences et de la nature de la violence sexuelle qui se produit dans un milieu académique.

## Abstract

Founded with quantitative and qualitative data achieved in the framework of the national German survey the prevalence of sexual violence, feelings of safety, the effects on coping strategies and studies, and the causes for (missing) disclosure are executed in this article. Because of special interest, the focus is aimed in the societal effective aspects of myths about victims and perpetrators, the role of new media for victimization and the question of responsibility that universities possibly have for their students. Verbal comments given by female student interviewees in focus-group-interviews at one German university emphasize respectively complement the data sourced from the online-questionnaire. They give evidence of the contradictory perception that students have in regard to their experiences and the nature of sexual violence in an academic environment.

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## 1. Introduction.

Students are affected to a large extent by incidents of sexual harassment and sexual violence: Young women at universities and the experts in and outside at one of the largest universities in Germany are united in this assumption. This is the result of a survey and interviews executed in the framework of the three-years-EC-funded research project “*Gender-based Violence, Stalking and Fear of Crime*” 2009-2011<sup>1</sup>. This shared assumption is based on their personal perceptions and expectations in relation to daily life on campus and their professional experience respectively. Experts state, on the basis of their professional experience, that remarkably few students report such incidents or tell others about their experiences. In view of the specific situation in which students are assumed to be and the risk factors associated with this (age, experimental phase of life, numerous contacts on campus and in their private life, alcohol consumption at parties, no steady boy- or girlfriend but rather changing relationships/sexual contacts), they expect that more women in this group are affected than those in other segments of the population. This is not confirmed, however, by students’ behaviour when it comes to reporting incidents or seeking support, which happens in relatively few cases. The female students, by contrast, express their subjective perceptions regarding being confronted with sexual harassment without seeing it in relation to the experiences of non-students. Their statements are based on the fact that they spend a large amount of their time at the university over a period of years and see incidents of sexual harassment – whether on campus or in their

personal environment – as a part of their everyday life. Whether it is sexual harassment, stalking or experiences of sexual violence – these issues are part of their current life situation and have an influence on their perceptions and behaviour.

It should be noted that the factors described as being part of the “specific” student situation (age, experimental phase of life, numerous contacts on campus and in their private life, alcohol consumption at parties, no steady boy- or girlfriend but rather changing relationships/sexual contacts) are assumptions – indeed prejudgements – which do not necessarily apply to each and every male or female student either in this combination or to the extent suggested. At the same time, however, these assumptions – both on their own and even more so when they come together – make up the “risk factors” for becoming a victim of sexual harassment or violence which in turn provide the fodder for the rape myths that are widespread in society. Being young is equated with being physically attractive, being partly to blame, and being prone to behaving dubiously (as in having many different, changing contacts, partying and consuming alcohol): these are the building blocks used to construct society’s defence mechanisms in order to explain the awful things that happen.

It is possible that the hypothesis about female students belonging to the high risk group in terms of sexualised violence is a result of myths regarding what kind of behaviour might lead to women becoming victims of sexual violence being picked up and generalised for a particular target group.

The students themselves go along with these myths. It is striking that the young women

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<sup>1</sup> Research report download [www.gendercrime.eu](http://www.gendercrime.eu)

interviewed initially talk – repeatedly – about the ‘stranger in a dark alley’-type of perpetrator. Only when the conversation turns to their own immediate personal sphere is it clear that they are aware of problems here too. At the same time, a great deal of uncertainty is evident among the young women regarding their own behaviour – is it “correct”, does it help avoid sexual violence, and so on. The sad irony of myth-making intended to engender a sense of safety is that, by denying the fact that a large proportion of those who behave in a sexually harassing manner come from one’s own immediate personal sphere and that the majority of incidents occur indoors in familiar environments, the young women are putting themselves in great danger.

The fear of becoming a victim of an incident of sexual harassment or violence is considerable. Within this, the young women themselves take the “more harmless” incidents less seriously and are more scared of incidents involving sexual violence. In order to prevent these occurring, they structure their (university-related) daily life around certain times and places: meetings in isolated locations late in the evening are viewed with concern and – where possible – are avoided completely. In the students’ eyes, risk factors also include people who harass them (fellow male students, male lecturers), whom they do their best to avoid. Thus the question whether incidents of sexual violence – or indeed even fear of such incidents – poses constraints on students’ life at university can be answered unequivocally with a ‘yes’. It is the student herself who pays the price for this, as well as the university, as when students either extend their studies or do not complete them.

## **2. State of research on sexual violence and stalking against women in Germany.**

Unlike other European countries (like Great Britain) there are no periodic national surveys on female victimisation in Germany. 2003 the representative national study of Müller and Schröttle<sup>2</sup> funded by the German Federal Ministry explored for the first time psychological, physical and sexual violence against women in Germany. The study was based on 10,264 interviews with women aged 16 to 85 from all over Germany. Selected by random-route the respondents were interviewed in standardized 60-90 minutes face-to-face interviews. In order to elucidate the dark field of family and partner violence the interviewees additionally received a self-administered written questionnaire on these topics. While sexual harassment was defined in a very broad sense and comprised e.g. verbal aggression such as sexual innuendos or obscene jokes the definition of sexual violence was based on a narrow definition including only categories of sexual violence according to criminal law (rape, attempted rape, sexual assault). The results showed that 58% of the respondents have experienced some form of sexual harassment. The respondents named predominantly male attackers (97%). 13% of the women responded that they have experienced sexual violence in their adult life: 6% rape, 4% attempted rape, 5% forced physical intimacy, 4% other forced sexual practices (multiple response).

Compared with sexual harassment the majority of male attackers in cases of sexual violence was

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<sup>2</sup> Müller U., Schröttle M., *Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland*, Bundesministerium für Familie, Senioren, Frauen und Jugend, Berlin, 2004.

even greater (99%). Almost half of the victimized women experienced sexual violence by their partners or ex-partners (49%). More than half of the respondents felt psychologically affected by the harassment (56%). For sexual violence more than two thirds name psychological results (79%). 44% of sexually victimized women report injuries resulting from sexual violence. One third of them suffered injuries that required medical treatment. With 64% the injury rate is particularly high among women who have suffered sexual violence by their partners.

### 2.1 Data on female students as high risk group.

Research on the prevalence of sexual victimisation of female students is nearly not existent in Germany. Krahe<sup>3</sup> is noteworthy because she translated the Sexual experience scale (SES) to German, added the differentiation between victim-offender-relation and tested it on a sample of young males and females. The work of Krahe was carried on by Chouaf testing it at a small student sample<sup>4</sup>. Apart from Fischelmanns<sup>5</sup>, Chouaf is the only German study questioning female students about their experiences on sexual violence. Kreuzer<sup>6</sup> asked periodically his students in the frame of his „Gießener Delinquenzbefragungen“ about several experiences of victimisation, but did not differentiate experiences of sexual violence. But

he uses successfully the Online-Survey. Since these studies are not representative it is currently difficult to decide for the German context whether female students are a high risk group. However results from the national survey described above hint at age and level of education as risk factors: Müller and Schröttle have found in their survey that young women have been more often victimized than elder women. The age-group of 18 to 24 year old women had a twice as much prevalence rate of sexual harassment than the age-group 35 to 44<sup>7</sup>. Also respondents with higher education entrance qualification have reported sexual harassment three times as much as respondents with secondary general school certificate<sup>8</sup>.

