

Achievements and Prospects of the Struggle against Gender-Based Violence in Higher Education and Research in France

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I. INTRODUCTION

- 1) In terms of Gender-Based Violence (GBV) in France, the **feminist associations** have been **the driving force** for conceptualising and intervening with women denouncing violence, in particular using results of Northern America studies and European laws.
 - 2) Though, in higher education and research, GBV is still especially **taboo**.
 - 3) Our proposal: **against taboos, rely on collective work**.
- **This led to the partnership ANEF/CPED**

13/08/2018

VIOLENCES
SEXISTES ET
SEXUELLES
DANS L'ENSEIGNEMENT
SUPÉRIEUR ET LA RECHERCHE
DE LA PRISE DE CONSCIENCE À LA PRISE EN CHARGE

The Standing Conference for Equality and Diversity Officers within Higher Education Institutions (CPED) (EST 2011)

- To provide **a cooperative space** for the equality and diversity officers in higher education institutions and **to promote and facilitate** equality between men and women in higher education and research;
- **To observe and analyse** gender policies in higher education and research;
- To **federate** higher education and research institutions by encouraging shared practices in gender equality.

<http://cped-egalite.fr/>



The National Association for Feminist Studies (ANEF) (EST 1989)

- To develop and promote **feminist studies and research** in **all** fields;
- To fight for the **institutionalisation** of feminist research and for the creation of academic positions in **gender studies**;
- To participate in the **development of research and training programs** in gender studies.

<http://www.anef.org>



II.THE FRENCH CONTEXT: LAWS FOR EQUALITY, LAWS AGAINST SEXUAL HARASSMENT



The French Context (1)

- A long history of **laws for equality** between women and men: the law warrants **the same rights for women and men** (1946).
- In **Politics**: laws for parity in elections (1999, 2000, 2013).
- At **Work**: Roudy's law (1983), Génisson's law (2001), quotas in boards (2011), Sauvadet's law (2012), law for real equality in all spheres of society (2014).
- In **Education and Research**: Fioraso's law (2013), law for a Re-Foundation of the School of the Republic (2013).

The French Context (2)

Laws against Sexual Harassment

- 2006: law against violence between **partners** or **towards under 18**.
- 2012: law against **sexual harassment**.
- 2014: law for **real equality** between women and men.
- 2017: law for **equality** and citizenship
- 2018: law for the **liberty** to choose one's professional future
- 2018: law **reinforcing the fight** against sexist and sexual violence

The French Context (3)

The situation of Sexual Harassment (SH)

- Continuous and open **violence** against women in all spheres, **private, public, political, higher education, academics**.
- Difficulties for the victims **to say it**, least **to do anything** about it, to **make it stop**, to **report it**.

CODE OF SECRECY....

in each segment of the French society! Also in **higher education and research**.

Example in May 2016... **1,5 year before #MeToo**: 4 women, then 5 women spoke up and reported the aggressions they had endured from ONE **male** political leader... who claimed he hadn't done anything, that it was part of seduction. The facts were well known from (male) colleagues for years (more than 20)... nothing had been done ever, implying more victims over the years.

III. AWARENESS IN HIGHER EDUCATION AND RESEARCH (HE&R) IN FRANCE: A SHORT (LONG?) STORY

1. The pioneering mobilisation of associations

2002: creation of CLASCHES - Anti-sexist Action-Group against Sexual Harassment in Higher Education and Research

- ✓ Press releases, awareness raising actions
- ✓ Demands for more appropriate procedures for treating SH cases
- ✓ **Clasches guide** + a web site: <https://clasches.fr/>

2012: National Conference for Higher Educations ans Research – **ANEF** writes an « Appeal for the institutionalisation of gender studies », with a chapter on GBV, text enriched with AVFT and Clasches, in

« **Le livre blanc** » in 2014 (White Book – Gender in Higher Education and Research)

- ✓ Demands
- ✓ Press releases

2014 : partnership et implementation of common actions ANEF/CLASCHES/CPED

- ✓ Vade-mecum (2 editions) elaborated within several working groups
- ✓ 1er international conference, December 4, **2017**, Paris, with proceedings

13/08/2018 **Four** working groups **en 2018**, with the partnership of the Ministry of HE&R



Édition 2015

Le harc èlement sexuel

dans l'enseignement supérieur
et la recherche

Vade-mecum à l'usage des établissements

Édition 2017

Le harc èlement sexuel

dans l'enseignement supérieur
et la recherche

Vade-mecum à l'usage des établissements

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Four Working Groups stemming from the Paris Conference, December 2017

- **Investigate:**

Establishing recommendations for future surveys about GBV in universities and research institutions.

