

# Beware the 'no's of the campus sex triangle — harassment, conflict of interest, abuse of trust

Cassandra Pybus's new book *Gross Moral Turpitude* on the famous Orr case, raises the issue of whether it is proper for an academic to have a sexual relationship with one of his or her students.

The issue had generated considerable discussion on some campuses around the country over the past year.

It is undoubtedly a large problem, as I've learned from working on sexual harassment committees over the past decade. Indeed, it was a case similar to Orr's that first made me aware of the problem.

A senior male academic had a penchant — if not a policy — of initiating affairs with female postgraduate students and research assistants in his department. Most of these affairs were "consensual" but in some cases he became insistent and harassing if his overtures were not reciprocated.

A single person of this sort in a strategic position can blight the careers of a generation of women in a field. Sexual attention, far from advantaging the female students, makes them more likely to switch fields, quit their degrees or drop out entirely.

When a key academic, who should be a mentor, shows a keen interest in a student's body, it often sends a signal that their intellect is of secondary importance. The impact on the student's self-confidence can be devastating.

But what about sex between staff and students where both sides agree to participate? As a



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result of a serious case involving a tutor, the sexual harassment committee at the University of Wollongong began looking into this issue in late 1991.

We were concerned about two types of problems associated with "consensual" staff-student sex. The first is a conflict of interest, such as where a teacher has sex with one (or more) of his or her students. In this situation the teacher cannot be, or be seen to be, an objective assessor of the student's academic work. A conflict of interest should be grounds for complaint by anyone affected, including colleagues and other students.

The other type of problem is abuse of trust. An academic is under an implicit obligation to foster the intellectual development of students. The trust that a student puts in the academic for this purpose can be abused when the

relationship becomes sexual. But it is difficult for others to say whether trust has been abused — only the student should be able to make a complaint.

In many situations, such as a pre-existing relationship in which the academic and student are in different faculties, there is no problem and no grounds for complaint.

We drew on work done by Carol Bacchi of the Australian National University, who proposed in a paper published in the *Australian Universities' Review* the different possible complainants for situations of conflict of interest and abuse of trust.

After developing a draft statement about sex on campus, we circulated it for discussion on electronic mail and later did the same with a revised version. In each case there was considerable support but also some vehement opposition.

Not surprisingly, some of the opponents were uncomfortable about their involvements with their own students.

Although our statements have not become university policy (yet), the debate on campus seems to have had a positive effect. Reports from the counselling centre and the equal opportunity unit suggest that students are more prepared to stand up for themselves and less likely to blame themselves when

approached by academics for a sexual relationship.

Stimulated by Carol Bacchi's paper and/or our initiatives, some other campuses around the country have taken up the issue and are looking towards establishing policies.

Cassandra Pybus in *Gross Moral Turpitude* deals with the case of Sydney Orr, professor of philosophy at the University of Tasmania, who was dismissed in 1956. Pybus says Orr was guilty of having sex with one of his students and hence deserved to be sacked.

She also suggests that this was the first academic sexual harassment case in Australia. This is incorrect. Sexual harassment involves behaviour that is un-

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solicited, unreciprocated and unwelcome. Orr's relationship with his student was consensual. But, from Pybus's account, it involved both a conflict of interest and an abuse of trust and was hence certainly inappropriate.

Yet the Orr case is not so simple as Pybus paints it. Orr was one of a group of academics who openly challenged the University of Tas-

mania administration and helped instigate a royal commission, which was quite critical of the administration.

If senior figures of the university were predisposed to counterattack, who better to target than Orr, with his many personal and academic deficiencies?

In the 1950s, like today, there were many academics who had sex with their students and who were also inadequate as academics, just like Orr. But few of them had also been involved in challenging their administration. Orr may have been guilty but he was also a victim of suppression of intellectual dissent.

Pybus's book is worthwhile if it increases awareness of "gross moral turpitude" on campus and the need to act against it.

But it would be unfortunate if her analysis encouraged university administrations to take action against dissident academics by finding them guilty of something else besides their

dissent. That is why it is important for universities to have, and more importantly, to uniformly enforce, policies to deal with sexual harassment and inappropriate sexual relations.

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