The first and so far only community-based study on stalking was carried out by Dressing et al. in 2004<sup>9</sup>. It was based on a random sample of 1000 men and 1000 women aged 18 to 65 years living in Mannheim, a middle-sized German city. As the response rate was 34.2%, more women than men responded (59% versus 41%). The survey included questions on demographic variables and a 51-item self-report stalking questionnaire on the experience of harassing intrusions. Respondents who indicated any incidence were asked to answer additional questions on the nature, duration, frequency and impacts on them as well as their relationship to the perpetrator and possible

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<sup>3</sup> Krahe B., “Repression and coping with the threat of rape”, *European Journal of Personality*, 13(1), 1999, pp. 15-26.

<sup>4</sup> Kury H., Chouaf S., Obergfell-Fuchs, J., “Sexuelle Viktimisierung an Frauen”, *Kriminalistik*, 56 (4), 2002, pp. 241-247.

<sup>5</sup> Fischelmanns F., *Sexuelle Viktimisierung und Kriminalitätsfurcht. Eine methodenvergleichende Opferbefragung von Studentinnen*, Diplomarbeit an Ruhr-Universität Bochum, 2005.

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<sup>6</sup> Kreuzer A., *Vergleichende Online-Delinquenzbefragung*, WS 2004/05, 2005.

<sup>7</sup> Müller U., Schröttle M., *Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland*, Bundesministerium für Familie, Senioren, Frauen und Jugend, Berlin, 2004, p. 100.

<sup>8</sup> *Ibidem*, p. 101.

<sup>9</sup> Dressing H et al., “Lifetime prevalence and impact of stalking in a European population. Epidemiological data from a middle-sized German city”, *The British Journal of Psychiatry*, 187, 2005, pp. 168-172.

motives of the stalker. The study used a research instrument developed by Voss & Hoffmann<sup>10</sup> who adapted and translated a list of stalking items which have shown to be relevant by similar studies performed in English-speaking countries. It included behaviour such as unwanted communications by letters, e-mails, faxes or telephone calls, as well as following, loitering nearby, invading the victim's home, damage of property and sending of unsolicited goods. The survey definition restricted the presence of stalking to multiple episodes of stalking that had to be present over a minimum of two weeks, involved more than one form of intrusive behaviour, and provoked fear.

In total, 11.6% (68 women, 10 men) from this community sample claimed to have been subjected to repeated harassment at some point during their life that met the stalking definition of the study. The victimization rate among women (17%) was significantly higher than among men (4%). Of the stalking victims, 87% were women, whereas 86% of the stalkers were men. Nearly all of the female victims (91%) were stalked by a man, whereas for male victims the proportion of male and female stalkers was about equal (44% male stalkers). Unfortunately, further data on stalking victimization have not been analysed gender-specific differentiated. The duration of stalking ranged from less than 1 month (17%,  $n=13$ ) to 1 year and longer (24%, 19). Frequency of pursuing ranged from a few times (32%, 25), several times a month (8%, 6), several times a week (35%, 27), daily (9%, 7) to several times a day (16%, 12). The harassment was ongoing for 11 individuals

(14% of the victims, 9 women and 2 men), corresponding to a point prevalence rate of 1.6%. In 76% (59) of cases the stalker was known to the victim, being a prior intimate partner in 32% (25) and a friend or acquaintance in 20% (16), a work colleague in 9% (7), a client or customer in 1% (1), and a family member in 4% (3).

There are no longitudinal surveys on gender-based violence and stalking currently. Due to the multiple reports of victims in 2010 who suffered as children sexual abuse in church-related children's homes the Federal Ministry of Education and research has recently initiated a research-project on the impacts of sexual abuse in childhood on the adult's life. There was a lack of research in the field of stalking in general and concerning female students in particular<sup>11</sup>. The above mentioned studies (Kreuzer; Kury, Chouaf, Oberfell-Fuchs, and Fischelmanns) have included single questions on stalking but not researched the phenomenon systematically. The project "Sexual violence, stalking and fear of crime" was intending to close this research gap.

### **3. Legislation on sexual violence and harassment in Germany.**

In Germany sexual harassment was classified as an offence in 2006 in the context of the General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz*, AGG, §3 para. 4) and the Works Constitution Act (*Betriebsverfassungsgesetz*, § 75 para. 2). A person's behaviour is regarded as sexual harassment if it is unwanted, behaviour of a

<sup>10</sup> Voss H.G., Hoffmann J. (eds), *Psychologie des Stalking: Grundlagen – Forschung – Anwendung*. Verlag für Polizeiwissenschaft., Frankfurt, 2006.

<sup>11</sup> Schneider R. et al., "Weiblich, jung, online – Sind Studentinnen besonders häufig von Stalking betroffen? Ergebnisse einer Hochschulbefragung", *Gender*.

sexual nature, and if this behaviour has the purpose or the effect of violating the dignity of another person. Such behaviour includes unwanted sexual acts and requests to carry out such acts, physical contact of a sexual nature, comments of a sexual nature as well as the unwanted showing or public exhibition of pornographic images. Under § 13 AGG and § 85 BetrVG, the employee has the right to lodge a complaint. Under § 12 para. 3 AGG the employer has the duty to investigate the complaint and to take suitable measures to stop the behaviour from occurring. As previously laid down in §4 para. 1 No. 1 of the Employee Protection Act (*Beschäftigtenschutzgesetz*) such options include issuing a disciplinary warning, transferring or redeploying the offender, and dismissal. Outside the employment context, charges can be brought for insult (of a sexual nature) under §185 StGB. Sexual violence is legislated in § 177 Sexual assault by use of force or threats; rape StGB (Strafgesetzbuch: Criminal Code). The two crimes of sexual assault by use of force or threats and rape were combined in § 177 StGB by means of the 33<sup>rd</sup> Amendment to the Criminal Code in 1997. Under § 177 para. 1 StGB sexual assault by use of force or threats means making another person engage in or submit to sexual acts against their own will. The 2002 Law for Civil Legal Protection from Violent Acts and Stalking Offences (*Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen*) marked a considerable improvement in the situation for victims of domestic violence. They can now access support at an early stage to take action against violent aggressors or stalkers from their

close circle of social contacts and do not have to wait until “something actually happens”. The police now have the option of barring violent offenders for a period from the victim’s home and immediate social environment before an official court order is available<sup>12</sup>. Violating an enforceable court order under the GewSchG constitutes a criminal act which, under § 4 GewSchG, is punishable by imprisonment of up to one year or by a fine.

Sexual abuse of dependents is legislated in §174 to 174c StGB. Distinctions are drawn between the sexual abuse of persons entrusted to the offender’s care (§ 174), sexual abuse of prisoners, detained persons, patients and institutionalised persons (§ 174a), abuse of an official position (§ 174b) and abuse of a relationship of counselling, treatment or care (§174c). The penalty for these offences varies depending on the kind of abuse involved. A distinction is made between committing sexual acts on the dependent person and either engaging in sexual acts in front of the dependent person or getting the depending person to engage in such acts themselves. The penalty may be either imprisonment between 3 months and five years or a fine. In all cases the attempt is also punishable.

The term Stalking describes a situation involving persistent pursuit or harassment of or threatening behaviour towards another person. There is no universally valid definition of stalking because it manifests in such varied ways: constant telephone calls, hundreds of emails, text messages and letters, or lurking in wait for a person are the usual methods of stalking. In many cases, offenders

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*Budrich Journals*, 2012, pp. 92-105.