- **Setting up a facility for listening, guiding and taking care of:**

Collecting all the existing types of units or services and listing recommendations.

- **Communicating:**

To propose a national awareness campaign for a common culture for fighting against GBV.

- **Training: « VSS Formation » (GBV Training)**

To create a multidisciplinary training network on GBV, so as to increase the number of trainings in the institutions of higher education and research.

➤ **November 2018: Results (with the partnership of the ministry)**

2. The mobilisation of the State

- **Texts:** *Action plan for Equality between Women and Men* in 2012 (HE&R); *Charter for Equality between Women and Men in Higher Education and Research Institutions* in 2013 (Gender Officer, disaggregated statistics, actions for mixed W/M programs of studies and for professional equality, information about the rights of violence victims).
- **Tools:**
 - Interactive map of the initiatives for fighting against GBV in Higher Education (Ministry HE&R);
 - Awareness KIT (posters) (Ministry HE&R);
 - *Practical sheets about what to do in case of sexual harassment in public enterprises* (Ministry in charge of women rights, Human Rights Defendeur, State Bureau in charge of civil servants).
- **Funding for research:** funding for the VIRAGE survey (Violence and Gender Relationships) with one part in th several universities (University of West Brittany – Brest, University of Strasbourg, University of Paris Diderot, Université Paris I).
- **Funding for associations and projects**




UN AMPHI,
C'EST FAIT POUR
RENCONTRER LES
GRANDS TEXTES, PAS
DES PETITES PHRASES
SEXISTES.

STOP AUX VIOLENCES SEXISTES ET SEXUELLES
DANS L'ENSEIGNEMENT SUPÉRIEUR
#NeRienLaisserPasser

CAMPAGNE SOUTENUE PAR
LES ORGANISATIONS ÉTUDIANTES
ET LES CONFÉRENCES D'ÉTABLISSEMENTS



POUR EN SAVOIR PLUS :
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UNE SOIRÉE
D'INTÉGRATION,
C'EST FAIT POUR
FAIRE CONNAISSANCE
AVEC SA PROMO,
PAS AVEC LES
VIOLENCES SEXISTES
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3. What about in Higher Education and Research?

2008 – CEVIHS - One pioneering university – Lille 3 University, due to the implication of women researchers in gender studies and due to the political impetus of the president: a counseling, victim orientation and prevention unit inside the university.

... 2017 - New such units are being developed in many universities, under the impetus of the ministry and of the local Equality Officers.

The road is still long... the ministry in charge of higher education announced in December 2017 that **each** institution must have such a counseling, victim orientation and prevention unit by **September 2018**...

France has numerous legal texts, specialised associations in GBV, tools... TODAY is a TIME when things could get better for women to study or work in higher education institutions.

Questions:

1. How to constraint the institutions so as they consider the GBV as a priority question?

2. Disciplinary procedures: the key point.



III. PERSPECTIVES & PROPOSITIONS: FOR A REAL CONSIDERATION OF GBV



1. Engage a vigilance in the naming and the conceptualisation of GBV

- **GBV:** gender-based violence, human rights violation, produced by and used by the patriarchal domination system.
 - **GBV is a political question**, not a personal or psychological business (on either sides: victims or authors).
- **Risk** of using the words « sexual harassment » for sexual aggressions or rapes.
 - **understand the GBV continuum.**
- **A better visibility of this violence is necessary:** « conflagration » violence because of the mixing of different forms of power or abuse, with serious impacts and consequences on victims.

2. Require Transparency in Higher Education and Research

- ✓ Listing of the situations.
- ✓ Listing of the disciplinary decisions and their publication.

See the posters exposed at the December 2017 Conference in Paris

- ✓ Evaluation of the actions.
- ✓ Evaluation of the prevention and counseling units.