<sup>12</sup> Bundesministeriums für Familie, Senioren, Frauen und Jugend, 85

have no qualms about using violence as well. Given that stalking represents a serious infringement of a person's personal sphere and often involves considerable danger for life and limb, German law makers have included stalking as a criminal offence in the Criminal Code from 2007 onwards. The intention is to provide better protection to victims as well as to deter potential offenders from committing this kind of criminal act. Both civil and criminal legal measures are available for this purpose<sup>13</sup>: Under the Protection from Violence Act (*Gewaltschutzgesetz*) the victim can take out a civil law protection order against the stalker such as a ban on communication or establishing an exclusion zone around the victim's home. This protection order can be enforced by – among other options – imposition of a fine or imprisonment. § 238 StGB (Stalking) punishes with imprisonment for up to three years or a fine anyone who unlawfully stalks another person using the means described in the ordinance and thereby seriously infringes that person's lifestyle. Heavier penalties are imposed for those offenders who place the victim, a relative of or another person close to the victim in danger of death or serious injury by stalking. Offenders whose actions cause the death of the victim, a relative of or another person close to the victim face imprisonment of between one and ten years.

Many acts of stalking simultaneously constitute other crimes contained in the Criminal Code. Depending on the circumstances in each specific case, these other crimes may be burglary, insult,

sexual assault by use of force or threats, deliberate or negligent bodily harm, using threats or force to cause a person to do, suffer or omit an act, threatening the commission of a felony, and acts that constitute a violation of privacy.

#### **4. A short excursus: Public perception of sexualized violence in Germany.**

In 1999 the German Government published a national action plan for combating violence against women. One element of the action plan was governmental funding of a first nation-wide victimization survey. Another important element was a legislative reform. In the Protection from Violence Act from 2002 eviction and barring orders were introduced into law and thus offered victims of domestic violence more affective means. In order to make aware of domestic violence and legal interventions to it the Government launched a nation-wide information campaign. In terms of awareness-raising this campaign worked two-fold. It generally informed the public about the legislative reform encouraging women to report on violence. But it also aimed at the sensitization of key groups such as general practitioners and police as first contact person who highly influence women's report behavior.

When Stalking was introduced into the German criminal code in 2007 it was accompanied by several information campaigns yet none of them was nationally wide launched and therefore public perception was minor to the domestic violence campaign.

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<http://www.bmfsfj.de/bmfsfj/generator/BMFSFJ/Gleichstellung/frauen-vor-gewalt-schuetzen.html>

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<sup>13</sup> Bundesministerium für Justiz, [http://www.bmj.de/DE/Buerger/gesellschaft/Stalking/doc/Stalking\\_doc.html](http://www.bmj.de/DE/Buerger/gesellschaft/Stalking/doc/Stalking_doc.html)

During the three-year project period there have been two major public discourses on sexual violence. The first discussion was triggered in 2010 by victims who had suffered as children sexual abuse in church-related children's homes. The first publically announced reports of child abuse in the catholic and protestant church caused a massive snowball effect of multiple other victims who for the first time dared to speak about what they had undergone as children raised in institutions. The public debate received a lot of media attention. The government responded to it by initiating a round-table for discussing prevention and intervention measures for the future as well as how to compensate the former victims.

At the end of 2010 another high-profile case of sexual violence caught the public attention: Jörg Kachelmann, a well-known television-presenter was alleged of raping his ex-partner. The presenter was remanded in custody for several months and was finally found not guilty due to lack of evidence. In the context various talk-shows discussed the questions of blame and innocence of both perpetrator and victim, and the public reception was intense when a well reputed judge affirmed that he would advice his daughter in case of being a victim of rape or sexual assault not to disclose this experience to the German law enforcement. His arguments related especially to the risk of second victimization and suspicion of false annunciation. Shortly after Kachelmann's detention two other highly-publicised cases of alleged rape dominated the European public debate: Julian Assange, leader of the disclosure platform weeky-leaks and French politician Dominic Straus-Khan were both detained for

alleged sexual assaults. Even stronger than in the case of Kachelmann a public debate on false allegation as instrument of individual or political slander was and still is discussed. One effect of it clearly is that the attention is drawn from the victim to the offender. Another is the effect of deep uncertainty on the side of (potential) victims.

### **5. Sexual violence and stalking against female students in Germany – perception from female students in contrast to data outcomes.**

Taking a glance on the topic of sexualized violence cannot be done without considering the female fear of crime regarding sexualized violence. In contrast to the fact that (German) women feel a greater affective fear of crime than they are really affected by criminal offences (with the exception of sexual crimes)<sup>14</sup>, they evaluate especially the darkness and the public place as dangerous, communicate greater uncertainty and undertake specific coping strategies in order to protect themselves<sup>15</sup>. In this chapter the perception of sexualized violence by female students will be faced with figures that represent the data results from the German survey. The figures will be completed with comments from female students who took part in the focus group interviews at one German university. It will be obvious that especially in regard to the feeling of safety in contrast to “real” experiences a gap has to be stated that refer to an “incorrect” perception of sexualized victimisation.

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<sup>14</sup> Gender Datenreport 2011, 10.4.2 Vergleich der Kriminalitätsfurcht.

<sup>15</sup> Holst B., “Pragmatisch, offensiv, meidend – Weibliche Coping-Strategien als Reaktion auf Kriminalitätsfurcht”, *Berliner Gewaltprävention*, Nr. 12, p. 52.



By taking the focus again on female students at German institutions of Higher Education it has to be assessed that they seem to be affected to a large extent by incidents of sexualized violence. The young women interviewed but also the interviewed experts in and outside the university were united in this assumption. This shared assumption is based on their personal perceptions and expectations in relation to daily life on campus and their professional experience respectively. On the same hand, the experts stated that remarkably few students report such incidents or tell others about their experiences. In view of the specific situation in which students are assumed to be and the risk factors associated with this (age, experimental phase of life, numerous contacts on campus and in their private life, alcohol consumption at parties<sup>16</sup>, often no steady boy- or girlfriend but rather changing relationships/sexual contacts), they expect that more women in this group are affected than those in other segments of the population. This is not confirmed, however, by students' behaviour when it comes to reporting incidents or seeking support, which happens in relatively few cases. The students, by contrast, express their subjective perceptions regarding being confronted with sexual harassment without seeing it in relation to the experiences of non-students. Their statements are based on the fact that they spend a large amount of their time at the university over a period of years and see especially incidents of sexual harassment – whether on campus or in their

personal environment – as a part of their everyday life. Whether it is sexual harassment, stalking or experiences of sexual violence – these issues are part of their current life situation and have an influence on their perceptions and behaviour. From the results of the survey there is a majority of female students who experience sexual harassment. But also about ten percent of these young women suffer from sexual violence during their previous lifetime. By knowing that about 13 percent of women in the age of 16 till 85 years suffered sexual violence during their lifetime, there is an obviously higher risk for younger women (see figure 1).

This refers to the question whether the university has a certain task in the context of experiences made by their female students in the field of sexual violence. When asked for their opinion about a special responsibility of the academic institution to support them if they were to experience violence, the students were divided among three groupings: There were those who certainly did see it as the task of their Alma Mater to provide services to their students (*“Well, I think, since we spend a lot of time – or most of us – at the university, university doesn't mean there's a split between your private life and your university life: it's kind of mixed in together”*); *“...you identify with the university, so there's less hesitation there, because there's a connection, unlike some service run by the city council. So, yes, I do think it's quite important that there should be something like that”*). A second grouping, although it doesn't see the university as having a responsibility, does think that the university should take an interest in the well-being of its female students (*“Yes, the university isn't*

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<sup>16</sup> Ruch A., *Dunkelfeld und Anzeigeverhalten bei Delikten gegen die sexuelle Selbstbestimmung. Eine empirische Untersuchung im Zusammenhang mit den §§ 177, 179 StGB*, Bochum Schriften zur Rechtsdogmatik und Kriminalpolitik. Bd. 14, Felix-Verlag Holzkirchen/Obb, 2011.

*responsible as such, but it can concern itself with female students' well-being and that they feel at ease here*"). The third group rejects the idea on the grounds of separating the different areas of life (*"You're here to learn. The university doesn't have to concern itself with the personal environment of its students. The university is there to teach students, and what the students do in their spare time or what goes on in their families, that's none of the university's business, as far as I'm concerned"*).

The students also had varying opinions concerning the responsibility of the university when it comes to the perpetrator's profile, making the connection with the university's legal liability: if the perpetrator is a lecturer, the university, as an employer, is directly responsible and can, in the students' view, be made liable in this instance (*"if the perpetrator is a student, it [the university] doesn't have to be prosecuted, unlike if the perpetrator is a lecturer; you can't make the university responsible for every one of its students"*). What they want to see in any case is a – publicly communicated – commitment on the part of the university to combat violence (*"... so that as a female student, I know how the university deals with these things and what the procedure is"*; *"And if that's made a bit more open, what happens next, who you can talk to, what happens to the person involved, that would be much easier, I think"*).

Overall, it should be noted that the factors described as being part of the "specific" student situation are assumptions – indeed prejudgements – which do not necessarily apply to each and every male or female student either in this combination or to the extent suggested. At the

same time, however, these assumptions – both on their own and even more so when they come together – make up the "risk factors" for becoming a victim of sexual harassment or violence which in turn provide the fodder for the rape myths that are widespread in society. Being young is equated with being physically attractive, being partly to blame, and being prone to behaving dubiously (as in having many different, changing contacts, partying and consuming alcohol): these are the building blocks used to construct society's defence mechanisms in order to explain the awful things that happen<sup>17</sup>. It is possible that the hypothesis about female students belonging to the high risk group in terms of sexualised violence is a result of myths regarding what kind of behaviour might lead to women becoming victims of sexual violence being picked up and generalised for a particular target group.

The students themselves generally go along with these myths. It is striking that the young women interviewed initially talk – repeatedly – about the 'stranger in a dark alley'-type of perpetrator. Asked about their notion of sexual violence and the profile of perpetrators, the students are aware that their ideas are influenced by scary scenarios like the unknown attacker lurking in the bushes: *"... what pops into your head first, of course, is when you are walking across campus at nine in the evening and then you're dragged into the bushes by some bloke or other"*. Fears such as these are fuelled by rumours that are repeatedly reported around the university: *"And then there's*

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<sup>17</sup> Bohner G. et al., "Rape myth acceptance: Affective, behavioural, and cognitive effects of beliefs that blame the victim and exonerate the perpetrator", Horvath M., Brown J. (eds.), *Rape: Challenging contemporary thinking*, Cullompton, Willan, UK, 2009.

*the mystery about the bloke who turns up every now and then and hangs around in the car park. I've heard that since I first came here – and that's almost five years ago*". The supposed fact that the potential perpetrator might not be someone who belonged to the university but might be someone else entirely who exploits the "open space" of the university to commit a crime, is a theme that runs throughout the interviews with students. Comparing this assumption that the majority of perpetrators are strangers to the outcomes of the survey, they prove the fact that indeed only a small percentage are not known to the victims. Most of them belong to the closer range and an appalling group of perpetrators are (previous or current) partners (see figure 2).

Actually, the fear of (sexual) violence places limits on everyday life: many students are agreed on this. They take times of day into account, are aware of when it is getting dark, are aware of isolated locations. The fear or the effort to protect oneself from attack in advance by avoiding certain places and situations roughly structures women's everyday life's and limits their activities, thus also limiting their quality of life (*"I mean, how really, how unsafe, that really does influence the way your structure your everyday life, how you plan your day, like that maybe you have to go home in the dark"*). Also at university, as an environment of daily action, certain locations are sensed as sensitive or even dangerous places (see figure 3). Only when the conversation turns to the student's own immediate personal sphere is it clear that they are aware of problems here too. At the same time, a great deal of uncertainty is evident among the young women regarding their own behaviour

– is it "correct", does it help avoid sexual violence, and so on. The sad irony of myth-making intended to engender a sense of safety is that, by denying the fact that a large proportion of those who behave in a sexually harassing manner come from one's own immediate personal sphere and that the majority of incidents occur indoors in familiar environments, the young women are putting themselves in great danger.

The way an incident is judged by the person experiencing it has fundamentally to do with the extent to which the perpetrator is known to the victim. In this, the person's willingness to speak out about the incident or to report it to the police is closely related to their own view of the incident as one of sexual violence and of the response to the perpetrator they expect to get from their own family and friends or from the police. The way the student perceives the event is complex: If the perpetrator is someone she knows, the incident tends to be downgraded, or relativised. Because of the perpetrator's closeness to the victim, a greater degree of familiarity and – possibly – the place where the incident takes place (the student's own home or that of the perpetrator), the women try to find excuses and justifications for what they experienced: *"And then as you get closer to the person, the understanding grows – the potential understanding. Then it's like, well, he just had a bad day or he just got divorced from his wife or split up from his girlfriend or something like that. Or he'd just drunk too much, and then the alcohol is usually made to blame"*. If the perpetrator is part of the student's circle of friends this makes it additionally difficult for women to speak out about the incident as one of sexual violence, as they are afraid of getting negative reactions or

hearing excuses from that circle. A further dimension attaches to assaults that take place in the context of “power relations”, that is, in the relationship between student and lecturer, since the fear here is of being disadvantaged in one’s studies.

The level of inhibition to take action is lower when the person involved in the violence is not known to the woman. It is easier for the students to form a negative view of this person and to talk about the incident: *“Then I can stigmatise him, he’s bad, he’s a stranger, he’s the bloke in the bushes, more or less”*. Even though the unknown perpetrator is an “eternal phantom”, whose crime goes unpunished, there is no risk here of getting into a conflict over people taking sides with the perpetrator, people not believing it happened or a lack of understanding and sympathy. Also, the possibility of perhaps being partly to blame is not given in this instance, and to this extent it is *“always easiest if you don’t know them”*. The outcomes show that less severe situations are experienced with a stranger, or – by formulating it contrariwise - with the increasing severity of assaults it is to be expected that the perpetrator is well known to the victim (see figure 4).

The students believed that awareness raising on the subject of sexual violence is urgently needed (*“... about what abuse is”*), although the majority was the opinion that this work ought to be done much earlier on, in schools. They felt that the issue has been made a taboo and is beyond the scope of all other societal discourses. Also the question whether the university is a place where such experiences are discussed even less, have been formulated by the students. The reasons have to be seen in the problem of hierarchies and

referring dependencies, but also the academic claim of being a progressive and open-minded environment where “something” like (sexual) discrimination and abuse does not happen.