TÉMOIGNAGES EXTRAITS DU TUMBLR
PAYE TA FAC

« Mademoiselle, enlevez ce crayon de votre bouche : cela donne envie d'y mettre autre chose. »

Par mon prof alors que je mâchonnais mon crayon... Nous étions un petit groupe d'une douzaine de filles. Nous sommes restées sans voix, moi y compris.

« Tout cul tendu mérite son dû. »

Par mon prof de lettres en regardant ma voisine de table se baisser pour ramasser ses cours.

« Ouaw! Tu t'y connais en sexe, je suis sûr que tout le monde te passe dessus. »

Un prof à une élève, dans une des meilleures prépas de France.

Article 222-33 code pénal
« I. - Le harcèlement sexuel est le fait d'imposer à une personne, de façon répétée, des propos ou comportements à connotation sexuelle qui soit portent atteinte à sa dignité en raison de leur caractère dégradant ou humiliant, soit créent à son encontre une situation intimidante, hostile ou offensante.
II. - Est assimilé au harcèlement sexuel le fait, même non répété, d'user de toute forme de pression grave dans le but réel ou apparent d'obtenir un acte de nature sexuelle »

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DE LA PART DE CONFERENCIERS À LA PART EN CHARGE

DÉCISION

DU CONSEIL NATIONAL DE L'ENSEIGNEMENT SUPÉRIEUR ET DE
LA RECHERCHE STATUANT EN MATIÈRE DISCIPLINAIRE

LES FAITS

Lors d'un chantier de fouilles, faute de salle de réunion sur place, Monsieur X a invité à de nombreuses reprises une de ses étudiantes dans sa chambre, la nuit, pour discuter recherche. Lors de ses rdv, il n'y a pas eu de relations sexuelles mais certains gestes de Monsieur X « ont dépassé le cadre d'une relation amicale ». Après leur retour de chantier, l'étudiante s'est plainte de harcèlement sexuel de la part de Monsieur X qui, lui, estime qu'il existait des sentiments réciproques et que l'étudiante « répondait toujours positivement et de manière enthousiaste » à ses invitations.

ANNÉE DES FAITS
Non indiquée

ANNÉE DU PRONONCÉ DE LA
DÉCISION
2015

STATUT DU MIS EN CAUSE
Maître de conférences

STATUT DU/DES PLAIGNANTES
étudiante en master sous la
direction du mis en cause

PROCÉDURE
Monsieur X fait appel d'une
décision de 2014 de la section
disciplinaire de son établissement
qui le condamnait à un
abaissement d'échelon

LA DÉCISION

le CNESER annule la décision de la section disciplinaire d'établissement pour vice de procédure mais conclut à la culpabilité de monsieur X.

Pour le CNESER, « même si dans les chantiers de fouilles les enseignants et étudiants vivent ensemble dans une certaine proximité, Monsieur X aurait dû se comporter comme un enseignant responsable et conserver la distance requise ». La réciprocité et le consentement ne peuvent être constatés car l'étudiante se contentait de répondre sans jamais prendre d'initiative. « Monsieur X n'a pas eu le discernement nécessaire pour considérer que la relation avec cette étudiante pouvait poser un problème dans le cadre de ses fonctions d'enseignant-chercheur et constituer pour l'intéressée un abus d'autorité et du harcèlement »

LA SANCTION

Monsieur X est condamné à un abaissement d'échelon.

3. Favor the massive development of awareness and training, taking into account the whole continuum of GBV

See the working group GBV Training (« VSS Formation »):
collaboration ANEF / CPED / CLASCHES / AVFT / Jurisup

4. Do in a way that persons who reveal GBV and denounce it be accompanied

5. Change the disciplinary procedure in universities

e.g. victims are not part of the procedure, just witnesses!

IV. CONCLUDING THOUGHTS

➤ GBV, leaning back on and taking root in several types of power relationships, **collective mobilisation** is a key leverage, in addition to a « jigsaw of strategic initiatives » (Ruth Lewis, Dec 2017 Conference Proceedings).

➤ Need to reinforce the existing partnerships between associations: CLASCHES / CPED / ANEF / Jurisup (association of heads of legal affairs in universities)...

Also, find out how to involve more actors who share the same values and principles, for example, staff and academic unions, students associations...



THANK YOU!