So the interview student participants confirm that the media convey an image of women that represents women as available and is associated with a particular external appearance. Female students too are confronted daily with this attitude of judgment and expectation towards women – including via their fellow male students. Whereas some of the students say they are “the wrong addressees” because this image of women is only present in “low-educated sections of society”, others think that this image runs right through all sections of society, even if it does not influence everyone in the same way. The problem, though, they say, is that in the university setting in which the students spend their everyday life, the issue is neglected and ignored: *“I think at the university it’s a bit of a problem that people don’t talk about it much. It’s always said at the uni that we’re simply a research institution. And the fact that these other, sexual processes are going on, that that’s swept under the carpet, I think that’s the problem.”* This applies in particular to the relationship between sexuality and power. In this way, all open debate is avoided so that even female students think in cases of sexual advances and harassment, *“Yeah, it’s ok, that’s the way it has to be”*. If they defend themselves, they are confronted with the insinuation that they are “prudish” and “awkward”. However, the students are uncertain as to whether this image of women is conveyed through the media or through education and upbringing. This applies to both genders, of course, with differing consequences:

men have internalised the message that *“Anyone who puts on a skirt in the evening, you’re quite at liberty to grab them on the arse and no one minds”*. Women wonder about their own (share of the) blame when sexual violence happens to them: *“You basically have to justify to yourself every time, at what point is it getting too intense for me, at what point is it getting sexual and at what point is it no longer just a bit of fun that’s getting out of hand”*.

Especially students with their broad use and access to new media raise the question which role the new media play in the context of sexual violence and victimisation. Given the results from the online survey indicating that the significance of the new media and particularly the internet as an tool for harassment and stalking has increased and is continuing to increase, the students in the focus groups were asked for their opinion about how they rate the influence of the media and how they might protect themselves in this context. The statements made by the interviewees suggest that, on the one hand, the students feel that the potential risks are well known and that people know how to deal with them (*“I think that probably from a certain age group upwards, it’s not so much of a big problem anymore. I reckon at the age that most people are when they are studying, that everyone knows how much information they want to give out about themselves”*). On the other hand, there is also a certain sense of helplessness, a feeling of being at the mercy of people accessing one’s details via the internet and not knowing how to put up a barrier against it. In addition, though, due to the supposed protection provided by the anonymity of the internet, other people’s behaviour – but also one’s

own – is judged as being quite encroaching (in relation to the other person) and too trusting or naive (in relation to oneself) (*“But I think it’s not only the level of inhibition of the perpetrator that’s quite low, but – let me put this quite carefully – also that of the victim. I mean, I think a lot of women write quite different things in the internet than what they maybe would say in reality, if they were to come face to face with the person.”*)

This “deceptive familiarity” created by a growing emotional attachment in the supposedly secure context of anonymity between online partners is described as a potential trap and as a gateway to sexual violence: Written communication, the interviewees say, is much easier to misunderstand and may convey the “wrong signals”. Both parties feel more secure sitting at their computer, both cross boundaries that they would respect in “normal life”: the stranger (generally a man) quickly gets too personal, the student gives out information (including pictures) which makes it very easy to identify her (*“And the risks here are underestimated. And that a medium, of course, such as StudiVZ (a German student social network) definitely opens up a door there by way of personal information”*). The internet as a medium may even encourage a certain type of behaviour on both sides, *“that media, including the internet, can forcibly make something like this happen, but it always depends on the bloke involved”*. The idea that one can be stalked in this way without realising it also evokes fear.

The assumption of being safe depends on the notion of moving within a purely virtual world, which excludes any physical encounter and thus confrontation: *“You’re not getting physically close*

*there(...). And you can feel you're being harassed there too, but maybe you can control it better, you can break it off. Because the person is not in the same room as me, you can break off the connection straight away. And you don't have to run away or kick him or something, so that he'll stop, you can switch it off more quickly".* Potential incidents involving assault are not taken as seriously here as a result (*"So you're thinking: Yeah, ok, but what's going to happen anyway?"*). It is precisely during the course of contact that the women's awareness of risk disappears: *"I mean, I don't make all my information public there, but I think there are quite a lot of friends of mine who do that, and these are not all unbelievably stupid people, it's just that they don't have this thing in the back of their mind, that it could be misused for something or other"*. People's willingness to view the acquaintanceship as one of trust when it is transferred from the virtual world to the real world, is considerable: People think they can rely on their "knowledge of human nature" and take risks, such as meeting the person at home (*"I make it really easy for a perpetrator then. And that's what I always need to have in the back of my mind"*). Blame is soon apportioned to those affected by potential incidents of sexual assault, because after all they "could have avoided it".

The students are of the opinion that raising awareness about the risks of internet use ought to be on school curricula ("media use skills"). Visible information about possible points of contact is also important, as these are not well known.

Actually, the outcomes of the survey show that especially incidents of (forced) sexual violence in and outside universities happen at places where

they are not expected: They occur in closed rooms such as flats or offices where the encounter is intense and help from third parties not available (see figure 5).

Finally, in the students' eyes, risk factors also include people who harass them (fellow male students, male lecturers), whom they do their best to avoid. Thus the question whether incidents of sexual violence – or indeed even fear of such incidents – poses constraints on students' life at university can be answered unequivocally with a 'yes'. It is the student herself who pays the price for this, as well as the university, as when students either extend their studies or do not complete them. Unsurprisingly, the most severe consequences (interrupt studies, delayed progress of studies) emerge mainly in the context of (forced) sexual assault. Whether victimised students also change the university or end their studies is unknown because universities do not document the reasons for leaving a university untimely or abrupt (see figure 6).

The experts described how students who experience stalking put up with this burdensome situation for a long time before they turn to someone for help. They explain this with reference to stalking as a crime committed in the context of a relationship. Here too, then, the close perpetrator-victim relationship seems to be an obstacle to telling a third party about the problem or reporting it officially. The students, by contrast, show a tendency to look for exonerating excuses for the perpetrators known personally to them, not least in order to avoid experiencing potential rejection from their common circle of friends, i.e. secondary victimization (see figure 7).

## **5. Support against sexualized violence through institutional policy at universities.**

Awareness raising – not least to help the victims emerge from their isolation (“... *but to keep totally silent about it makes it even worse for the victims because for them it’s like sitting in an invisible prison*”) – is communicated as necessary by the students and should be done at university with the help of regular information events and campaigns.

The assumption that there is a large number of unreported cases of sexual harassment or violence in women’s own personal sphere raises the question whether the perpetrator group comes mainly from the university and whether the university can then be said to have a special responsibility to organise, for example, a targeted programme of prevention and intervention. Students are ambivalent on this question: on the one hand they see sexualised harassment and violence as a larger social problem – especially as they experience such incidents not only on campus and in relation to members of the university (fellow male students, male lecturers). In addition, several of them feel that the people and places offering support at the University are not anonymous enough, that they are too tied in to everyday life at the University, for them to want to use them.

On the other hand, the mere fact that the response to the present research project has been highly positive among female students shows that they feel that the university sees them and appreciates the problems they are facing. For the university to take responsibility here would be seen as a positive sign. If we regard a person’s time at university as an important, personality-forming

phase in their life, then the University hierarchy has a responsibility to contribute actively towards designing the university as an appropriate space for living and working in and to deal with the issue of sexualised harassment. In doing so, the university is seizing the opportunity to put certain moral standards into practice – and acknowledging the necessity of doing so.

Students say they have the impression that the university is a “closed shop”, and that the members of the university are a conspiratorial community which would not accept any accusation of sexual discrimination or harassment against one of their own. Accordingly, the fear is great that those affected by such incidents have no chance of success against harassing teaching staff and that they must even fear being disadvantaged in their studies. The university should work to counteract this fear.

Both students and experts suggest the idea that sensible prevention work should already be started in schools. This applies both to telling children about risk factors associated with sexualised violence as well as sensitising them to situations and actions involving harassment, removing the topic from the realm of taboo, and providing training in self-assertiveness. Due to current developments, specific information should be offered about sexualised harassment online (e.g. paedophilia) in addition to general measures related to internet use that are aimed at preventing people from falling victim to harassment via the internet (cyberbullying, cyberstalking).

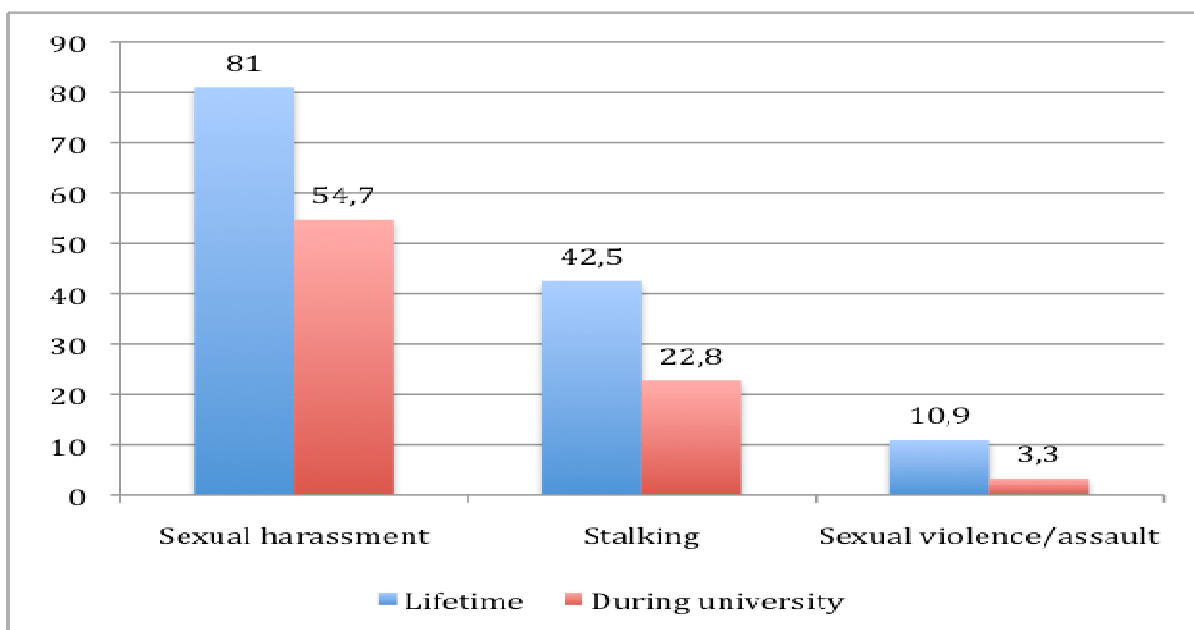
## **6. Conclusion.**

The University cannot retreat into the vacuum – as the students perceive it – of an academic ivory

tower that denies the existence of incidents of harassment on campus. At the same time it cannot hide away and keep itself far removed from the relevant networks of external support services. In the interests of its students, the University needs to take measures which ultimately reveal the as yet unknown extent of the problem. It can do this by removing the taboo surrounding the issue and assuring support for those affected by it. Such measures have to do with the atmosphere against violence at the University, including calling upon those in responsible positions in research, teaching and administration – deans, chairs, institute directors and departmental heads – to act

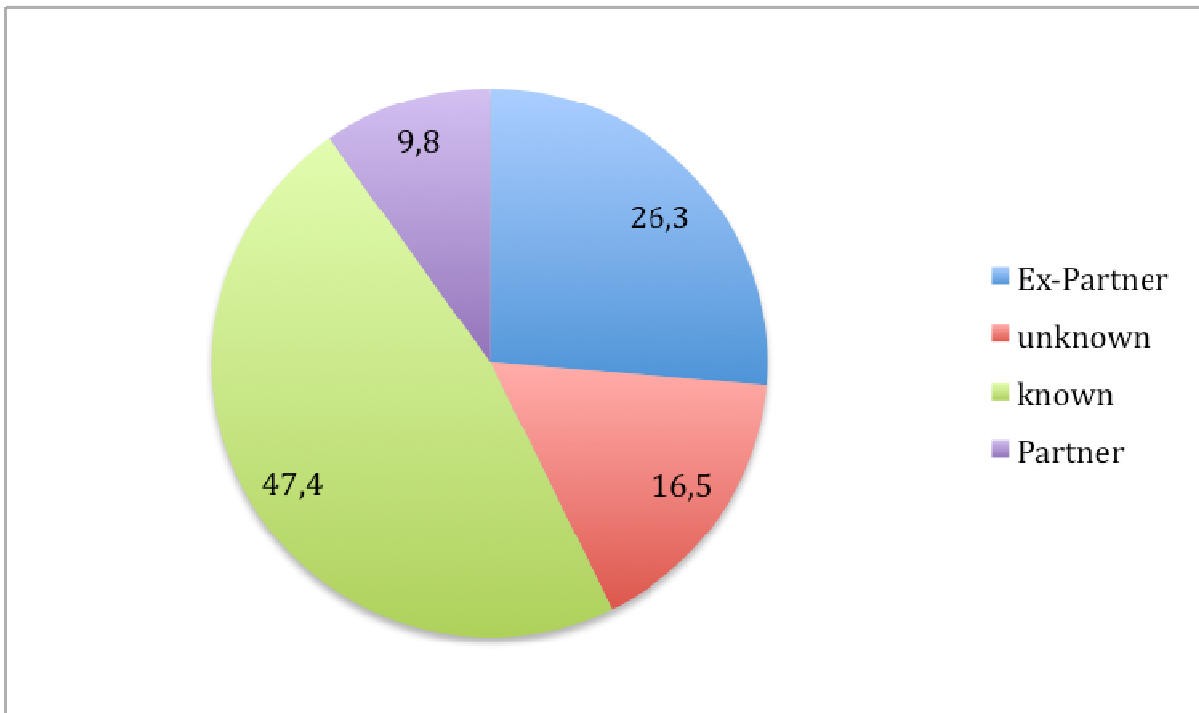
responsibly and to take a forthright stand against expressions and acts of sexual discrimination.

Against the background of the qualitative analysis above, the thesis that students are affected in large numbers by sexualised violence should perhaps be complemented by the thesis that large numbers of students do not tell anyone about, let alone report officially, incidents of sexual harassment. Since their supposed or actual life situation corresponds to the risk factors contained in myths about women becoming victims of sexual violence, they may perhaps fear (unconsciously) not being taken seriously or even being stigmatised.

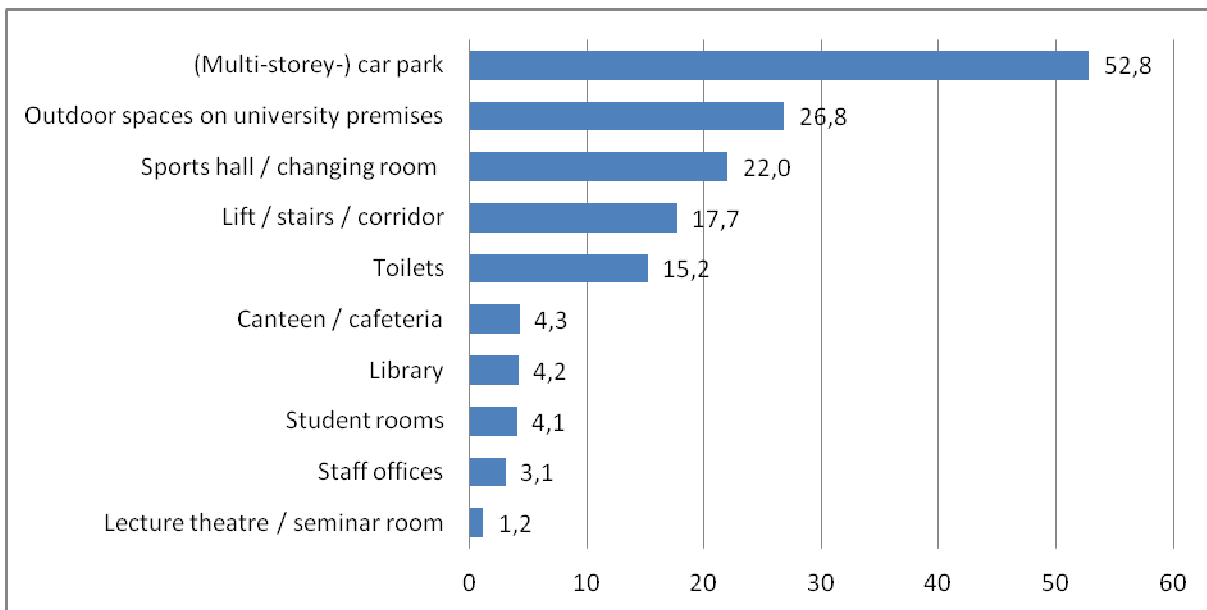


**Figure 1:** German survey on sexual harassment, stalking and sexual violence: Experiences of sexual harassment, stalking and sexual violence disclosed by the participating students (in %) (n= harassment 12.663; stalking 11.514; sexual violence 11.161 female students)

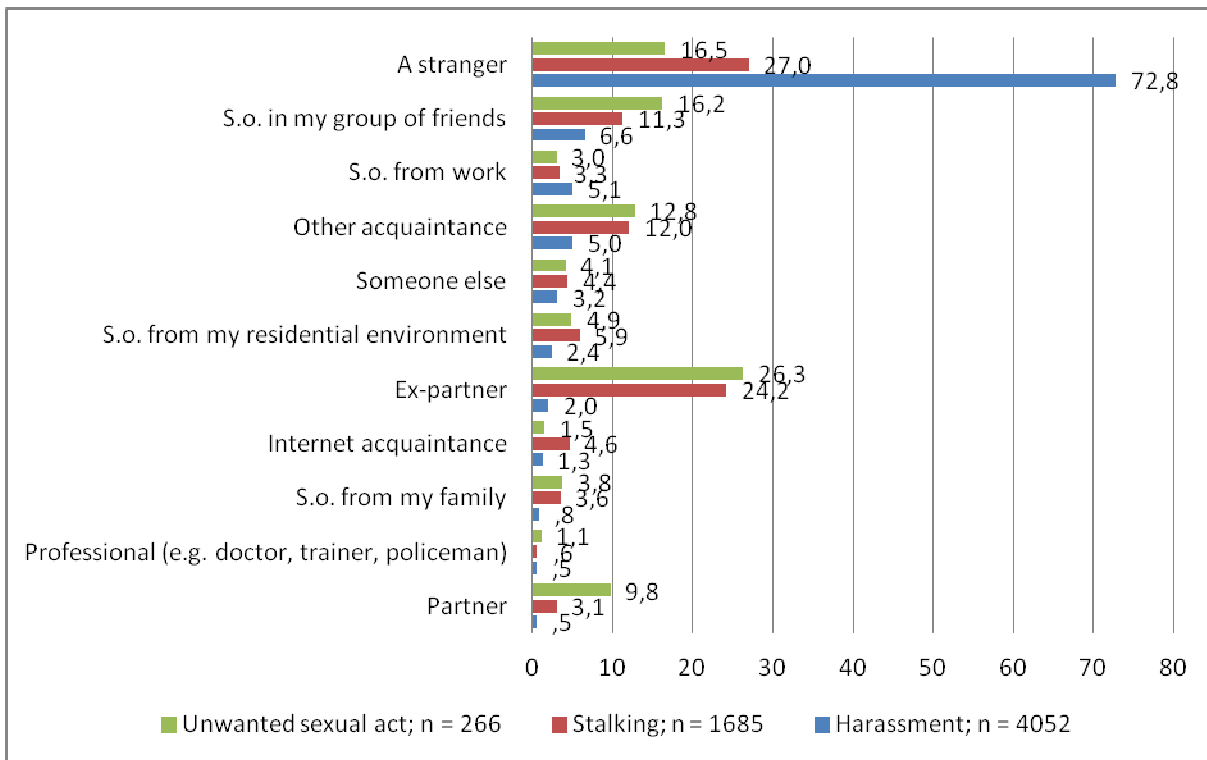




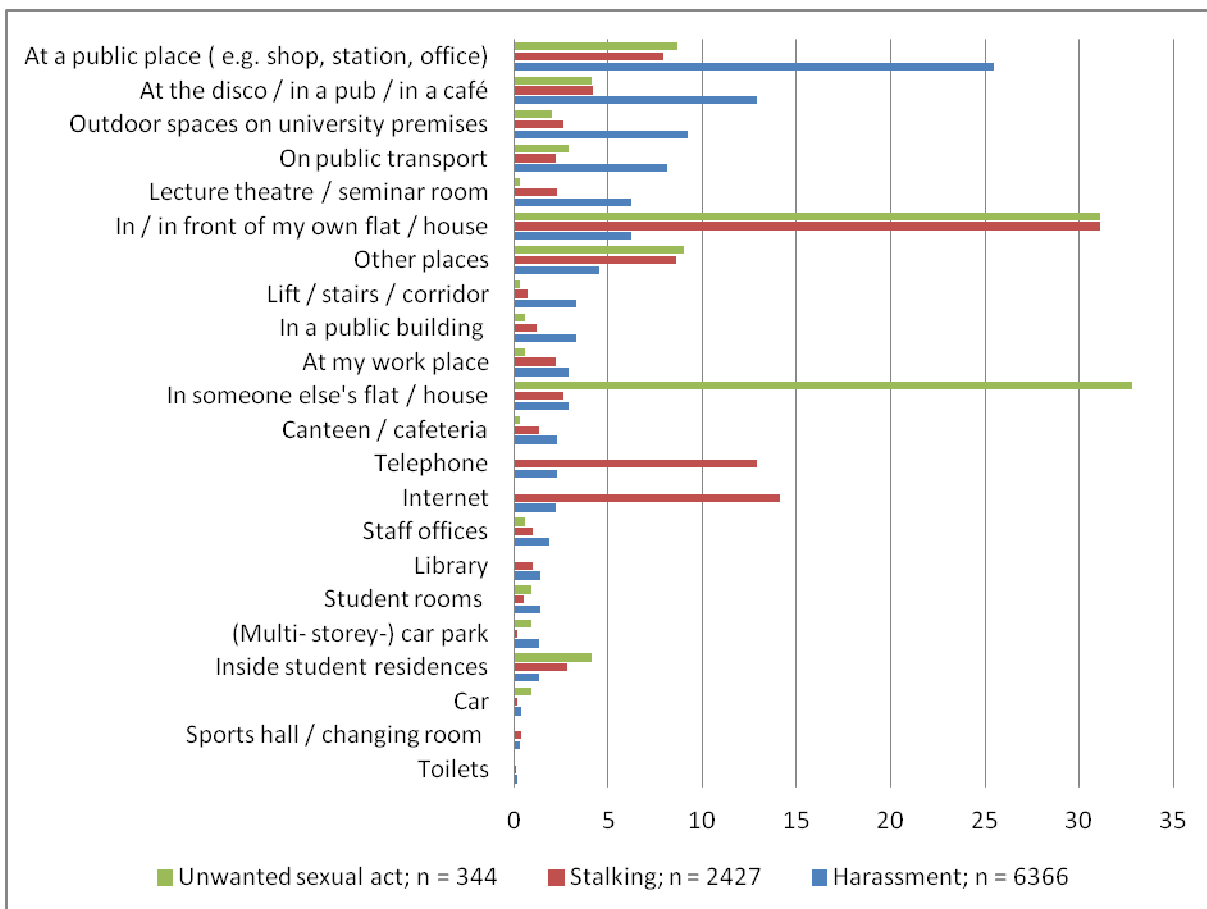
**Figure 2:** *Profil of perpetrators of sexual violence (in %)*



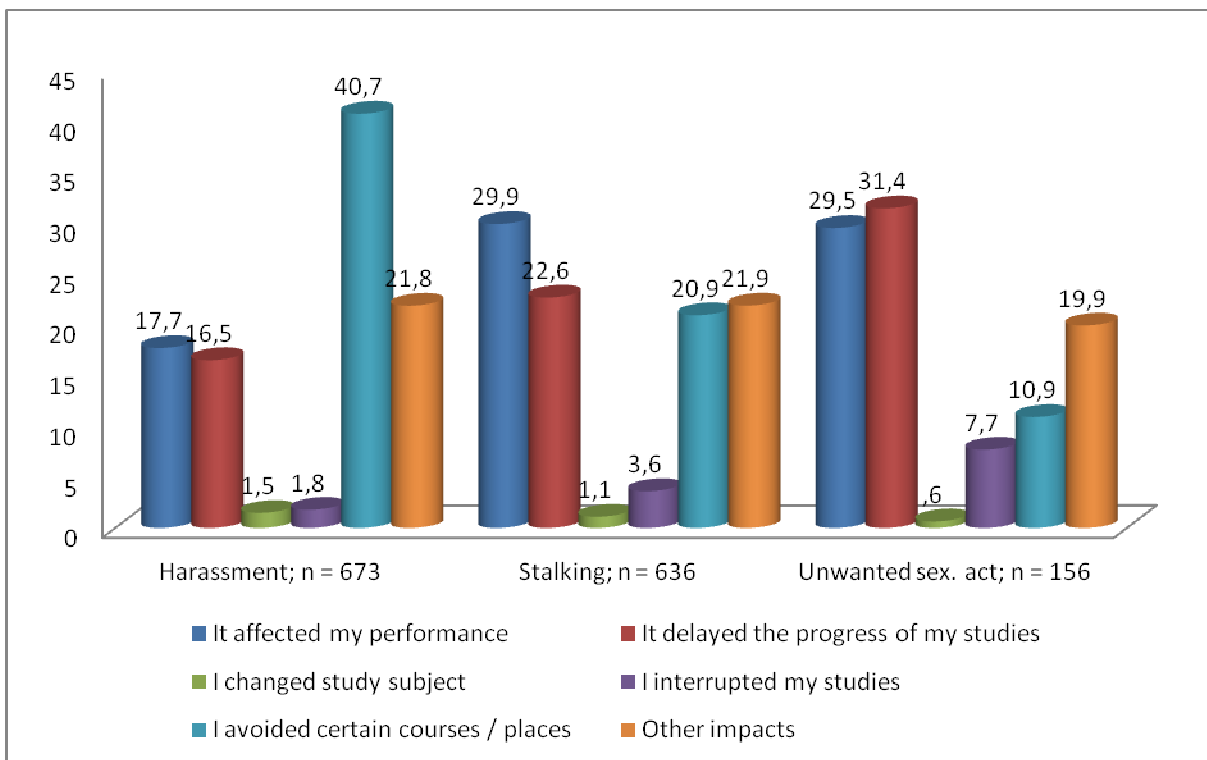
**Figure 3:** *Places at university where students feel unsafe (in %)*



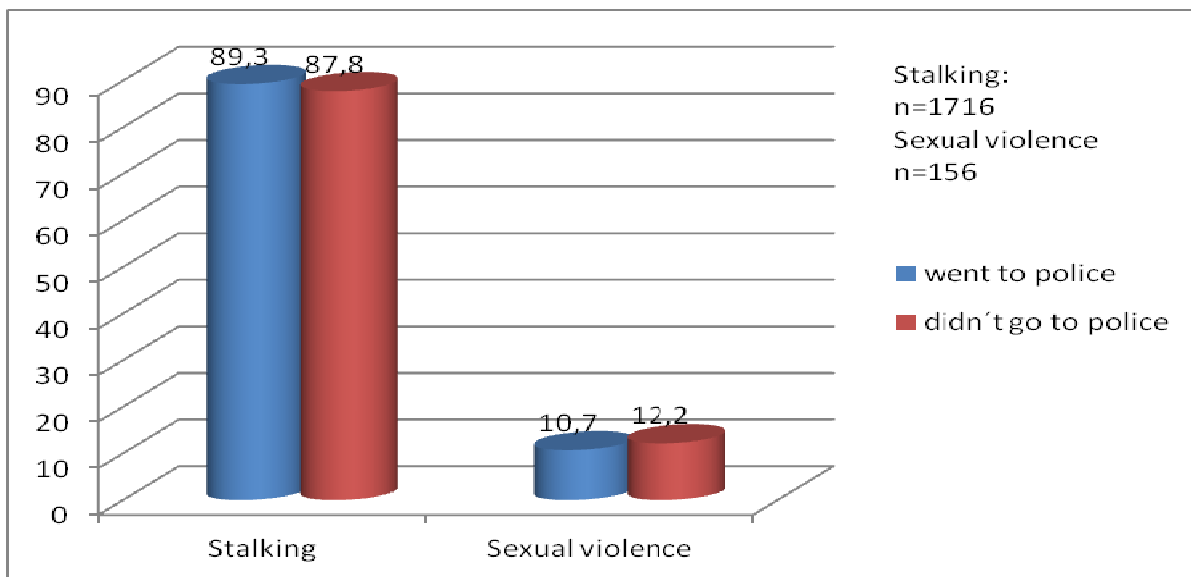
**Figure 4:** Overview of those perpetrators involved in assaults (in %)



**Figure 5:** Places of experienced serious situations involving sexualised violence during university (in%)



**Figure 6:** Effects of experiences on studies progress res. success (in %)



**Figure 7:** Proportion of students who went to the police (in %)

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